

The Right to Information Commission

K. Prasanna Kumar,
Thinakkural,
185, Grandpass Road,
Colombo-04

-Appellant-

RTIC App/No :- 775/2021

Vs.

State Plantation Corporation,
21, Meeraniiya Street,
Colombo 12

-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: - Appellant is absent.
Public Authority is absent.

Written Submission

The Appellant :- 28.02.2022
The Public Authority :- 24.02.2022

Date of Hearing :- 10.03.2022

Decided on :- 10.03.2022

Decision

Brief Factual Background

The Appellant by the request dated 29.10.2020, requested the below information,

1. *“. How many estates are owned by the State Plantation Corporation in Kandy and Matale Districts?*
2. *2. How many workers are there in the estates owned by the State Plantation Corporation in Kandy and Matale Districts?*
3. *3. What is the reason for non-provision of Employees Provident Fund, Employees Trust Fund and Gratuity to the workers since 2001?*
4. *4. How much to be paid so?*
5. *5. When they will be paid?*
6. *6. The Taken actions to provide them.”*

As the Information Officer failed to respond within the time period stipulated in the Act, the Appellant lodged an Appeal with the Designated Officer on 28.01.2021. 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 06.04.2021.

Consideration

In response to the notice issued by the Commission, the Public Authority has sent a letter dated 24.02.2022 stating that the information requested by the Appellant was already sent to him via email and by register post and a copy of response has been attached.

The Appellant informed the Commission, via email dated 28.02.2022 that he seeks to withdraw this Appeal since he received the requested information from 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.