

Annual Report - 2023

Right to Information Commission of Sri Lanka

Office

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1. Introduction.

The regulatory framework of the Right to Information Commission is summarized as follows:

1.1 Fundamental Rights of Citizens to Access Information

The 19th Amendment to the Constitution of 1978 introduced the Right to access information as a fundamental right by inserting a new Article 14(a).

1.2 Right to Information Act

The Right to Information Act, No. 12 of 2016, was passed by Parliament of Sri Lanka, attested by the Hon. Speaker on 4th August 2016, and came into effect on 3rd February 2017. Its objectives are to establish the Right to Information Commission to ensure citizens' right to access information, foster a culture of transparency and accountability in public authorities by enforcing information rights, and promote a society where the public can actively participate in the country's public life with greater engagement in good governance.

As per Section 3(1) of the Act, legal provisions ensure that every citizen shall have a right of access to information which is in the possession, Custody or control of a public authority, subject to the provisions of Section 5.

According to Section 43 of the Act, a public authority is broadly defined as follows:

A public authority means -

- ❖ (a) A Ministry of the government.
- ❖ (b) any body or office created or established by or under the Constitution, any written law, other than the companies Act No.7 of 2007, except to the extent specified in paragraph 6, or a statute of a Provincial Council;
- ❖ (c) A Government Department;
- ❖ (d) A Public corporation;
- ❖ (e) A company incorporated under the Companies Act, No. 7 of 2007, in which the State, or a public corporation or the State and a public corporation together hold twenty-five per centum or more of the shares or otherwise has a controlling interest;
- ❖ (f) A local authority;
- ❖ (g) A private entity or organization which is carrying out a statutory or public function or service, under a contract, a partnership, an agreement or a licence from the government or

its agencies or from a local body, but only to the extent of activities covered by that statutory or public function or service;

- ❖ (h) Any department or other authority or institution established or created by a Provincial Council.
- ❖ (i) Non-governmental organizations that are substantially funded by the government or any department or other authority established or created by a Provincial Council or by a foreign government or international organization, rendering a service to the public in so far as the information sought relates to the service that is rendered to the public;
- ❖ (j) Higher educational institutions including private universities and professional institutions which are established, recognized or licensed under any written law or funded, wholly or partly, by the State or a public corporation or any statutory body established or created by a statute of a Provincial Council;
- ❖ (k) Private educational institutions including institutions offering vocational or technical education which are established, recognized or licensed under any written law or funded, wholly or partly, by the state or a public corporation or any statutory body established or created by a statute of a Provincial Council;
- ❖ (l) all Courts, tribunals and institutions created and established for the administration of justice;

1.3 Right to Information Commission

The Right to Information Commission was established under Section 11 of the Right to Information Act, No. 12 of 2016. It is a corporate body with perpetual existence and a common seal. The Commissioners were formally appointed for the first time on 1st October 2016, with the mandate to oversee and ensure the proper performance of functions entrusted to public authorities.

Under Section 38 of the Act, the Commission has the authority to take disciplinary action against those who violate its provisions. Additionally, as per Section 39(1)(e), the Commission is empowered to initiate criminal proceedings against individuals who fail or refuse to comply with its decisions.

The Commission is also vested with the power to establish rules concerning the form and manner of submitting appeals, procedures for conducting investigations, and the fees for providing information. In line with this, rules regarding fees and appeal procedures were introduced through the Extraordinary Gazette of the Democratic Socialist Republic of Sri Lanka No. 2004/66, effective February 3, 2017.

1.4 Vision of the Commission

Ensure that the citizens of Sri Lanka are able to effectively exercise their Right to Information.

1.5 Mission of the Commission

Developing and protecting the Right to Information of all Sri Lankan citizens adhering to a culture of transparency and good governance, through effective adjudication and monitoring of the practices of all Public Authorities, and promoting proactive disclosure which leads to citizens being more ‘aware’ of all information that relates to them.

1.6 Objectives of the Commission

- ❖ Provide Effective Adjudication and Enforcement: Effectively adjudicate disputes between Public Authorities and Information Seekers.
- ❖ Support the Training of Public Officials: Collaborate in training Public Officials and support specialised training on the Right to Information for stakeholders
- ❖ Increase Public Awareness: Increase public understanding of the RTI Act through the Commission’s website and through media interaction.
- ❖ Improve Records Management: Provide precise directions on information management by way of Guidelines.
- ❖ Increase Proactive Disclosure: Foster proactive disclosure of information by issuing guidelines, setting minimum standards, initiating revisions to existing law, and periodical assessments.
- ❖ Establish Effective Monitoring and Evaluation: Effective monitoring and evaluation of RTI implementation by Public Authorities through utilisation of appropriate online solutions and assessment tools.

2. Functions, Duties and Powers of the Commission

2.1 Functions and Duties of the Commission as per Section 14 of the Right to Information Act

- ❖ Monitor the proper performance and ensure the due compliance by public authorities, of the duties cast on them under this act;
- ❖ make recommendations for reform both of a general nature and those in regard to any specific public authority;
- ❖ Issue guidelines based on reasonableness, for determining fees to be levied by public authorities for the release of any information under this Act;
- ❖ Prescribe the circumstances in which information may be provided by an information officer, without the payment of a fee;
- ❖ Prescribe the fee schedule based on the principle of proactive disclosure, in regard to providing information;
- ❖ Co-operate with or undertake training activities for public officials on the effective implementation of the provisions of this act;
- ❖ Publicise the requirements of this act and the rights of individuals under the act;
- ❖ Issue guidelines for the proper record management for public authorities.

2.2 Powers of the Commission under Section 15 of the Right to Information Act

- ❖ to hold inquiries and require any person to appear before it;
- ❖ to examine such person under oath or affirmation and require such person where necessary to produce any information which is in that person's possession, provided that the information which is exempted from disclosure under section 5 shall be examined in confidence;
- ❖ to inspect any information held by a public authority, including any information denied by a public authority under the provisions of this Act;
- ❖ to direct a public authority to provide information, in a particular form;
- ❖ to direct a public authority to publish any information withheld by a public authority from the public, subject to the provisions of section 5;
- ❖ to hear and determine any appeals made to it by any aggrieved person under section 32; and
- ❖ to direct a public authority or any relevant information officer of the authority to reimburse fees charged from a citizen due to any information requested for not been provided in time.

