

T.R. Silva v Sri Lanka Police Headquarters

RTIC Appeal (In – person)/342/2018 (*Order adopted as part of a formal meeting of the Commission on 17.07.2018*)

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 Members: Ms Kishali Pinto-Jayawardena

Mr. S.G. Punchihewa

Dr. Selvy Thiruchandran

Justice Rohini Walgama

Present: Director-General Mr. Piyathissa Ranasinghe

Appellant: Mr.T.R. Silva

Notice issued to: Inspector General of Police, Police Headquarters, Colombo 01

Appearance/ Represented by:

Appellant - Mr.T.R. Silva

PA - Mr. K.I.P. Kularathne, OIC-Legal

Mr. H.D.A.S. Perera, Legal

RTI Request filed on:	01.03.2018, 05.03.2018 and 16.04.2018
IO responded on:	No response
First Appeal to DO filed on:	10.05.2018
DO responded on:	No response
Appeal to RTIC filed on:	10.05.2018

Brief Factual Background:

The Appellant had by requests dated 01.03.2018, 05.03.2018 and 16.04.2018 requested the following information in relation to an accident that had occurred on 13.02.2017 at Ruhunuketha Junction in Batticaloa- Polonnaruwa Road,

1. Certified copies of the statements obtained from the Appellant, the Investigating Officers and the witnesses at the inquiry conducted by the Senior Superintendent of Police (SSP), Polonnaruwa,

At the Right to Information Commission of Sri Lanka

2. A certified copy of the report (including the date and the time) of the on-site inspection carried out at the relevant location by the Senior Superintendent of Police or Assistant Superintendent of Police (SSP), Polonnaruwa,
3. The date and the time the Officer-in-Charge of the Welikanda Police (OIC) informed of the accident for the first time to the Assistant Superintendent of Police / Senior Superintendent of Police, Polonnaruwa and certified copies of the notes of the same and
4. Certified copies of the reports submitted by the OIC of the Welikanda Police to the Assistant Superintendent of Police and Senior Superintendent of Police, Polonnaruwa

As the IO failed to respond, the Appellant lodged an appeal with the DO on 10.05.2018. As the DO too failed to respond within the time frame stipulated under the Act, the Appellant preferred an appeal to the Commission on 10.05.2018.

Matters Arising During the Hearing

As of consent, the PA agreed to revert to the Commission after consulting with the Headquarters of the PA with respect to the information requested by the Appellant.

The matter is re-fixed for hearing on 09.10.2018 to ascertain the status of the provision of the information requested.

The Appeal is adjourned.
