

**I.R. Siriwardhane v. Valuation Department**

RTIC Appeal (In-Person Hearing) 1106/2019- Order adopted as part of the formal meeting of the Commission on 15.07.2019.

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

**Commission Member:** Mr.S.G. Punchihewa

**Commission Member:** Justice Rohini Walgama

**Commission Member:** Dr. Selvy Thiruchandran

**Appellant:** I.R. Siriwardhane

**Notice issued to:** Designated Officer, Valuation Department

**Appearance/ Represented by:**

Appellant – I.R. Siriwardhane

PA – W. Jayasinghe, District Valuer

<b>RTI Request filed on</b>	08.10.2018
<b>IO responded on</b>	12.10.2018
<b>First Appeal to DO filed on</b>	23.10.2018
<b>DO responded on</b>	21.11.2018
<b>Appeal to RTIC filed on</b>	04.01.2019

**Brief Factual Background:**

The Appellant by information request dated 08.10.2018 requested the following information.

- 1. Does the Valuation Department have any powers to remove an Assessment Number or to change an assessment number?*
- 2. If the valuation department has such powers, on what basis is it done?*
- 3. If the valuation department does not have powers to change the assessment numbers, what authority has such powers?*
- 4. Is it true that the number of a land is determined according to the road near the land?*
- 5. Is it right to name 20/06 B as a lot in 20/06 land? can the harm caused to the owner of land number 20/05 be prevented by giving that plot of land another number such as 20/06 A or 20/06 B?*

The Information Officer on 12.10.2018 responded stating that the requested information is not in the possession, custody or control of the Public Authority, and for any further explanation the Appellant was directed to visit the Southern Regional Office of the Valuation Department on 22.10.2018. Dissatisfied with the response of the Information Officer the Appellant lodged an appeal with the Designated Officer on 23.10.2018. The Designated Officer responded on 21.11.2018 informing the Appellant to be present at Head Office of the Valuation Department on 05.12.2018 for clarifications. Dissatisfied with the response of the Designated Officer the Appellant preferred an appeal to the Commission on 04.01.2019.

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

The Public Authority submitted that the numbers are assigned at the revision of the Assessments by the Valuation Department upon requests made by the Local Authorities. The Public Authority further submitted that the Appellant had not specified the land or the house for which the Appellant is requesting the above information. However the default on the part of the Public Authority to provide a proper response within the specified time period was noted before the Commission. Upon specifying the information request the Public Authority submitted that is willing to provide the information to the Appellant.

**Order:**

The Appellant is directed to specify the particulars as to which house or land he is referring to in the information request. The PA is to provide the information accordingly. The Appeal is concluded.

Order is hereby 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).

\*\*\*\*\*