2.3 Current Right to Information Commission

Under Section 12(1) of the Act, The Commission shall consist of five persons appointed by the President upon the recommendation of the Constitutional Council. In making such recommendations, the Constitutional Council shall recommend one person nominated by each of the following organizations or categories of organizations: -

- a) Bar Association of Sri Lanka which shall nominate an Attorney-at-Law of eminence or a Legal Academic in consultation with Attorneys -at-Law and Legal Academia;
- b) organizations of publishers, editors and media persons;
- c) other civil society organizations.

The first five-year term of the Commissioners, including the Chairman, who were initially appointed on 01.10.2016 after the Act is passed, ended on 21.09.2021. The current Commission, operational since 09.12.2021, is chaired by retired Judge Upaly Abeyrathne. The Commissioners include retired Judge Rohini Walgama, Attorney-at-Law Kishali Pinto Jayawardena, Attorney-at-Law Jagath Liyanarachchi, Attorney-at-Law and Mr. Mohamed Nahiya (appointed on 20.09.2022).

Mr. D. C. Dissanayake has served as the Director General of the Commission since 06.04.2023.

3. Performance of the Commission

3.1 Receiving Appeals

Under Section 32 of the Act, any person aggrieved by a decision made in respect of an appeal under Section 31(1), or any person aggrieved by the failure to obtain a decision within the time frame specified in Section 31(3), may appeal to the Commission within two months from the expiry of the specified period.

From January 1, 2023, to December 31, 2023, the Commission has received 1,688 appeals marking an increase of 163 appeals compared to the previous year. The distribution of appeals received by the Commission from 2018 to 2023, categorized by province and district, is shown below.

Table 1 - Classification of Appeals by Province

No.	Province Year	2018	2019	2020	2021	2022	2023
1.	Northern Province	48	69	71	82	116	181
2.	Northwestern Province	26	17	34	21	73	99
3.	Western Province	338	443	226	239	446	646
4.	North Central Province	43	30	16	21	60	74
5.	Central Province	77	74	83	80	215	175
6.	Sabaragamuwa Province	35	64	30	63	67	95
7.	Eastern Province	75	113	112	30	168	150
8.	Southern Province	143	188	145	268	352	225
9.	Uva Province	15	31	12	21	28	43
	Total	800	1029	729	825	1525	1688

(Source: RTI database)

Table 2 - Classification of Appeals by District

No.	District Year	2018	2019	2020	2021	2022	2023
1.	Colombo	212	323	161	197	342	454
2.	Gampaha	91	73	52	30	71	136
3.	Kalutara	35	47	13	12	33	56
4.	Galle	90	113	58	47	96	134
5.	Matara	21	44	29	14	59	48
6.	Hambantota	32	31	58	207	197	43
7.	Kandy	63	49	54	67	104	117
8.	Matale	13	12	3	6	13	22
9.	Nuwara Eliya	2	13	26	9	98	36
10.	Trincomalee	6	12	5	17	16	27
11.	Batticaloa	7	25	12	12	12	24
12.	Ampara	61	76	95	51	140	99
13.	Jaffna	26	49	44	41	62	77
14.	Vavuniya	15	10	6	4	19	38
15.	Mannar	5	2	3	5	9	16
16.	Kilinochchi	1	5	1	3	10	18
17.	Mullaitivu	1	3	17	10	16	32
18.	Kurunegala	19	54	18	10	41	40
19.	Puttalam	7	23	16	11	32	59
20.	Anuradhapura	35	14	11	14	32	30
21.	Polonnaruwa	7	16	5	7	28	44
22.	Kegalle	6	20	9	3	17	20
23.	Ratnapura	29	44	21	27	50	75
24.	Badulla	6	19	9	3	15	26
25.	Monaragala	10	12	3	18	13	17
	Total	800	1089	729	825	1525	1688

(Source: RTI database)

Considering the appeals received by the Commission from 2018 to 2023, the highest number of appeals has consistently come from the Western Province each year. This represents a numerical increase of 200 appeals compared to 2022. Within the Western Province, the Colombo District consistently receives the highest number of appeals each year, showing a numerical increase of 112 appeals compared to 2022.

Furthermore, the overall growth in appeals in 2023, compared to 2022, is 10.68%

Table 3 - Classification of Appeals by Information Source in 2023

No.	Source of Information	Number of Appeals
1.	Human Resource Management	228
2.	Land and Properties	260
3.	Administrative Service	84
4.	Financial Management and Accounts	33
5.	Infrastructure Development Projects	52
6.	Educational Services	81
7.	Environmental Impacts	15
8.	Examination and Investigation Committee Reports	67
9.	Health-Related Matters	20
10.	Law and Order	102
11.	Procurement	16
12.	General Information	387
13.	Requests for information on different matters	343
	Total Number	1688

(Source: RTI Database)

Table 4 –Classification of Appeals According to Public Authorities in 2023

No.	Public Authority	Number of Appeals
(a)	Ministry of the government	361
(b)	any body or office created or established by or under the Constitution, any written law, other than the companies Act No.7 of 2007, except to the extent specified in paragraph€ , or a statute of a Provincial Council	702
(c)	Government Department	207
(d)	Public corporation	30
(e)	A company incorporated under the Companies Act, No. 7 of 2007, in which the State, or a public corporation or the State and a public corporation together hold twenty-five per centum or more of the shares or otherwise has a controlling interest	10
(f)	A local authority	176
(g)	A private entity or organization which is carrying out a statutory or public function or service, under a contract, a partnership, an agreement or a license from the government or its agencies or from a local body, but only	27

No.	Public Authority	Number of Appeals
	to the extent of activities covered by that statutory or public function or service	
(h)	Any department or other authority or institution established or created by a Provincial Council	144
(i)	Non-governmental organizations that are substantially funded by the government or any department or other authority established or created by a Provincial Council or by a foreign government or international organization, rendering a service to the public in so far as the information sought relates to the service that is rendered to the public.	05
(j)	Higher educational institutions including private universities and professional institutions which are established, recognized or licensed under any written law or funded, wholly or partly, by the State or a public corporation or any statutory body established or created by a statute of a Provincial Council.	18
(k)	Private educational institutions including institutions offering vocational or technical education which are established, recognized or licensed under any written law or funded, wholly or partly, by the state or a public corporation or any statutory body established or created by a statute of a Provincial Council.	03
(l)	all Courts, tribunals and institutions created and established for the administration of justice;	05
	Total	1688

(Source: RTI Database)

Table 5 –Appeals Received by Language in 2023

Language	Numbers of Appeals
Sinhala	1149
Tamil	257
English	282
Total	1688

(Source: RTI Database)

3.2 Hearing of Appeals

Out of the appeals received in 2022, 414 were carried over and included for hearing in 2023, as they could not be heard in the previous year itself.

