

My No. IRM/RTI/AO/1/Info

RTI instructions 01

To heads of All Divisions

Implementation of Right to Information Act No. 12 of 2016

The Right to Information Act No. 12 of 2016 was made effective from 03.02.2017 by the Gazette Extra Ordinary of the Democratic Socialist Republic of Sri Lanka No. 2004/66. This Gazette, the relevant Gazette notification, the forms to be used and other particulars can be downloaded from www.documents.gov.lk.

Mrs. B.M.M.M. Basnayaka, Additional Secretary (Investigation, Research and Operations) has been appointed as the Information Officer of the Ministry of Public Administration and Management in this regard.

Further action has been taken to appoint a Staff Officer from each division of the Ministry for the assistance of the Information Officer of the Ministry.

Accordingly, each division should strictly adhere to the following methodology in order to implement the provisions of the Right to Information Act.

1. Making requests for information

Each request made to this Ministry for information should be submitted to the Information Officer, Additional Secretary (Investigation, Research and Operations). If any request for information has been made directly to a certain division, it should be submitted to the Information Officer of the Ministry by the Information Officer of the respective division. Please refer order No. 4 of the Gazette Notification for request for information.

The Information Officer of the Ministry should take action to issue a serial No. for each request made to this Ministry for information and to maintain a register for the purpose. The Information Officer of each division should maintain separate registers in respect of the requests made for information based on the Serial Number issued by the Information Officer of the Ministry.

2. Providing information

When a request for information is referred to a certain a division through the Information Officer of the Ministry, the Information Officer of the respective division should take action to provide relevant information to the Information Officer of the Ministry as soon as possible.

If any uncertainty is observed in the provision of any information, a decision in this regard should be taken by the Information Officer of the Ministry and the Head of the respective division after discussing the relevant issue. At such occasions where it is required to obtain the concurrence of third party to provide any information, it should be notified to the Information Officer of the Ministry promptly by the Information Officer of the respective division. Then the Information Officer of the Ministry should take action to obtain the concurrence of the third party for provision of information. At such occasions the Information Officer of the Ministry should take action to inform the applicant that an additional period is required to provide relevant information.

3. Rejection of the provision of information

If it is not possible to provide any information requested under the provisions of the Right to Information Act, the Information Officer of the relevant division should clearly make clarification to the Information Officer of the Ministry that the rejection is made under which grounds indicated in Section 5 of the Act.

Action should be taken to provide information to the applicant within 14 working days from the date of applying as mentioned under Section 25.2 of the Act. At such occasion where an additional period is needed to provide any information due to a reason indicated under 25.5 of the Act, it should be notified to the Information Officer of the Ministry by the Information Officer of the division enabling to make the applicant aware of such situation within 14 days.

4. Recovery of fee for the provision of information

At such occasions where fees should be recovered for the provision of information, the Information Officer of the division should determine the fees to be recovered under the provisions in Section 4 under “Right to Information Commission Rules - 2017” indicated in the Gazette Notification and they should be informed in writing to the Information Officer of the Ministry. Accordingly, Information Officer of the Ministry should see to recover charges from the applicant as per the provisions in the Gazette Notification.

Information Officer of the Ministry should take action to carry out communication in relation to the process for providing information using the forms mentioned in the afore - said Gazette Notification.

You are kindly informed to communicate with Mrs. B.M.M.M. Basnayaka, Information Officer, Additional Secretary (Investigation, Research and Operations) of the Ministry for further clarifications.

J.J. Rathnasiri
Secretary
Ministry of Public Administration and Management

Copies- Information Officers representing the Divisions – F.I.