

Dr. Paba Palihawadana v Ministry of Health, Nutritious & Indigenous Medicine

RTIC Appeal (In-Person Hearing)/306/2018 - Minute adopted subsequent to the hearing/consideration at a part of the formal meeting of the Commission on 21.08.2018.

Record of Proceedings under Rule 28 of the Right to Information Rules of 2017 (Fees and Appeal Procedure)

Chairperson: Mr. Mahinda Gammampila
Commission Member: Ms. Kishali Pinto-Jayawardena
Commission Member: Mr. S.G. Punchihewa
Commission Member: Dr. Selvy Thiruchandran
Commission Member: Justice Rohini Walgama

Director-General: Mr. Piyathissa Ranasinghe

Appellant: Dr.Paba Palihawadana
Notice issued to: Janaka Sugathadasa, Secretary, Designated Officer (DO), Ministry of Health, Nutritious & Indigenous Medicine

Appearance/ Represented by:
Appellant - Dr.Paba Palihawadana
PA - Absent

RTI Request filed on	11.01.2018
IO responded on	No response
First Appeal to DO filed on	02.03.2018
DO responded on	No response
Appeal to RTIC filed on	28.03.2018

Brief Factual Background:

The Appellant by letter dated 11.01.2018 requested the following information,

1. The Cabinet paper dated 2009.09.09 and the corresponding cabinet approval for the interview of Epidemiologist,
2. The special marking scheme for the interview (approved by the Cabinet) and
3. A Copy of the letter received from the Public Service Commission in January 2018 requesting clarification on the appointment of the Chief Epidemiologist.

As the IO failed to respond within the time period stipulated under the Act the Appellant on 02.03.2018 lodged and appeal with the DO. As the DO too failed to respond with the time period stipulated under the Act the Appellant preferred an appeal to the Commission on 28.03.2018

Minute of the Record

Upon being queried by the Commission, the Appellant explained the background on which the information request was based. The Appellant submitted that she was appointed as the Chief Epidemiologist of the Epidemiologist Unit at the Ministry of Health on 18.02.2012, and joined the UN services on a temporary basis on 01.01.2017 with the concurrence of the Ministry. Subsequently the Appellant returned to the Country and reported to the Epidemiologist Unit. Further, she submitted that she was appointed to the Post of Chief Epidemiologist through a special Cabinet decision and learned that Dr. S.A.R. Dissanayaka, Medical Administrator had been appointed as the Chief Epidemiologist. Therefore, the information requested concerns the Appointment of the Chief Epidemiologist to the Epidemiology Unit of the Ministry of Health.

Observation

It is noted, that on the face of the information requested it appears that under and in terms of the Right to Information Act No.12 of 2012 that there is no bar to the release of the information.

As the Public Authority was absent, the Appeal hearing was postponed to 02.10.2018.

Next Date of the Hearing: 02.10.2018

RTIC Appeal (In-Person Hearing)/306/2018 - Minute adopted subsequent to the hearing/consideration at a part of the formal meeting of the Commission on 02.10.2018.

Record of Proceedings under Rule 28 of the Right to Information Rules of 2017 (Fees and Appeal Procedure)

Chairperson: Mr. Mahinda Gammampila

Commission Member: Ms. Kishali Pinto-Jayawardena

Commission Member: Mr. S.G. Punchihewa

Commission Member: Dr. Selvy Thiruchandran

Commission Member: Justice Rohini Walgama

Director-General: Mr. Piyathissa Ranasinghe

Appellant: Dr.Paba Palihawadana

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Appearance/ Represented by:

Appellant - Absent

PA - Absent

Minute of the Record

The matter is re-fixed for 30.10.2018 to ascertain the status of the provision of the information requested.

The Appeal is adjourned.

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RTIC Appeal (In-Person Hearing) 306/2018- Order adopted subsequent to the hearing/consideration at a part of the formal meeting of the Commission on **30.10.2018**.

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: Mr. Mahinda Gammampila
Commission Member: Ms. Kishali Pinto-Jayawardena
Commission Member: Mr. S.G. Punchihewa
Commission Member: Dr. Selvy Thiruchandran
Commission Member: Justice Rohini Walgama

Director-General: Mr. Piyathissa Ranasinghe

Appellant: Dr. Paba Palihawadana
Notice issued to: Janaka Sugathadasa, Secretary, Designated Officer (DO), Ministry of Health, Nutritious & Indigenous Medicine

Appearance/ Represented by:

Appellant - Absent
PA - Deputy Director General, Ministry of Health, Nutritious & Indigenous Medicine

Matters Arising During the Hearing

The Appellant was absent.

At the time of the hearing, the representative of the PA submitted that it had disclosed all the information requested by the Appellant.

Order

Subject to the Appellant apprising the Commission if all the information has not been disclosed within one month of this Order reaching her, the appeal is concluded.

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).