Therefore, the total number of appeals scheduled for examination in 2023 was 2,102. Of these, 1,324 appeals were examined, while 227 appeals were identified by the Commission as having deficiencies. Additionally, 64 appeals were partially examined and rescheduled for the following year, and 21 appeals were lay by, with the remaining appeals set for examination in 2024.

Furthermore, the Commission issued final orders for 1,551 appeals in 2023, including those that had been pending prior to 2023. The orders for all these appeals have been uploaded to the Commission's website.

Table 6 –Hearing of Appeals in 2023 (From 2023.01.01 to 2023.12.31)

Appeals Received	Numbers	Appeals Heard	Numbers
Number of appeals received for hearings from the previous year	414	Total number of appeals heard in 2023	1324
Total number of appeals received by the Commission in 2023	1688	No of incomplete appeals identified (Under Rule 17 and 18) by the Commission	227
		Number of adjourned appeals	64
		Number of lay by appeals	21
		Number of appeals carried forward to 2024	466
Total number of appeals	2102	Total number of appeals	2102
Total number of appeals examined and final orders issued by the Commission in 2023 (including Orders of incomplete appeals)			1551

(Source: RTI Database)

All appeals were heard in person in 2023 in accordance with the procedure outlined in Rule 20 of the Rules published in the Extraordinary Gazette of the Democratic Socialist Republic of Sri Lanka No. 2004/66, dated 03.02.2017, entitled 'Right to Information Commission Rules 2017.' In this process, appellants and public authorities were given the opportunity to appear before the Commission in person, through their duly authorized representatives, or via video conferencing, if available at the time of the appeal, in accordance with Rule 22. Additionally, it was decided to conduct the appeal hearing process for public authorities in the Western Province from the third quarter of 2023, requiring them to appear before the Commission in person. This decision enabled quicker resolutions, reducing the need for repeated adjournments of appeals.

In both 2022 and 2023, the Commission has issued written orders immediately after the conclusion of appeal hearings, as required. This has significantly contributed to the efficient and effective performance of the Commission's functions and helped reduce postal expenses compared to previous years.

4. Local and International Initiatives of the Right to Information Commission

4.1 Local Initiatives

4.1.1 Awareness Programs for Government Officials

To collaborate effectively with public officials and provide training in the implementation of the Right to Information Act (No. 12 of 2016), particularly under Section 14 (e), the Commission launched awareness programs in 2023. These programs were funded by the AFRIEL Youth Network and the Sri Lanka Press Institute (SLPI).

It was identified that there was a significant need for practical awareness training for designated officers, information officers, and subject officers across all Provincial Councils, their respective institutions, and local government institutions. In response, the Commission implemented training programs in 2023 for information officers and designated officers in these areas.

Table 7 – Awareness Programs for Government Officials in 2023

No.	Date	District / Location	Target group / participation	Fund Contribution
1	2023.01.24	Colombo - BMICH	Launch of a manual for Sri Lankan police officers - 60	Government Funding/AFRIEL Youth Network
2	2023.06.20	Sabaragamuwa Province- Sabaragamuwa Provincial Council Complex	Designated officers and information officers of public authorities - 120	Government Funding/AFRIEL Youth Network
3	2023.07.04	Central Province - Central Provincial Council Complex	Designated officers and information officers of public authorities - 190	Government Funding/AFRIEL Youth Network
4	2023.08.22	North Central Province - North Central Provincial Council Complex	Designated officers and information officers of public authorities - 150	Government Funding/AFRIEL Youth Network
5	2023.09.05	Eastern Province - Eastern Provincial Council Complex	Designated Officers and Information Officers in Public Authorities - 178	Government Funding/AFRIEL Youth Network
6	2023.09.26	Southern Province - Southern Provincial Council Complex	Designated Officers and Information Officers in Public Authorities - 241	Government Funding/AFRIEL Youth Network

No.	Date	District / Location	Target group / participation	Fund Contribution
7	2023.10.10	Uva Province-Uva Provincial Council Complex	Designated Officers and Information Officers in Public Authorities - 225	Government Funding/AFRIEL Youth Network
8	2023.11.07	North Western Province - North Western Provincial Council Complex	Designated officers and information officers in public authorities - 250	Government Funding/AFRIEL Youth Network
9	2023.11.28	Northern Province - Northern Provincial Council Complex	Designated officers and information officers in public authorities - 140	Government Funding/AFRIEL Youth Network

(Source: RTI Database)

Table 08- Civil Society Awareness in 2023

1	2023.04.01	Hambantota - Dehigahalanda National School	Youth community - 150	AFRIEL Youth Network
2	2023.04.08	Kandy - D.S. Senanayake College	Youth community - 700	AFRIEL Youth Network
3	2023.05.06	Vavuniya - Northern Province	Informing journalists - 30	SLPI
4	2023.08.15	Kandy - Central Province	Submitting a research report	SLPI

(Source: RTI Database)

4.1.2 Resource Contributions of Commission Members to Government institutions

Members of the Commission have donated resources on various occasions to support awareness programs on the Right to Information, organized by various government institutions in 2023.

