

B.A Ruwan Pathirana v People's Bank

RTIC Appeal (In – person)/303/2018 (*Order adopted as part of a formal meeting of the Commission on 06.08.2018*)

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)

Chairperson: Mahinda Gammampila
Commission Members: S.G. Punchihewa
Dr. Selvy Thiruchandran
Justice Rohini Walgama

Director-General: Piyathissa Ranasinghe

Appellant: B.A Ruwan Pathirana

Notice issued to: Samantha Senanayaka, Designated Officer, Assistant General Manager-Compliance, People's Bank

Appearance/ Represented by:

Appellant - B.A Ruwan Pathirana
.Harold Samaranayake, Attorney-at-Law on behalf of the Appellant (illegible)

PA - D.M.P.S Dissanayake, Legal Officer, People's Bank

RTI Request filed on:	02.09.2017
IO responded on:	26.09.2017
First Appeal to DO filed on:	10.10.2017
DO responded on:	No response
Appeal to RTIC filed on:	31.05.2018 (date as mentioned in the appeal by the Appellant)

Brief Factual Background:

The Appellant had by request dated 02.09.2017 requested a certified copy of the Board Paper approved on 06.08.2009, referred to in paragraph six of the letter by the Deputy General Manager (HR) dated 28.07.2011 and bearing reference no. ප්‍රකල (මාස) 1 1/2 ප්‍රජා සේවා අංක 7365-0 විශ්‍රාමික including, salaries and other allowances and/or benefits to the Ombudsman

The Information Officer (IO) by letter dated 26.09.2017 denied access to the information requested citing Section 5 of the Right to Information Act No.12 of 2016. Dissatisfied with this response, an appeal was lodged with DO on 10.10.2017. As the DO failed to respond within the time frame stipulated under the Act, the Appellant preferred an appeal to the Commission on 31.05.2018.

Order

The Public Authority (PA) and Appellant were directed to file written submissions before the next hearing date.

Order is directed to be conveyed to both parties in terms of Rule 27 (3) of the Commission's Rules on Fees and Appeal Procedures (Gazette No. 2004/66, 03.02.2017)

The Appeal is adjourned.

Next Date of Hearing: 11.09.2018

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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)

Chairperson: Mahinda Gammampila
Commission Members: Kishali Pinto-Jayawardena
S.G. Punchihewa
Dr. Selvy Thiruchandran

Director-General: Piyathissa Ranasinghe

Appellant: B.A Ruwan Pathirana

Notice issued to: Samanthi Senanayaka, Designated Officer, Assistant General Manager-Compliance, People's Bank

Appearance/ Represented by:

Appellant - B.A Ruwan Pathirana
A.H.N Samaranyake, Attorney-at-Law on behalf of the Appellant
P.G. Kulathunga, Attorney-at-law on behalf of the Appellant
PA - D.M.P.S Dissanayake, Legal Officer, People's Bank

Minute of the Record

Upon being queried as to the status of the written submissions which both parties were directed to file on 06.08.2018, the Appellant submitted that he filed a written submission on 28.08.2018 for the perusal of the Commission.

At the time of the hearing the PA too had filed written submissions.

Both parties were directed to provide copies of their written submissions to the other party. The matter was re-fixed for hearing on 07.11.2018 for consideration of written submissions filed by parties and to ascertain further steps to be taken in relation to the release of the requested information.

The Appeal is adjourned.
