

**G.S. WIJewardena .VS. MINISTRY OF STATE ENTERPRISE DEVELOPMENT**

RTIC Appeal (Documentary Proceeding) -Order adopted as part of a formal meeting of the Commission on 16.09.2019.

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. Mahinda Gammampila

Commission Members: S.G. Punchihewa

Dr. Selvy Thiruchrandran

Justice Rohini Walgama

Director General: Mr.D.G.M.V Hapuarachchi

Appellant: G. S. Wijewardena

Notice issued to: Secretary, Ministry of Public Enterprise Development

RTI Request filed on:	16.11.2017
IO Responded on:	no response
First appeal to DO filed on:	19.12.2017
DO responded on:	no response
Appeal to RTIC filed on:	30.10.2018

**Matters arising during the hearing:**

The appellant by his request on the above date made to the Information Officer Public Authority had requested the access to the following information inter alia;

1. Does the Kurunegala Plantation Company enjoy the land called Haththiya Badde Gedara or Kudalapothissa?
2. If the above mentioned belongs to Kurunegala Plantation Company what is the number of the deed and the plan.
3. If the above mentioned land does not belong to Kurunegala Plantation Company from a plan or a deed, what is the right they have to enjoy the above mentioned land? Who are the current owners of it.

As there was no response from the IO within the time stipulated in the Act, the appellant lodged an appeal with the Designated Officer. Since there was no response from the DO the appellant preferred the instant appeal to the Commission on 30.10.2018.

The Commission on receipt of the instant appeal and having perused the material thereto decided to conclude the appeal by documentary proceeding. Therefore the Commission by its letter dated 25.03.2019 informed both parties to tender their written submissions on or before 29.04.2019.

As the parties have failed to submit their written submissions, the Commission re-fixed the appeal for 16.09.2019.

On the above date when the appeal was taken for consideration the Commission observed that the appellant by his letter dated 28.03.2019, has informed the Commission that he does not pursue the RTI request any further.

**Order:**

As the appellant, decided not to pursue this appeal, Commission moved to conclude the same.

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).

\*\*\*\*\*