Table 9 –Resource Contributions by Members of the Commission in 2023

No.	Public Authority / Institution	Workshop	Place	Date
1	Ministry of Mass Media	Strategic Planning Workshop for the Information Unit of the Ministry of Mass Media	Colombo	2023.01.9 - 10

2	Ministry of Mass Media	Training of Trainers Workshop - Tamil Medium	Vavuniya	2023.03-17 - 19
3	Sirasa Television	Discussion on the Information Act	Colombo	2023.04.21
4	SLIT Institution	Lecture on the Information Act	Colombo	2023.05.08
5	Ministry of Water Supply and Estate Infrastructure	Information Officer Awareness Workshop	Colombo	2023.06.27
6	Yaal TV television channel	Awareness about the Information Act	Colombo	2023.09.20
7	Prime Minister's Office	Officers' Awareness Workshop	Colombo	2023.10.02

(Source: RTI Database)

4.1.3 Proactive Disclosure of Information

In 2023, the International Monetary Fund included the activities of the Right to Information Commission in its report submitted to the Sri Lanka Economic Review Process for the year 2023. The report contained a positive response regarding the Right to Information Act and the role played by the current Right to Information Commission. As part of the International Monetary Fund's proposals to strengthen the Right to Information, the Commission began work in 2023 to enhance the process of proactive information disclosure as a direct responsibility assigned to the Commission. Accordingly, a one-day awareness program was conducted in Colombo on 19th December 2023 for the Secretaries (Designated Officers) and Information Officers of all ministries under the Cabinet.

4.2 International Conferences

The Chairperson and Commissioners of the Commission had the opportunity to visit Nepal from 24th to 29th May 2023, upon invitation, to inspect the office of the National Information Commission of Nepal as part of a program organized by the United Nations Development Program.

An invitation was received from the Information Commission of Nepal to sign a cooperation agreement focused on improving access to justice, ensuring the right to information, and upholding the rule of law. During this visit, the National Information Commission of Nepal, the Human

Rights Commission of Nepal, the media community, the Bar Association of Nepal, civil society organizations, university academic institutions, and regional and district government institutions working on the right to information were able to exchange ideas and experiences between two similar institutions in the region.

Commissioner Kishali Pinto-Jayawardena, upon receiving an official invitation, represented the Sri Lanka Right to Information Commission at the 14th edition of the International Conference of Information Commissioners (ICIC), held in Manila from 20th to 23rd June 2023. During the conference, she delivered a keynote address on “Globally Challenging Times.” She was also selected as the co-chair for the establishment of the Asian Association for Access to Information (AAIA), which will be linked to the global meetings of the Latin American, North American, African, European, and Australasian Information Networks, along with discussions on the future of Right to Information.

5. Judicial Functions of the Commission

Any citizen or public authority who is aggrieved by the decision of the commission made under section 32, may appeal against such decision to the Court of Appeal within one month of the date on which such decision was communicated to such citizen or public authority.

Accordingly, the following citizens and public authorities approached the Court of Appeal in 2023:

Table 9 – Cases Pending in the Court of Appeal under Section 34 (Relating to the Year 2023)

No.	Court of Appeal Case Number	RTIC/ Appeal No.	Appellant (Petitioner)	Respondents	Next Date and Proceedings
1	CA/RTI/01/2023	580/2021	Sri Lanka Insurance Corporation	1. (Inter Company Employees' Union) 2. Right to Information Commission	2024.01.16 Counter Objections
2	CA/RTI/02/2023	1283/2019	Sri Lanka Telecom PLC	1. Right to Information Commission 2. Mr. C.J. Wijewardene	2024.03.11 Argument
3	CA/RTI/03/2023	713/2022	Sri Lanka Telecom PLC	1. Right to Information Commission 2.Mr. G. Surendan	2024.03.12 Argument
4	CA/RTI/04/2023	703/2022 / 707/2022 / 708/2022	Sri Lanka Telecom PLC	1. Right to Information Commission 2.Mr. G. Surendan	2024.03.12 Argument
5	CA/RTI/05/2023	2272/2023	People's Bank	1. Right to Information Commission 2. Mr. M.H.S. Wijesekara	2024.02.09 Argument
6	CA/WRIT/63/2023	922/2022	Mr. Nagananda Kodithuwakku	1. Right to Information Commission and others	Appeal dismissed subject to withdrawal on 03.04.2023.

No.	Court of Appeal Case Number	RTIC/ Appeal No.	Appellant (Petitioner)	Respondents	Next Date and Proceedings
7	CA/WRIT/200/2023	448/2022	Dr. Kumarasiri Manage	1. Rukshan Fernandopulle, Chairman, Postgraduate Medical Institute and 54 others 2. Right to Information Commission (56th Respondent)	The Right to Information Commission is not a party to this case.
8	CA/WRIT/223/2023	1108/2019 සහ 1114/2019	CHEC Port City Colombo (Pvt) Ltd	1. Mr. M.F.A. Mansoor 2. Center for Environmental Justice (Guarantee) Ltd 3. Right to Information Commission and 12 others	2024.01.26 Argument
9	CA/RTI/06/2023	1108/2019 and 1114/2019	CHEC Port City Colombo (Pvt) Ltd	1. Mr. M.F.A. Mansoor 2. Center for Environmental Justice (Guarantee) Ltd 3. Right to Information Commission and 12 others	2024.01.10 Calling
10	CA/RTI/07/2023	815/2021	Bar Association of Sri Lanka	Mr. Kamal Withanage	The Right to Information Commission is not a party to this case.
11			Sri Lanka Navy - (Vice	1. Mr. A.A.M. Rifi Ali	

No.	Court of Appeal Case Number	RTIC/ Appeal No.	Appellant (Petitioner)	Respondents	Next Date and Proceedings
	CA/RTI/08/2023	17/2023	Admiral Priyantha Perera)	2. Right to Information Commission	2024.02.06 Notice returnable
12	CA/RTI/09/2023	1200/2022	People's Bank	1. Right to Information Commission 2. Mr. D. Sarathchandra	2024.02.06 Calling
13	CA/RTI/10/2023	1111/2022	Mr. B. Niroshkumar	Sri Lanka Army	The Right to Information Commission is not a party to this case.
14	CA/RTI/11/2023	444/2023	Mr. Tharindu Jayawardena	Ministry of Public Security	The Right to Information Commission is not a party to this case.

(Source: RTI Database)

The following table (Table 10) provides information on cases filed in the Court of Appeal under Section 34 of the Act, challenging decisions made by the Commission from 2018 to 2022.

