

The Right to Information Commission

V.B.D Pragash,
No.123,
4th Cross,
Jaffna

-Appellant-

RTIC App/No : - 356/2021

Vs.

Divisional Secretariat,
Pudukkudiyiruppu.

-Public Authority-

Before : -

1. Justice Upaly Abeyrathne (Rtd) - Chairman
2. Justice Rohini Walgama (Rtd) - Commissioner
3. Ms. Kishali Pinto-Jayawardena (Attorney-at-Law) -
Commissioner
4. Mr. Jagath Liyana Arachchi (Attorney-at-Law) - Commissioner

Appearance :- Parties are not present and the Appeal is heard under Documentary Proceeding.

Written Submission

The Appellant on : - 18.02.2022

The Public Authority on : - 05.01.2021

Date of Hearing : - 23.02.2022

Decided on : - 23.02.2022

Decision

The Appellant by request dated 23.01.2020 requested the following information;

1. *Copy of the documents pertaining to the funding through the Gamperaliya project for development of the **Kuna Cross Street Kompavil** under the Divisional Secretariat Division of Pudukudiyiruppu, Mullaitivu district during 2018-2019*
2. *Copy of the documents pertaining to the development activities carried out during this program.*
3. *A copy of the inventory of the goods purchased, along with the amount of money spent on each of the program.*
4. *A copy of the invitations for bid called by the Divisional Secretariat division for this project.*
5. *A copy of name list of bidders*
 - a. *The copy of the policy document based on which the bidders were selected*
 - b. *The copy of the minutes of tender finalization committee meeting*
 - c. *The copy of name list of selected bidders*
6. *A copy of the agreement made between divisional secretariat and the contractors for the construction*
7. *A copy of the report of supervisor who supervised the activities under this project*
8. *A copy of the report of technical officer who supervised the activities under this project*
9. *The details of the contractor who constructed the Gamperaliya name board in the area where the project was carried out.*

As the Information Officer failed to respond within the time period stipulated in the Act, the Appellant lodged an appeal with the DO on 19.02.2020. As the Designated Officer too failed to respond within the time period stipulated in the Act, the Appellant preferred an appeal to the Commission on 21.07.2020

In response to the Commission's notice, the Public Authority sent a letter dated 05.01.2021, stating that it had provided the information requested by the Appellant, by its letter dated 11.08.2020.

The Appellant has sent an e-mail on 18.02.2022 informed the Commission that he seeks to withdraw the appeal to the Commission since he was responded by the Public Authority.

Rule 30 (1) of the Right to Information Commission Rules of 2017 (Gazette No 2004/66 published on 03.02.2017) states that;

“The Appellant, while an Appeal is pending, may at any time withdraw the Appeal by forwarding to the Commission a memorandum in writing with reasons stated signed by himself / herself a copy of which is served on the other party(ies), and the Commission shall forthwith inform every other party of the withdrawal.”

Rule 30 (3) of the Right to Information Commission Rules of 2017 states that;

“If the Commission is satisfied with the reasons stated for withdrawal in sub-rules (1) and (2) above, it shall allow the withdrawal of the Appeal.”

The Commission, under and in terms of Rule 30 (3) of the Right to Information Commission Rules of 2017 (Gazette No 2004/66 published on 03.02.2017), being satisfied of the reasons provided, permits the withdrawal of the Appeal.

The Director-General is directed to convey the Order to the Appellant, the Information Officer and the Public Authority.

Appeal Dismissed.