

Right to Information Commission Rules of 2017

Rules (2017)

The Right to Information Commission in exercise of the power conferred upon it by Section 42 of the Act prescribes the following rules:

1. **Short Title and Commencement:**

- (1) These Rules may be called "Right to Information Rules of 2017 (Fees and Appeal Procedure)".
- (2) These Rules shall come into force on February 3, 2017.

2. **Definitions:** Unless the subject or context otherwise requires, in these Rules-

- (a) "Act" means Right to Information Act No.12 of 2016.
- (b) "Commission", "Information Officer", "Designated Officer", and "Public Authority" will have the same meaning as defined in the Act.
- (c) "Appellant" means and includes any citizen who Appeals to the Right to Information Commission under Section 32 of the Act.
- (d) "Material" means information provided in response to a Right to Information request or an Appeal.
- (e) all other words or expressions used herein and not defined in these Rules shall have the same meanings assigned to them in the Act.

Fees

3. **Application Fees:** (1) No Public Authority shall charge any fee to provide a Right to Information Application Form to a citizen making an information request.

- (2) No Public Authority shall charge any fee to process a Right to Information request.

4. **Fees for Information:** Unless otherwise prescribed, the following Fees may be charged by a Public Authority for provision of information in response to a RTI request:

- (i) Photocopying:
 - (a) Rs. 2/- (one side) and 4/- (both sides) of one paper, for the information provided on A4 (21 cm x 29.7 cm) and smaller size paper
 - (b) Rs. 4/- (one side) and 8/- (both sides) of one paper for the information provided on paper that is Legal size (21.59 cm x 35.56 cm) and upto A3 (29.7 cm x 42 cm)
 - (c) Information provided on paper bigger than those mentioned above will be at actual cost.
- (ii) Printout
 - (a) Rs. 4/- (one side) and 8/- (both sides) of one paper, for the information provided on A4 (21 cm x 29.7 cm) and smaller size paper
 - (b) Rs. 5/- (one side) and 10/- (both sides) of one paper for the information provided on paper that is Legal size (21.59 cm x 35.56 cm) and upto A3 (29.7 cm x 42 cm)
 - (c) Information printed on paper bigger than those mentioned above will be at actual cost.
- (iii) Rs. 20/- for copying information onto a Diskette, Compact Disc, USB mass drive, or similar electronic device, provided by the citizen making the request.
- (iv) Actual cost for copying information onto a Diskette, Compact Disc, USB mass drive, or similar electronic device provided by the Public Authority.

- (v) Rs. 50/- per hour for the study or inspection of any document or material, or inspection of a construction site, if this takes longer than one hour, with the first hour of study/inspection being provided free of charge. This shall be without prejudice to the practice of public authorities which previously provided such inspection free of charge and which practice shall continue notwithstanding this sub-rule.
 - (vi) Samples or models will be charged the actual cost.
 - (vii) Information provided via e-mail will be free of charge.
5. Where there exists a previous Fee Schedule prescribed or issued by Public Authorities by way of circulars or regulations, that Fee Schedule shall continue to operate notwithstanding the Fees prescribed in Rule 4.
- Provided that any dispute in regard to claims relating to existing Fee Schedules may be the subject of an Appeal to be determined by the Commission in accordance with these Rules on Fees and Appeals.
6. **Information provided free of charge:**
- (1) Notwithstanding anything contained in Rule 4 above, the Public Authority shall provide information prepared or contained on four pages (A4 size) of photocopies or printing, free of cost.
 - (2) Information that is ordinarily available free of charge shall continue to be provided free of charge.
7. **Mode of Payment of Fee:** (1) Notwithstanding anything contained elsewhere in these Rules, the Public Authority may collect the Fees for information in the following manner:
- (i) in cash paid to the Information Officer;
 - (ii) Bank Draft addressed to the Accounts Officer of the Public Authority;
 - (iii) post office payment slip or a postal order made payable to the Accounts Officer of the Public Authority.
- (2) The Information Officer shall issue a receipt against payment of a fee regardless of the manner in which it is paid.
8. **Access to Information:** (1) For larger volume requests, the information officer shall inform the citizen making the request prior to providing access to the information about the various formats through which access may be obtained and their associated costs, as well of the possibility of taking notes, copying extracts, including at the discretion of the Public Authority, the possibility of photographing the material with a phone or hand held camera.
- (2) Excepting the situations mentioned in Rules 5, and 6, the prescribed fee should be paid in full before access to the material is given to the citizen making the request.
9. **Proactive Disclosure:** (1) The Reports submitted by the Ministers pursuant to Section 8 of the Act and Public Authorities pursuant to Section 10 of the Act shall be publicly available for inspection free of charge and for free downloading from a website, and copies, including electronic copies, provided to a citizen making the information request in accordance with the Fees prescribed in the above Rules.
- (2) A Minister who is implementing a project should pursuant to Section 9 of the Act make publicly available all material relating to the project. Such material, shall be publicly available for inspection free of charge and for free downloading from a website, and copies provided to the citizen making the request in accordance with the Fees prescribed in the above Rules.
10. **Appeals regarding Fees:** (1) If the citizen making the request is of the opinion that the Fee charged by the Information Officer is in excess to the amount properly required he/she may appeal to the Designated Officer within fourteen days of being informed by the Information Officer of the fee payable as per Section 31 of the Act using the format prescribed in the RTI regulations.