Table 10 – Cases Heard in the Court of Appeal under Section 34 (2018–2022) -

Year of 2018

Serial No.	Court of Appeal case No.	Commission Appeal No. - RTIC/Appeal	Appellant (Petitioner)	Respondents	Next date and proceeding
1	CA/RTI/01/2018 (REV)	58/2018	People's Bank	1. Ceylon Bank Employees' Union	

				2. Right to Information Commission	Appeal dismissed on 13.10.2020.
2	CA/RTI/02/2018	117/2018	Sri Lanka Insurance Corporation	1. Right to Information Commission 2. Mr. V.Y. Sabaratnam	The petitioner withdrew the appeal on 11.08.2019.
3	CA/RTI/03/2018	25/2018 26/2018	Monetary Board, Central Bank of Sri Lanka	1. Verite Research (Pvt) Ltd 2. Right to Information Commission	Argument on 2024.01.16. The Court has discharged the Right to Information Commission from the legal proceedings.

(Source: RTI Database)

Year of 2019

Serial No.	Court of Appeal case No.	Commission Appeal No. - RTIC/Appeal	Appellant (Petitioner)	Respondents	Next date and proceeding
1	CA/RTI/01/2019 (REV)	06/2017	Mr. E.M.S.B. Ekanayake	1. Transparency International Sri Lanka 2. Right to Information Commission and others	Argument on 2024.01.31 The Court has discharged the Right to Information Commission from the legal proceedings.
2	CA/WRI52/2019	97/2017	Mr. S.M. Manoj Prasanna	Right to Information Commission	Appeal dismissed on 26.03.2023.

(Source: RTI Database)

Year of 2020

Serial No.	Court of Appeal case No.	Commission Appeal No. - RTIC/Appeal	Appellant (Petitioner)	Respondents	Next date and proceeding
1	CA/RTI/01/2020 (REV)	766/2018	Mr. Hewa Baddage Gunaratne	Right to Information Commission	Argument on 2024.01.12

(Source: RTI Database)

Year of 2021

Serial No.	Court of Appeal case No.	Commission Appeal No. - RTIC/Appeal	Appellant (Petitioner)	Respondents	Next date and proceeding
1	CA/RTI/01/2021 (REV)	869/2019	Mr. A.A.L. de Alwis	Right to Information Commission	The case was concluded on 01.12.2021.
2	CA/RTI/02/2021	1193/2019	People's Bank	1. Mr. W.A. Dhammika Fernando	Argument on 2024.01.22
				2. Right to Information Commission	
3	CA/RTI/03/2021	1193/2019	Mr. W.A. Dhammika Fernando	1. People's Bank	2024.01.22 Confirmation of facts.
				2. Right to Information Commission	
4	CA/RTI/04/2021	719/2018	Mr.K.A. Rohanadheera	Mr. Chamara Sampath and others	The judgment was made on 28.02.2023. The Court of Appeal ruled that the Right to Information Act No. 12 of 2016 supersedes the Declaration of Assets and
			Mr. Dhammika Dissanayake Parliament of Sri Lanka		

					Liabilities Act No. 1 of 1975.
5	CA/RTI/05/2021	2068/2020	Bank of Ceylon	1. Right to Information Commission	Argument on 2024.01.09
				2. Mrs. S.M. Pasansani Anuradha	

(Source: RTI Database)

Year of 2022

Serial No.	Court of Appeal case No.	Commission Appeal No. - RTIC/Appeal	Appellant (Petitioner)	Respondents	Next date and proceeding
1	CA/RTI/01/2022	416/2021	Bank of Ceylon	1. Right to Information Commission	2024.01.12 Notice Returnable (02 nd Respondent)
				2. Mr. A. Rajapaksa	
2	CA/RTI/02/2022	201/2021	Bank of Ceylon	1. Right to Information Commission	The petitioner withdrew the appeal on 06.09.2022.
				2. Mr. Ranjan Senanayake	
				3. Ceylon Bank Employees' Union	
3	CA/RTI/03/2022	610/2021	Colombo Municipal Council	1. Mr. M.G. Nandana Kumara	2024.01.12 Objections
				2. Right to Information Commission	

Serial No.	Court of Appeal case No.	Commission Appeal No. - RTIC/Appeal	Appellant (Petitioner)	Respondents	Next date and proceeding
4	CA/RTI/04/2022	600/2021	Institute of Chartered Accountants of Sri Lanka	1. Mr. Lionel Dissanayake	Argument on 2024.02.27
				2. Right to Information Commission	
5	CA/RTI/05/2022	72/2021	Sri Lanka Telecom PLC	Mr. I.P. Ediribandu	2024.01.31 Decision
6	CA/RTI/06/2022	448/2022	Professor Senaka Rajapaksa	1. Right to Information Commission	2024.01.24 Notice reports
				2. Dr. Kumarasiri Manage	
7	CA/RTI/07/2022	647/2022	Sri Lanka Ports Authority	1. Mr. A.A.M. Rifi Ali	The Court has discharged the Right to Information Commission from the proceedings on 04.04.2023. 2024.01.23 Argument
				2. Right to Information Commission	
8		704/2021	Litro Gas Lanka Limited and	1.Mr.W.K.S. Karunaratne	

Serial No.	Court of Appeal case No.	Commission Appeal No. - RTIC/Appeal	Appellant (Petitioner)	Respondents	Next date and proceeding
	CA/RTI/08/2022 (REV)		Litro Gas Lanka Terminals (Private) Limited	2. Right to Information Commission and others	2024.01.08 Argument
9	CA/RTI/09/2022	704/2021	Litro Gas Lanka Limited and Litro Gas Lanka Terminals (Private) Limited	1.Mr.W.K.S. Karunaratne 2.Right to Information Commission and others	2024.01.08 Argument

(Source: RTI Database)

No action has been taken to inform the disciplinary authorities to initiate disciplinary action against officers of public authorities in accordance with Section 38(1) of the Right to Information Act, No. 12 of 2016, for the period from 2018 to 2023.

In pursuance of Section 39(1)(e) of the Right to Information Act, No. 12 of 2016, proceedings have been initiated before the Magistrate's Court against the designated officers and information officers of public authorities who have failed to comply with the orders issued by the Commission since 2023. The details of these proceedings are provided below.

