

H.V.E.U. SIRIWARDENA .VS. DIVISIONAL SECRETARIET HOMAGAMA

RTIC Appeal (In person) 268/2018 (Order adopted as part of a formal meeting of the Commission on 29.10.2018)

Order Section 32 (1) of the Right to Information Act, No. 12 of 2016 and Recording of Proceedings under Rule 28 of the Right to Information Rules of 2017 (Fees and Appeal Procedure)

Chairperson: Mr. Mahinda Gammampila

Commission Members: Dr. Selvy Thiruchandran
Justice Rohini Walgama

Present: Director- General- Mr. Piyatissa Ranasinghe

Appellant: H.V.E.U. Siriwardena

Notice issued to: Commissioner- General Agrarian Development

Appearance/ Represented by:

Appellant: H.V.E.U Siriwardena - present

Public Authority: D.P.K. Udawatta

RTI Request filed on	24.01.2018
IO responded on	30.01.2018
First appeal to DO filed on	05.02.2018
DO responded on	16.02.2018
Appeal to RTIC filed on	07.03.2018

Brief factual Background:

It is apparent from the letter dated 16.02.2017, that the Appellant has narrated his grievance and addressed the Commissioner of Agrarian Development Department as the an act of widening Ela, which process has caused damage to his property.

Pursuant to the afore said the Commissioner -General by his letter dated 03.09.2018 sent to the Deputy Commissioner of Agrarian Development and adverted his attention to the letters sent by the Appellant, and made order that a report in respect of the complaint made by the Appellant to be sent to him and to the Commission.

Therefore it is noted that the Appellant's request to the IO and DO has been for the release of the report dated 20.08.2012.

As the Appellant could not obtain the said report he appealed to the Commission accordingly.

Matters arising at the hearing:

When this matter was taken up for hearing both parties were present. At the hearing of the appeal it was submitted by the Public Authority that such report is not available. But nevertheless it was directed by the Commission that the Public Authority should response to the letter dated 03.9.2018 sent by the Commissioner General to Deputy Commissioner of Agrarian Development and report to the Commission on 07.01.2019.

Further inquiry is adjourned for 07.01.2019.