

D.Sunil v Zonal Education Office, Mawanella

RTIC Appeal (In-Person Hearing)/967/2019- Order adopted on 30.09.2019 subsequent to the hearing at a part of the formal meetings of the Commission on 03.06.2019 and 30.09.2019.

Record of Proceedings under Rule 28 of the Right to Information Rules of 2017 (Fees and Appeal Procedure)

Chairperson: Mr.MahindaGammampila

Commission Member: Mr.S.G. Punchihewa

Commission Member: Dr. SelvyThiruchandran

Commission Member: Justice RohiniWalgama

Appellant: D.Sunil

Notice issued to: Director, Zonal Education Office, Mawanella

Appearance/ Represented by:

Appellant – D.Sunil

PA – B.D.A. Kumara

RTI Request filed on	01/11/2018
IO responded on	No response
First Appeal to DO filed on	17/11/2018
DO responded on	26/11/2018
Appeal to RTIC filed on	10/12/2018

Brief Factual Background:

The Appellant by information request dated 01/11/2018 requested the date, month and year of appointment of one Ms. MenikeWeerasekarato the government service as a teacher.

As the Information Officer failed to respond within the time period stipulated under the Act the Appellant on 17/11/2018lodged an appeal with the Designated Officer. The Designated Officer responded on 26/11/2018 stating that information requested are personal information of Ms. S.S

MenikeWeerasekara, therefore the information cannot be provided under section 5 of the Right to Information Act No 12 of 2016. Dissatisfied with the response of the Designated Officer the Appellant preferred an appeal to the Commission on 10/12/2018.

Matters Arising During the Course of the Hearing:

The Public Authority submitted that the requested information is in the personal file of the holder of said Ms. MenikeWeerasekara and she has refused to give consent to release the information to the Appellant by the letter dated 23/11/2018.

Order:

The Commission observes that the requested information can be released to the Appellant by the Right to Information Act no 12 of 2016 and it is not barred under any subsection of section 5 (1) of the Right to Information Act of 12 of 2016. Therefore the Commission orders the Public Authority to send the requested information to the Appellant within two weeks and copy the Commission. Appeal is hereby concluded.

Order is 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).