Tabel 11 – Cases Filed in the Magistrate's Court under Section 39 of the Act, 2023

Serial No.	Case No.	Commission Appeal Number	Public Authority	Next Date and Proceedings
1.	88513/01	RTIC/App/855/2021	Vocational Technology University	Filing of written statements on 11.01.2024 on behalf of the 2 nd accused.
2.	88514/01	RTIC/App/2081/2020	Sri Lanka Railways Department	Filing of objections, amended complaint and amended charge sheet on 26.01.2024.

Serial No.	Case No.	Commission Appeal Number	Public Authority	Next Date and Proceedings
3.	88515/01	RTIC/App/152/2021	Urban Development Authority	Inform the position of the RTI commission on 30.01.2024.
4.	87661/01	RTIC/App/290(B)/2021	Ministry of Education	Filing of the amended charge sheet and filing of the amended complaint and hearing on 05.03.2024
5.	87662/01	RTIC/App/1959/2020	Sri Lanka Institute of Advanced Technological Education	Filing of the amended charge sheet and filing of the amended complaint on 30.01.2024.
6.	85399/01	RTIC/App/1720/2019	Ministry of Health	The proceedings have been concluded on 2023.05.02
7.	86149/01	RTIC/App/333/2021	University of Kelaniya	The case was dismissed on 2023.11.09.

(Source: RTI Database)

Inquiry into Public Authority's Non-Compliance with the Commission's Decision

The Commission shall initiate criminal proceedings against any person who commits an offence under Section 39(1)(a), (b), (d), and (e) of the Right to Information Act, No. 12 of 2016. Accordingly, the details of inquiry into non-compliance with the Commission's decision prior to the commencement of such proceedings for the year 2023 are as follows:

Table 12 – Inquiry into the Non-Compliance with the Commission's Decision by the Public Authority in 2023

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
1	975/2021	01/2023	S.P.Y.M. Dhammika	Sri Lanka Customs	The Commission determined that the Public Authority had adequately disclosed the information requested by the

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
					appellant. Accordingly, the inquiry has been concluded.
2	894/2021	02/2023	K.A.S.P. Kaluarachchi	Institute of Industrial Technology	The Public Authority disclosed the information to the Appellant before the Commission. The Commission has confirmed receipt of all information by the appellant, and the inquiry is concluded.
3	801/2022	03/2023	Chairman, Road Development Authority Southern Provincial Employees' Union	Road Development Authority - Southern Province	Based on the facts presented, it has been decided to conclude the inquiry as the Public Authority has adequately implemented the Commission's decision.
4	828/2021	04/2023	P. Abeygunawardena	Road Development Authority	It has been decided to conclude the inquiry as the Public Authority has provided sufficient information to the appellant.
5	937/2022	05/2023	N. Priyankara Ubayasekara	Agrarian Development Authority	It appears that the Public Authority is unable to provide a clear decision regarding the information requested by the Appellant. Furthermore, since the issue has arisen as to whether the information is in the possession, custody or control of the Public Authority, it has been decided to conclude the inquiry.

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
6	1082/2022	06/2023	S.N.P. Kumara	Zonal Education Office - Ratnapura	The Public Authority requests time to provide information. Accordingly, the inquiry has been adjourned to 2024.02.22.
7	689/2022	07/2023	G.N.S. Himali	Zonal Education Office - Ambalangoda	The appellant hereby requests that the information requested by him be received and that the inquiry be concluded. Accordingly, it has been decided to conclude the inquiry.
8	870/2022	08/2023	S. Sivakumaran	Zonal Education Office - Hatton	The appellant has requested that the inquiry be concluded, stating that the requested information has been received. Therefore, the inquiry has been concluded.
9	871/2022	09/2023	S. Sivakumaran	Zonal Education Office - Hatton	As both parties are absent, the inquiry has been adjourned to 2024.01.05.
10	586/2022	10/2023	A. Dayananda	Zonal Education Office - Horana	The Public Authority has requested a date for the inquiry. Accordingly, the inquiry has been adjourned to 2024.01.05.
11	1121/2022	11/2023	C. Mihidukulasuriya	National Archives Department	It has been decided to conclude the inquiry as it is clear that the Public Authority has provided the information in accordance with the Commission's decision.
12	703/2021	12/2023	Kamal Withanage	Sri Lanka Police	The Public Authority disclosed the information to the Appellant before the Commission. Since the appellant accepts that the information provided is

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
					sufficient, it has been decided to conclude the inquiry.
13	911/2022	13/2023	Sarga Suranjan	Ministry of Education	It has been decided to close the inquiry as the information provided by the Public Authority appears to be sufficient to meet the information requested by the appellant.
14	953/2022	14/2023	S. Sathyaseelan	Ministry of Education	It has been decided to conclude the inquiry, determining that the information requested by the appellant is not in the possession, custody or control of the public authority.
15	174/2021	15/2023	Venerable Yalwela Pannashekara Thero	Ministry of Education	The Appellant has requested a date. Accordingly, the hearing has been adjourned to 2024.02.22.
16	399/2022	16/2023	S.A.D.P.W. Jayewardene	National Police Commission	The Public Authority submits that the information requested by the appellant has been released. Having considered these matters, it has been decided to conclude the inquiry.
17	765/2022	17/2023	W.M.D.B. Abeyrathne	Sri Lanka Agricultural Research Policy Board	The appellant has received the information he requested and has requested that the inquiry be concluded. Accordingly, it has been decided to conclude the inquiry.

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
18	552/2021	18/2023	P.D.C. Padmamali	Balapitiya Pradeshiya Sabha	Although the information requested by the appellant is not in the possession, custody or control of the Public Authority, the relevant information will be collected from the relevant institutions and a report will be provided to the appellant. Accordingly, it has been decided to conclude the inquiry.
19	1505/2019	19/2023	P.C.C. Perera	Postal Department	The Commission determined that the appellant had received the requested information in sufficiently. Accordingly, the inquiry has been concluded.
20	912/2022	20/2023	Gamini Ratnasiri	National Savings Bank	It has been decided to conclude the inquiry as the appellant has been provided with the requested information.
21	2179/2020	21/2023	M.A.M.A. Abubakar	Divisional Secretariat - Kalmunai	It has been decided to conclude this inquiry as it is confirmed that the information requested by the appellant is not in the possession, custody or control of the public authority.
22	141/2018	22/2023	H.D.K. Perera	Urban Council, Panadura	The appellant has not filed an affidavit. The Public Authority has sought a date to hand over the information to the appellant. Accordingly, the inquiry has been adjourned to 2024.02.22.
23	61/2018	23/2023	EMC Edirisuriya	Urban Development Authority - Kandy	The Commission has been informed that the appellant has died, but since the Commission has not received any information to confirm it,

