

M. Srinavarathnarajah v Mahaweli Authority of Sri Lanka

RTIC Appeal (In – Person Hearing)/ 2174/2020 - **Minute** adopted as part of the formal meeting of the Commission on 03.11.2020

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

Appellant: M. Srinavarathnarajah
Notice issued to: Mahaweli Authority of Sri Lanka

RTI Request filed on	23.11.2018
IO responded on	03.12.2018 (Acknowledgment) No Response
Appeal to DO filed on	25.03.2019
DO responded on	No Response
Appeal to RTIC filed on	13.01.2020

Brief Factual Background:

The Appellant filed above dated information request, as below,

“This is with reference to your letter dated 30.11.2010 as you mentioned in the letter that the Mahaweli Authority of Sri Lanka is compelled to change a levy of some amount as catchment management fee from the developer (percentage of the income generated of the project) for the use of land and water.

With this regard, be kind enough to provide me a copy of the Act, Gazette notification or Board Decision about charge levy, since we have an issue with Nuwara Eliya Divisional Secretary that water write charge should be paid to the AG of Nuwara Eliya”

As the Information Officer failed to respond within the time period stipulated within the Act, the Appellant appealed to the Designated Officer. As the Designated Officer too failed to respond within the time period stipulated within the Act, the Appellant preferred an appeal to the Commission on 13.01.2020.

Matters Arising During the Course of the Hearing:

In view of the prevailing situation in the Western Province from October 27th – November 23rd 2020 with curfew imposed in certain areas due to the threat posed by COVID 19, and as such in order to minimize interaction between persons, the appeals scheduled for in-person hearings in terms of Rule 20 of the Commission's Rules on Fees and Appeal Procedures of the RTI Commission's Appeal (Gazette No. 2004/66, 03.02.2017) were postponed during the aforementioned period.

Order:

Accordingly, this Appeal will be taken up for an In – Person hearing on 23.02.2021 in regard to which formal notices of the RTI Commission will be sent to both parties in due course.

Order is 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: - 23.02.2021