- (2) If the citizen making the request is not satisfied with the decision of the Designated Officer, he/she may within two months of the decision appeal to the Commission following the Appeal procedure prescribed in Section 32 of the Act and relevant Rules thereto.
- (3) The making of an appeal to the Designated Officer and/ or Commission does not require the payment of a fee. Appeal forms are to be issued free of charge.

11. Exemption of Fee Charge upon Successful Appeal:

If a citizen making an information request is successful in an Appeal either to the Designated Officer or the Commission, the information requested by the citizen making the request should be provided free of charge.

12. Reimbursement of Fees:

The Commission may, in accordance with Section 15 (g) of the Act, direct a Public Authority to reimburse any Fees charged to a citizen making a request where any information is not provided within the time period specified in the Act.

Form and Manner of Appeals to the Commission

13. Appeal to the Commission:

- (1) Any Appellant who is aggrieved with the decision of the Designated Officer, or by a failure to obtain a decision from that officer within the prescribed time limit set out in the Act, may appeal to the Commission by furnishing the information required in the sample Form annexed to these Rules (Annexure 1).
- (2) The Appeal shall be lodged in the office of the Commission, and can be delivered in person or through registered post.
- (3) An Appeal in accordance with sub-rule (1) shall normally be required to be made within two months of the grounds for the Appeal, as specified in that sub-rule, having arisen.
- (4) Such Appeal shall be accompanied by the following documents duly verified as true copies by the Appellant;
 - (i) A copy of the request for information submitted under Section 24 of the Act
 - (ii) A copy of the reply, if any, received from the Information Officer
 - (iii) A copy of the appeal made to the Designated Officer under Section 31 of the Act
 - (iv) A copy of the order, if any, received by the Designated Officer
 - (v) Copies of other documents relied upon by the Appellant and referred to in his or her appeal along with an index of the documents referred to in the Appeal
- (5) An Appeal must be filed by the Appellant in duplicate.
- (6) The Commission may not ordinarily admit an Appeal unless the conditions set out in sub-rules (1 – 5) have been met.
- (7) The Commission may, admit the appeal after the two-month period specified in sub-rule (3) where the Appellant was prevented by a reason beyond his or her control from filing the appeal in time.

14. Making of the Appeal:

Where the aggrieved party is unable due to any reason to make an appeal under Section 32 of the Act, as the case may be, such Appeal may be made by a person duly authorized in writing by the aggrieved party to prefer the same.

