

**R.B.S. Chandra Bandara v. Department of Land Commissioner General**

RTIC Appeal (In-Person Hearing) 1227/2019- Order adopted as part of the formal meeting of the Commission on 09.09.2019.

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

**Chairperson:** Mr.Mahinda Gammampila

**Commission Member:** Dr. Selvy Thiruchandran

**Commission Member:** Justice Rohini Walgama

**Appellant:** R.B.S. Chandra Bandara

**Notice issued to:** , Designated officer , Department of Land Commissioner General

**Appearance/ Represented by:**

Appellant – Absent

PA – Absent

<b>RTI Request filed on</b>	19.07.2018, 05.11.2018
<b>IO responded on</b>	30.10.2018, 08.11.2018
<b>First Appeal to DO filed on</b>	06.11.2018, 21.11.2018
<b>DO responded on</b>	No response
<b>Appeal to RTIC filed on</b>	11.02.2019

**Brief Factual Background:**

The Appellant by information request dated 19.07.2018 requested the following information.

1. A copy of the letter dated 2015.07.29 by the commissioner general, Mr. R.P.R. Rajapaksha stating that he is not against providing solutions if the applicants are willing to accept alternative lands
2. A copy of the letter dated 2018.07.09 sent by the minister of lands to land commissioner

By the Information request dated 2018.11.05 the Appellant requested for Certified copies of all the documents in your office in relation to the investigation of land dispute of Thulane number 523/28 land

The Information Officer on 30.10.2018 stating that the requested letter dated 09.07.2018 cannot be released to the Appellant since the Minister of Irrigation and Water Resources Management and Disaster Management had forwarded the letter to Minister of Lands and Parliamentary Reforms. Further the Public Authority refused provide response to the information request dated 08.11.2018 stating that there is an inquiry pending against the same matter. Dissatisfied with the response of the Information Officer the Appellant lodged an appeal with the Designated Officer on 06.11.2018, 21.11.2018. As the Designated Officer failed to respond within the time period stipulated under the Act the Appellant preferred an appeal to the Commission on 11.02.2019.

**Matters Arising During the Course of the Hearing:**

Both parties were Absent. By the letter dated 20.08.2019 the Public Authority submitted the following.

1. Response to the letters of the Appellant dated 27.07.2018 and 05.10.2018 had been provided by the letters dated 04.09.2018 and 30.10.2018 respectively.
2. Nevertheless the requested information should be requested from the Provincial Land Commissioner's Office

The above has been copied to the Appellant.

**Order:**

1. The Commission observes that the Public Authority had provided the necessary response to the Appellant by the letter dated 20.08.2019. further information should be acquired from the Provincial Land Commissioner's Office through a fresh application.

The appeal is hereby concluded.

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).

