At the Right to Information Commission of Sri Lanka

H.V.E.U. SIRIWARDENA .VS. DIVISIONAL SECRETARIEET 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

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<td>RTI Request filed on</td>
<td>24.01.2018</td>
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<td>IO responded on</td>
<td>30.01.2018</td>
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<td>First appeal to DO filed on</td>
<td>05.02.2018</td>
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<td>DO responded on</td>
<td>16.02.2018</td>
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<td>Appeal to RTIC filed on</td>
<td>07.03.2018</td>
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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.