15. No Dismissal on Technical Grounds:

- (1) Notwithstanding anything to the contrary above, any writing complying with the requirements of Rule 13 addressed to the Commission and signed by an Appellant containing the information set out in the sample Form annexed to these Rules (Annexure 1) shall constitute a valid Appeal.

(2) No receipt of an Appeal shall be dismissed purely on technical grounds.

16. **Receipt of an Appeal:**

- (1) Upon the receipt of an Appeal, the Commission shall forthwith issue an acknowledgement in writing thereof to the Appellant, indicating the Appeal Number assigned to such Appeal.
- (2) There shall be a Register of Appeals maintained by the Right to Information Commission in the Form annexed to these Rules (Annexure 2) where such Appeals shall be entered in the chronological order in which they are received.

17. **Return of Appeal:** (1) An appeal to the Commission may be returned to the Appellant if the Appeal fails to provide the requisite information or is otherwise substantially deficient. The Commission shall specify the deficiency(ies) and the date by which the Appellant can submit the amended appeal.

- (2) The return of an Appeal for specified deficiencies in terms of sub-rule (1) shall be effected as expeditiously as possible, through hand delivery, registered post with acknowledgement due or service by electronic mail where the electronic address is available with acknowledgement due.
- (3) All such Appeals categorised as deficient shall be given a number and listed by Appeal Number as Deficient Appeals maintained by the Commission in the Register of Deficient Appeals according to the Format annexed to these Rules (Annexure 3), where such Deficient Appeals shall be entered in the chronological order in which they are received.

Provided that the above said entry of a Deficient Appeal may be cancelled upon the said deficiencies being cured by the Appellant in accordance with this Rule at which point, the Appeal will be transferred to the above stated Register of Appeals.

18. **Initial Assessment:** (1) On receipt of an Appeal, if the Commission is **not** satisfied that it is a fit case to proceed with, the Commission may thereupon call upon the Appellant and/ or the Public Authority and/or other relevant parties to show cause within seven days of the receipt of the Appeal as to why the Appeal should not be dismissed through the Notice annexed to these Rules (Annexures 4 & 5). After the expiration of the said period of seven days, the Commission shall make an appropriate order recording its reasons

Provided that no Appeal shall be dismissed only on the ground that it has not been made in the specified format.

- (2) The Commission may not ordinarily consider an Appeal unless it is satisfied that the Appellant has filed an appeal before the Designated Officer and:
 - (i) the Designated Officer or any other had made a final order on the Appeal; or
 - (ii) no final order has been made by the Designated Officer on the Appeal, and a period of 3 weeks from the date on which such Appeal was preferred has elapsed.
- (3) Where the Commission is satisfied, upon proceeding to act under sub-rule (1) above, that it is a fit case to proceed with, the Commission may decide to hear the Appeal by either a Documentary Proceeding or an In- person hearing in accordance with Rule 19 or Rule 20 of these Rules.

19. **Documentary Proceedings:** Where an Appeal is not dismissed on an initial assessment, the Commission may,

- (1) Decide to process the Appeal without an in-person hearing on the basis only of documentation, where the issues raised on the Appeal do not require the examination of parties in person.
- (2) Where an Appeal is to be dealt with according to the action in sub-rule (1), the Appellant shall be forthwith informed of this through the Notice annexed to these Rules (Annexure 4) and:
 - (i) the Public Authority whose decision is being appealed against shall be forthwith informed of the Appeal and shall be forwarded a copy of the Appeal and any supporting documents lodged by the Appellant;

