

The Right to Information Commission

M.R.F Hajara,
325/1,
Vidanagoda Road, Kurunduwatha,
Ginthota, Galle

-Appellant-

RTIC App/No: 989/2021

Vs.

Ministry of Education,
Isurupaya,
Battaramulla

-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
5. Mr. A.M Nahiya - Commissioner

Appearance : The Appellant is absent.

The Public Authority is absent.

Written Submission : Appellant - Not submitted
Public Authority - 25.02.2022 & 21.07.2022

Date of Hearing : 04.08.2022, 13.10.2022, 24.11.2022

Decided on : 24.11.2022

Decision of the Commission

Factual Background:

The Appellant by request dated 05.08.2021 requested the following information;

Requesting the information regarding “The nearest school is the best school project” of G/ Zahira National School, Gintota, Galle.

1. How many buildings were proposed to hand over to G/Zahira National School, Gintota, Galle under the “Nearest school is the best school project” -(2016-2020)?

2. *Among them how many buildings were fully completed with full of modern equipment as mentioned in the project?*
3. *The proposed plans for the constructions?*
4. *The estimated budget for the proposed buildings?*
5. *If any certain parties/ Companies have taken over the construction, details about that.*
6. *Why the technical building under this Project is not fully completed with modern equipment?*
7. *How much of money was allocated specifically for technical building?*
8. *When will the proposed buildings to the G/Zahira national school under this project be completed with full of modern equipment?*

As the Information Officer failed to respond within the time period stipulated in the Act, the Appellant appealed to the Designated Officer dated 02.09.2021. As the Designated Officer too failed to respond within the time period stipulated in the Act, the Appellant appealed to the Commission dated 15.10.2021.

In response to the notice issued by the Commission, the Public Authority sent a letter dated 25.02.2022 to the Information Officer, State Ministry of Women and Child Development, Pre-School & Primary Education, School Infrastructure & Education Service, with a copy to the Commission and the Appellant, stating as follow;

“ඉල්ලුම්කාරිය විසින් ඉදිරිපත් කර ඇති අයදුම්පත්‍රයට අදාළ තොරතුරු දරන්නා ඔබ බැවින්, අවශ්‍ය කටයුතු සඳහා එම අයදුම්පත මේ සමඟ ඔබ වෙත එවමි.”

(Since you are the holder of the information related to the application submitted by the applicant, I am sending the application to you for necessary action)

The Public Authority has sent another letter dated 21.07.2022 to the Information Officer, State Ministry of Women and Child Development, Pre-School & Primary Education, School Infrastructure & Education Service, with a copy to the Commission requesting the said State Ministry of Women and Child Development, Pre-School & Primary Education, School Infrastructure & Education Service to appear before the Commission on 04.08.2022. Further, the Public Authority mentioned that the RTI 01 & 10 also had been already forwarded to the said State Ministry by their letters dated respectively on 25.02.2022 and 18.03.2022.

On 04.08.2022 the Public Authority has submitted a letter to the Commission stating that the information does not come within the scope of the Ministry of Women and Child Development, Pre-School & Primary Education, School Infrastructure & Education Service since the recent change in the cabinet.

However, on 06.10.2022 Public Authority has submitted a letter stating that they have provided the information requested by the appellant which they obtained from the Southern Provincial Department of Education.

Consideration:

Having considered the said response of the Public Authority dated 06.10.2022, the Appellant was directed to make his submission on the said response. The Appellant is absent and unrepresented in the today's inquiry. We are of the view that the Appellant's absence indicates that he received a satisfactory response to the said information request. Considering the said circumstances, we decide to conclude this appeal.

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

Appeal concluded.