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
					the inquiry has been adjourned to 2024.02.22 with instructions to confirm.
24	76/2017	24/2023	E.M.C. Edirisuriya	Urban Development Authority	This is a completed Appeal. Therefore, it has been decided that inquiry is not necessary in this regard.
25	611/2021	25/2023	P.K. Chandrasena	Weligama Pradeshiya Sabha	The Public Authority has requested time to complete the requested information and provide it to the appellant. Accordingly, the inquiry has been adjourned to 2024.02.22.
26	1770/2019	26/2023	M. Rizan	Panadura Pradeshiya Sabha	Since both parties have not attended the inquiry, the inquiry has been adjourned to 2024.01.05.
27	294/2021	27/2023	M.S. M.Ushan	Sri Lanka Police	The appellant acknowledges that he has received the information relevant to the appellant's information request. Accordingly, it has been decided to conclude the inquiry.
28	2264/2020	28/2023	S.A.S.S. Perera	Police Headquarters	Since the appellant has not appeared, the inquiry has been adjourned to 05.01.2024.
29	297/2021	29/2023	D. M. G. Wickramaratne	Department of Agrarian Development	Since the appellant has not appeared, the inquiry has been adjourned to 05.01.2024.
30	787/2021	30/2023	S.E. Leelarathna	Provincial Public Service Commission-	The letter sent regarding the position of the Public Authority has not been received by the appellant, but it

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
				Southern Province	was handed over. The appellant has not been eager to disclose the facts. Since there is no alternative, it has been decided to conclude the inquiry.
31	30/2021	31/2023	D.G.E. Fernando	Ministry of Education	As the appellant has not appeared, the inquiry has been adjourned to 05.01.2024.
32	623/2021	32/2023	Jeevakumar	Land Reforms Commission	The Public Authority has requested a date. Accordingly, the inquiry has been adjourned to 2024.02.22.
33	1619/2019	33/2023	P.K. Harishchandra	Department of Land Title Settlement	The Appellant has requested a date. Accordingly, the inquiry has been adjourned to 2024.02.22.
34	2345/2020	34/2023	A.D.F. Perera	Moratuwa Municipal Council	The appellant accepts the position of the Public Authority that part of the information requested by the appellant has been received and the rest has been damaged. It has been decided to close the inquiry subject to the right to resubmit a request.
35	2268/2020	35/2023	Zoysa Siriwardena	Sri Lanka Army	Since the complete information has not been released, the inquiry has been adjourned to 2024.01.05 with instructions to release the information.
36	430/2021	36/2023	I. Chandrakumar	District Secretariat - Ampara	The Public Authority acknowledges that it is possible to release the information requested by the appellant and has concluded

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
					the inquiry by agreeing to release the information.
37	520/2022	37/2023	A. M. Nasir	District Secretariat - Ampara	The Public Authority accepts that it is possible to release the information requested by the appellant and undertakes to release the information. Accordingly, it has been decided to conclude the investigation.
38	969/2021	38/2023	M.M. Nifraz Mansoor	District Secretariat - Ampara	The Public Authority acknowledges that the information requested by the appellant is available for release. Accordingly, it has been decided to conclude the inquiry by releasing the information.
39	1084/2019	39/2023	A.L.M. Rizan	Federation of Kattankudy Mosques and Muslim Institutes	The appellant states that the information requested by the appellant has not been released. It was decided to file a case in the Magistrate's Court under Section 39 as the public authority has failed to comply with the decision of the Commission.
40	1072/2022	40/2023	N.C. Abeysekara	Sri Lanka Police - Athurugiriya	The Public Authority disclosed the information to the Appellant's lawyer before the Commission. Accordingly, it has been decided to conclude the inquiry.

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
41	1073/2022	41/2023	N.C. Abeysekara	Sri Lanka Police - Nugegoda	The Public Authority disclosed the information to the Appellant's lawyer before the Commission. Accordingly, it has been decided to conclude the inquiry.
42	502/2021	42/2023	R. Kulatunga	Municipal Council – Dehiwala, Mount Lavinia	It has been decided to file a case in the Magistrate's Court as there are no documents proving that the Commission's decision has been implemented.
43	2079/2020	43/2023	S. Kariyawasam	Road Development Authority	All the information requested by the appellant has been submitted to the Commission. Accordingly, it has been decided to close the inquiry.
44	119/2022	44/2023	R. Kapilan	University of Jaffna	The appellant has requested a date. Accordingly, the hearing has been adjourned to 2024.02.22.
45	1854/2019	45/2023	G.D. Hemantha Silva	Lanka Salusala Limited	It appears that the Public Authority has not acted in accordance with the decision of the Commission. Accordingly, it has been decided to give the Public Authority another date to release the information. Accordingly, the inquiry has been adjourned to 2024.02.2.
46	1149/2019	46/2023	H.K.R.N. Indrajith	Grand Oriental Hotel	The appellant has been provided with the requested information and has stated that he is satisfied with the information. Accordingly, it

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
					was decided to conclude the inquiry.
47	1019/ 2021	47/2023	R. Amarasinghe	Postal Department	The Public Authority disclosed the information to the Appellant before the Commission. Since the appellant is satisfied with it, it has been decided to conclude the inquiry.
48	977/2021	48/2023	L.N. Francis	Public Service Commission	It has been decided to conclude the inquiry as it is confirmed that the information requested by the appellant is not in the possession, custody or control of the relevant public authority, based on the facts provided by the public authority.
49	1928/ 2020	49/2023	U.K. Liyanarachchi	Department of Labor	The Public Authority agrees to provide the information and accordingly the inquiry has been concluded.
50	687/2021	50/2023	S.B. Leelarathna	Zonal Education Office - Morawaka	The Public Authority has requested time to submit written submissions. Accordingly, the inquiry has been adjourned to 2024.01.04.
51	1117/ 2022	51/2023	M.A.N. Naleem	Department of Agrarian Development	The Public Authority disclosed the information to the Appellant before the Commission. It has been decided to examine it and conclude the inquiry.