- (ii) where the matter involves a third party(ies), that third party(ies) shall, forthwith and as far as this is practical, be informed about the Appeal and be provided with a copy of the Appeal and any supporting documents lodged by the Appellant.
- (3) The Commission shall require the Public Authority and /or other relevant third party (ies) to file its statement of objections against the Appeal with a copy thereof to be served simultaneously on the Appellant in such a manner as to reach the Commission and the Appellant within seven days of being notified as per sub-rule (2) above.
- (4) All parties are required to submit their written submissions (if any) on the matter at least seven days before the date of consideration of the Appeal on documentation.
- (5) The Commission may by notice require the parties to supply such additional information or documents relating to the appeal as it deems necessary, including any information claimed by the Public Authority to be exempt in accordance with Section 5 of the Act, and, where necessary, the Commission shall take the required steps to ensure the confidentiality of any such information. (Annexures 4 & 5)
- (6) In the absence of any written submission and/ or such additional information, the Commission will make its decision on the material available.
- (7) The Commission shall provide the parties with written notice of its decision with reasons, issued under the seal of the Commission, duly authenticated by the Commission.
- (8) Where any party(ies) wishes to raise an objection to the hearing of the matter through documentation, the Commission may allow such party(ies) to make representations in that regard and record such objection but may, in its discretion and for reasons stated, decide to proceed with the hearing in terms of this Rule.
20. **In-person hearings:** (1) An Appeal that is being dealt with through an in-person hearing, shall be heard by the Commission.
- (2) For an Appeal under sub-rule (1) above, the Commission shall inform the Appellant through the Notice annexed to these Rules (Annexure 4) and give the Public Authority and where applicable, any third party(ies) seven days notice to file documents and written submissions (if any) in opposition to the Appeal (Annexure 5).
- (3) In the event of the Public Authority and/ or third party (ies) electing to file documents and written submissions (if any) as per sub-rule (2), the Appellant shall simultaneously be provided with a copy of such documents.
- (4) The Appellant shall file his or her Written Submission at least seven days before the date of hearing.
- (5) The Commission may require the parties to supply such additional information or documents relating to the Appeal as it deems necessary, including any information claimed by the Public Authority to be exempt in accordance with Section 5 of the Act, and, where necessary, the Commission shall take the required steps to ensure the confidentiality of any such information.
- (6) (i) The Commission shall-
- (a) fix a date, time and place for the hearing of an Appeal; and
- (b) cause to be served a notice of hearing (in the format annexed to these Rules) (Annexures 4 & 5), informing the parties of the date, time and place so fixed.
- (ii) A notice of hearing shall be served so as to reach the parties not less than two weeks before the date of the hearing (hereinafter called the hearing date).
- (7) Any party may inspect any document provided by any other party at the premises of the Commission subject to restrictions placed on confidential information supplied by a Public Authority.

- (8) The Commission may, on the date scheduled for a hearing, proceed to hear and determine the Appeal notwithstanding that any of the parties fail to appear in person.
- (9) Subject to sub-rule (10), the Commission may, before the conclusion of its hearing:
- (i) adjourn the proceedings; and
 - (ii) set another date for continuation.
- (10) On the date of the hearing of the Appeal, no postponement or adjournment shall be granted upon the application of a party, unless, for reasons recorded the Commission is of the opinion that an adjournment is necessary to meet the ends of justice.
- (11) The Commission may decide the matter within thirty days of having received the Appeal, and shall provide the parties with written notice of its decision with reasons, issued under the seal of the Commission duly authenticated by the Commission.
21. The Commission may, at its discretion, in deciding an Appeal,
- (i) receive oral or written evidence on oath or on affidavit from any party, including the Appellant, the Information Officer, the Designated Officer and/or any third party(ies);
 - (ii) peruse or inspect documents, public records or copies thereof;
 - (iii) inquire through authorized officers further details or facts;
 - (iv) require any person to appear before the Commission; and
 - (v) hold an inquiry at its discretion in accordance with these Rules and the Rules on Inquiry prescribed by the Commission.
22. **Presence of the Appellant before the Commission:** The Appellant may be present in person or through his or her duly authorised representative or through video conferencing, if the facility of video conferencing is available at the time of the hearing.
23. **Representation of the Public Authority and/ or Third Party(ies) (if any):** (1) The Public Authority shall authorize the Information Officer, and/or the Designated Officer to represent the Public Authority.
- Provided that the Commission may, for reasons recorded, exceptionally permit the Public Authority to be represented through a duly authorised representative or through video conferencing if the facility of video conferencing is available at the time of the hearing.
- (2) The third party (ies) (if any) shall be represented by himself/ herself/ themselves before the Commission.
- Provided that the Commission may, for reasons recorded, exceptionally permit the third party (ies) to be represented through a duly authorised representative or through video conferencing if the facility of video conferencing is available at the time of the hearing.
24. **Burden of Proof:** In a hearing before the Commission the burden of proof is on the Public Authority to show that it has acted in compliance with the Act.
25. **Service of notice by Commission:** The Commission shall issue notices by name, which shall be served in any of the following modes:
- (i) service by the party itself;
 - (ii) service by hand delivery;
 - (iii) service by registered post with acknowledgement due;
 - (iv) service by electronic mail where the electronic address is available with acknowledgement due.

