

K.D.C.P Siriwardane vs. Urban Development Authority

RTIC Appeal (Documentary Proceeding) 685/2019- Order adopted as part of a formal meeting of the Commission on 15.07.2019.

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.MahindaGammampila

Commission Members: S.G. Punchihewa

Dr. SelvyThiruchandran

Justice RohiniWalgama

Appellant: K.D.C.P Siriwardane

Notice Issued to: Urban Development Authority

RTI Request filed on	29.06.2018
IO responded on	No response
First Appeal to DO filed on	15.07.2018
DO responded on	No response
Appeal to RTIC filed on	24.08.2018

Brief Factual Background:

The Appellant by letter dated 29.06.2018 had requested the following information.

1. A copy relating to the documents detailing the land management plan of the Southern Expressway area project introduced in 2009.
2. Has there been any reforms made to the land management plan of the Southern Expressway area project introduced in 2009? If so, a copy of the relevant document.

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3. The date on which the UDA regained the delegated powers of the local governments.
4. If the detachment of delegated power has been notified by a gazette, the number of the gazette and the date it was published.
5. The planning regulation of the UDA relating to 1st of March 1985.
6. What are the actions the PA can take at present if a local authority has constructed in the jurisdiction provided in the Southern Expressway land management plan without permission before the detachment of delegated powers?
7. Is it compulsory to take permission from the UDA other than a local authority when constructing in the area prescribed in the Southern Expressway land management plan?
8. The management decision no. 21/2016 approved by the UDA management Board on 16.12.2016.

Matters Arising During the Hearing:

By the letter dated 09/01/2019 Right to Information Commission have informed the Public Authority that the Appeal will be taken under the documentary proceedings and further the Public Authority was informed to send statements of objections in writing to the Commission 07 days prior to 06/02/2019 copying to the Appellant. The same was informed to the Appellant from the letter dated 06/02/2019. The Appellant from the letter dated 08/04/2019 addressed to the Director General of the Right to Information Commission have informed that he has received the requested information from the Public Authority.

Order:

As the requested information has been provided to the Appellant by the Public Authority the Appeal is concluded.

At the Right to Information Commission of Sri Lanka

“Subject to the provisions of section 5 of this Act, every citizen shall have a right of access to information which is in the possession, custody or control of a public authority.”

The Appeal is therefore 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).