26. Matters Arising During Appeal for Inquiry:

- (1) Where the Commission deems it appropriate, it may, in deciding an Appeal, hold an inquiry as to whether an officer or officers of a Public Authority has committed *inter alia* any of the following actions;
 - (a) Disciplinary or penal actions specified in Sections 38 (1), 39 (1) (a) – (f) and 39 (2) of the Act;
 - (b) Failed to comply with the mandatory duty specified in Section 35 of the Act which requires every officer in any Public Authority giving a decision which affects any person in any way, to disclose to that person in writing, the reasons for arriving at such decision on a request made in that behalf by the person concerned;
 - (c) Imposed any punishment, disciplinary or otherwise on an officer or employee of a Public Authority for releasing or disclosing any information which is permitted to be released or disclosed under the Act in contravention of Section 40 of the Act.
- (2) The above stated inquiry shall be held in accordance with these Rules and the Rules on Inquiry prescribed by the Commission.

27. Decision of the Commission: (1) In deciding an Appeal, the Commission may in affirming, varying or reversing the decision appealed against and forwarding the request back to the Information Officer concerned for necessary action in terms of Section 32(1) of the Act, make *inter alia*, the following orders:

- (a) Order the Public Authority to provide access to the requested information, where relevant in a particular form;
 - (b) Order the Public Authority to reimburse any Fees received from a citizen making a request, on the basis that the request was not processed within the time limits established by the Act;
 - (c) Direct better records management on the part of the Public Authority;
 - (d) Direct greater proactive disclosure obligations to be adhered to by the Public Authority;
 - (e) Direct enhanced training programmes to be conducted by a Public Authority for its officers and/or employees;
 - (f) Bring the matter to the notice of the appropriate disciplinary authority in terms of recommended disciplinary action consequent to which the said disciplinary authority shall inform the Commission of the steps taken in that regard within one month of the said notification in terms of Section 38(2) of the Act;
 - (g) Decide to institute a prosecution under the Act upon ascertaining that an offence has been committed in terms of Section 39 of the Act; or-
 - (h) Reject the Appeal.
- (2) The Commission shall, provide its decision to all parties to the Appeal free of charge and subsequent copies may be obtained on payment of reproduction charges.
 - (3) All parties to the Appeal will be notified of the Commission's decision as soon as possible and be sent the written decision through registered post.
 - (4) Once the Commission pronounces a decision on an Appeal, such decision shall be published on the Commission's website, provided that in exceptional cases certain information may be redacted from the decision to protect information which is exempt by virtue of Section 5 of the Act.

28. Record of the Proceedings: The Commission in the course of hearing an Appeal shall cause to be maintained through the Director-General and/or other officers a written record of its proceedings.

29. Preservation of Documentation: (1) All documentation submitted in the course of an Appeal to the Commission shall be filed of record and kept under the direction of the Commission.

- (2) The Commission may order that the books, papers or other exhibits produced or used at a hearing shall be retained by the Commission until the time for appealing the decision has expired and, if notice of Appeal is given, until the Appeal is heard or otherwise disposed of.

30. **Withdrawal:** (1) 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.
- (2) The Commission may, at its discretion, on being satisfied that the application for withdrawal was made by the Appellant permit the Appellant to explain to the Commission the circumstances which led to the withdrawal of the Appeal (if necessary, *in camera*).
 - (3) 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.
 - (4) If the Commission is not satisfied with the reasons stated in sub-rule (1), it shall make an appropriate order as it deems fit.
31. **Fees:** An appeal to the Commission is exempt from the payment of a fee.
32. **Further Appeal:** Any party dissatisfied with the decision of the Commission may appeal to the Court of Appeal within one month of becoming aware of the said decision in accordance with Section 34 of the Act.
33. The Commission shall conduct an Appeal hearing under the Act in open or closed (*in camera*) proceedings at its discretion, having regard to the need to protect information which is exempt by virtue of Section 5 of the Act and any other relevant confidentiality interests.

Annexure I

Format of Appeal

Appeal to the RTI Commission

RTI Commission,

.....

Appeal Form

- 01. Name of Person Appealing:
- 02. Address:
- 03. Contact Number (if any):
- 04. E-mail Address (if any):
- 05. Name, Address and Contact details of authorized representative (if any):
- 06. Name of Public Authority concerned:.....
- 07. Name, Address and Contact Details of Information Officer concerned:
- 08. Date request made to Information Officer
and Registration Number :
- (Attach copy of request)
- 09. Did you receive a reply from the Information Officer ? Yes/No:
- (If Yes, attach copy of reply)
- 10. Date of receipt of decision from the Information Officer:
- 11. Name, Address and Contact Details of Designated Officer whose decision is appealed against:
- 12. Date Appeal made to Designated Officer and Appeal Number:.....
- 13. Did you receive a decision from the Designated Officer? Yes/No:
- (If Yes, attach copy of decision)
- 14. Date of receipt of decision from the Designated Authority:
- 15. Grounds of Appeal :

.....

- 16. Information Requested on Appeal (Details, Duration, and Subject):.....
 - 17. Decision requested:
 - 18. If the Appeal has not been submitted within the specified time period, cause of delay [Section 32(2)]:.....
 - 19. Whether any previous Appeal in respect of this same matter has been preferred to the Commissioner?
 - 20. Any other details (including if the request for information concerns the life and liberty of a citizen) :

 - 21. List of the Documents attached :
- Date :.....
 Signature:

Annexure 2

Register of Appeals

| Appeal No. | Date Appeal Registered | Name & Address of Appellant | Name & Designation of the Information Officer to whom a request was made under s. 24 of the Act | Name & Designation of Designated Officer to whom appeal was made under s. 31 of the Act | Date of decision & Decision of Information Officer | Date of Decision & Decision of Designated Officer | Name of Commissioner/s examining the Appeal | Remarks |
|------------|------------------------|-----------------------------|---|---|--|---|---|---------|
| | | | | | | | | |

Annexure 3

Register of Deficient Appeals to the RTI Commission

| Appeal No. | Date of Receipt of Defective Appeal | Name & Address of Appellant | Brief description of defect in the appeal as pointed out to Appellant | Date of return of Appeal | Mode of return of Appeal | Remarks |
|------------|-------------------------------------|-----------------------------|---|--------------------------|--------------------------|---------|
| | | | | | | |

Annexure 4

Right to Information Commission

Notice to the Appellant

Appeal Registration Number:

.....
Vs.
.....

From: Right to Information Commission,
Colombo.

To :
.....
.....

Whereas an appeal has been presented by..... resident of (address) and has been registered in this Commission as above;

And whereas the aforesaid appeal is being considered/heard by the Commission at (location of hearing)

And whereas consideration/hearing on the aforesaid appeal shall be conducted on theof.....,20.....

Now therefore it is hereby ordered as under; (Note: Delete from the below that portion which is not applicable):

- You are summoned to appear before the aforesaid Information Commissioner/s in person (or through an authorized representative) or through video-conferencing (if the facility is available), on the aforesaid date of hearing atam/ pm (time) to participate in the hearing on the above appeal under Rule 20 of the Commission’s Rules on Appeals. You are directed to file your Written Submissions (if any) before the Commission at least seven days before the aforesaid date of hearing. The relevant Public Authority and/or any relevant third party(ies) have been directed to serve their statement of objections and/or other documentation relied on to you within seven days of being notified of the same by the Commission.

- The appeal will be heard by way of documentary proceedings under Rule 19 of the Commission’s Rules on Appeals. You are directed to submit the Written Submissions to be relied upon (if any) to reach the aforesaid Information Commissioner/s at least seven days before the aforesaid date of consideration of the documentation. The relevant Public Authority and/or any relevant third party(ies) have been directed to serve their statement of objections and/or other documentation relied on to you within seven days of being notified of the same by the Commission.

- The Appeal will be heard by way of Initial Assessment under Rule 18 of the Commission’s Rules on Appeals. You are directed to show cause within seven days of this Notice as to why the Appeal should not be dismissed.

- You are directed to produce the following documents/ things before the aforesaid Information Commissioner/s on the aforesaid date of hearing/consideration:

.....
.....

Take notice that in default of your appearance on the above mentioned date, the appeal may be heard and determined in your absence.

Date:

.....
For and on Behalf of the
Right to Information Commission

Annexure 5

Right to Information Commission

Notice to the Public Authority and/or Third Parties

Appeal Registration Number:

.....
Vs.
.....

From: Right to Information Commission,
Colombo.

To:
.....
.....

Whereas an appeal has been presented by..... resident of (address) and has been registered in this Commission as above;

And whereas the aforesaid appeal is being considered/heard by the Commission at (location of hearing)

And whereas consideration/hearing on the aforesaid appeal shall be conducted on theof.....,20.....

Now therefore it is hereby ordered as under; (Note: Delete from the below that portion which is not applicable):

- You are summoned to appear before the aforesaid Information Commissioner/s in person, on the aforesaid date of hearing atam/pm (time) to participate in the hearing on the above appeal under Rule 20 of the Commission's Rules on Appeals. A copy of the aforesaid Appeal with supporting documents (if any) is annexed and you are directed to submit the statement of objections and/or other documentation/a list of documents (no. of copies) and the Written Submissions (if any) relied upon by you to simultaneously reach the aforesaid Information Commissioner/s and the Appellant at least seven days of the receipt of this Notice. You may be exceptionally permitted, at the Commission's discretion to be represented through a duly authorised representative or avail yourselves of video conferencing (if the facility of video conferencing is available at the time of the hearing).
- The appeal will be heard by way of documentary proceedings under Rule 19 of the Commission's Rules on Appeals. A copy of the aforesaid Appeal with supporting documents if any is annexed and you are directed to submit the statement of objections and/or other documentation documents/ a list of documents (no. of copies) relied upon by you in such a manner as **to simultaneously reach the Commission and the Appellant within seven days of the**

receipt of this Notice and submit Written Submissions (if any) seven days before the aforesaid date of consideration of the documentation.

- The appeal will be heard by way of Initial Assessment under Rule 18 of the Commission’s Rules on Appeals. You are directed to file any documents if required in response to the Appeal within seven days of the receipt of this Notice.
- You are directed to produce the following documents/ things before the aforesaid Information Commissioner/s on the aforesaid date of hearing/consideration:

.....
.....

Take notice that in default of your appearance on the above mentioned date, the appeal may be heard and determined in your absence.

Date:

.....
For and on Behalf of the
Right to Information Commission

Right To Information Act, No. 12 of 2016

Rules

IN terms of powers vested me under sub section 02 of the section 42 of the Right to information Act, No. 12 of 2016, it is hereby, declared approval of the rules given below, made by the the Right to Information Commission under the powers of the Section 42 of the above Act.

GAYANTHA KARUNATHILAKE,
Minister of Parliamentary Reforms and Mass Media.

At the Ministry of Parliamentary Reforms and Mass Media,
No. 163, Kirulapone Mawatha,
Polhengoda,
Colombo 05,
01st February, 2017.

02 - 728/2