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
52	631/2021	52/2023	G.B. Wijesinghe	Department of Immigration and Emigration	The Public Authority released the information to the Commission. The Commission concluded the inquiry by deciding that the information had been provided in a manner that was satisfactory to the request and instructing that the information be released to the appellant.
53	726/2021	53/2023	John Wilson	Department of Immigration and Emigration	The Public Authority provides information to the appellant. The appellant's representative has stated that they will verify the information and be satisfied. Accordingly, it has been decided to conclude the inquiry.
54	965/2021	54/2023	K. Prasanna Kumar	Railway Department	The Commission has decided to conclude the inquiry as it is satisfied that the Public Authority has provided sufficient information.
55	198/2023	55/2023	K.K. Bulathsinhala	Municipal Council, Maharagama	The Public Authority requests time from the Commission to provide more formal information on certain items of the requested information. Accordingly, the inquiry is adjourned to 2024.02.22.
56	81/2022	56/2023	K.K. Bulathsinhala	Sri Lanka Land Development Corporation	The Public Authority disclosed the information to the Appellant before the Commission. Since the appellant is satisfied, it has been decided to conclude the inquiry.

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
57	1631/ 2019	57/2023	J. Wilson	Colombo Municipal Council	The Commission has decided that the Public Authority has acted in accordance with the Commission's decision in a clear and transparent manner. The Commission decides not to take any further action.
58	1601/ 2019	58/2023	V.G.S.C. Ubeseekara	Department of Health	A date has been requested by the Public Authority. Accordingly, the inquiry has been postponed to 2024.02.22.
59	1269/ 2022	59/2023	K.S. L. Kanugala	Provincial Department of Education - Sabaragamuwa	The Public Authority disclosed the information to the Appellant before the Commission. Accordingly, it has been decided to conclude the inquiry.
60	1174/ 2022	60/2023	G. Balachandran	Ministry of Justice	It is decided to merge this request with RTIC/APP/No. 1175/2022 and mention it on the date of the decision of the appeal of RTIC/APP NO.1175/2022.
61	1435/ 2022	61/2023	G.R.A. Godagama	University of Peradeniya	The Appellant has been informed the Commission that the Public Authority has provided the information sufficiently. Therefore, it has been decided to conclude the inquiry.
62	56/2023	62/2023	A.S. Amarasinghe	Colombo Municipal Council	Since the complete information has not been released, the inquiry has been adjourned to 2024.02.22 with instructions to the Public Authority to release the information.

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
63	147/2023	63/2023	L.A.F.V. Fernando	Ceylon Electricity Board	It has been decided that enforcement under Section 39 of the Act is not necessary as the Public Authority has acted in accordance with the Commission's decision and has not committed any default.
64	589/2022	64/2023	F.H. K.H. de Silva	Department of Samurdhi Development	The Public Authority has failed to comply with the Commission's decision. Accordingly, it has been decided to initiate legal proceedings against the Public Authority under Section 39 of the Right to Information Act.
65	434/2021	65/2023	S.N.P. Kumara	Sri Lanka Excise Department	The appellant is given the opportunity to inspect the information requested under number 3 of the information request at the head office of the Public Authority and the Public Authority should take steps to provide the information requested under number 4 before the next date. Accordingly, the inquiry is adjourned to 2024.02.22.
66	383/2021	66/2023	C. Amarasinghe	Central Environmental Authority	Since the appellant has not appeared, the inquiry has been adjourned to 05.0 inquiry 1.2024.
67	1123/2022	67/2023	H. L.U. Sampath	Multipurpose Cooperative Society - Elpitiya	The Public Authority submits that it has been responded to the appellant. Having considered the facts presented, it has been decided to close the inquiry.

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
68	566/2022	68/2023	J.A. D.K. Jayakody	State Ministry of Minor Crop Development	The Public Authority is given a date to release the information requested by the appellant. Accordingly, the inquiry is adjourned to 2024.01.05.
69	466/2022	69/2023	D.K.Keerthithisa	Divisional Secretariat - Kandy	Since the complete information has not been released, the inquiry has been adjourned with instructions to the Public Authority to release the information. Accordingly, the inquiry has been adjourned to 2024.01.05.
70	845/2022	70/2023	Kanapathipillai Thevaratnam	Human Rights Commission	The public authority states that the information requested by the appellant has been disposed of, but the appellant has not been informed. The inquiry was concluded with the Public Authority accepting to send a response to the appellant confirming the facts.
71	856/2021	71/2023	G.B. Wijesinghe	Department of Motor Vehicles	The appeal has been postponed to 2024.01.05 as the notice were not properly received..
72	692/2022	72/2023	S.A. Kamalasena	Lanka Sugar (Private) Company Limited	Since only a portion of the requested information has been provided, it has been decided to give the Public Authority one more chance. Accordingly, the inquiry has been adjourned to 2024.01.05.
73	564/2021	73/2023	H.M.P. Bandara	Ministry of Irrigation and Mahaweli Development	The Public Authority disclosed the information to the Appellant before the Commission and the appellant is satisfied with it, so it has been decided to conclude the inquiry.

No .	Appeal No.	Inquiry No.	Appellant	Public Authority	Current Status
74	825/2021	74/2023	S.N.P. Kumara	Sri Lanka Excise Department	It has been decided to conclude the inquiry since it is confirmed that the Public Authority has acted in accordance with the Commission's decision.
75	342/2022	75/2023	R. Thenabadu	Department of Buddhist Affairs	It is not confirmed that the information is in the possession of the Public Authority. There is not enough evidence to file a case in the Magistrate's Court alleging failure to comply with the decision. It has been decided to conclude the hearing.
76	445/2022 503/2022	76/2023	W. M.A.P. Wasalamudali	Office of the Director of Irrigation - Polonnaruwa	The Public Authority has not acted in accordance with the decision of the Commission. Accordingly, it has been decided to give the Public Authority another date to release the information. Accordingly, the inquiry has been adjourned to 2024.01.05.
77	388/2022	77/2023	K.M. Jayasiri	National Water Supply and Drainage Board	Since the Public authority has not yet provided the requested information, a deadline has been set for providing the information. Accordingly, the inquiry has been adjourned to 2024.01.05.
78	1480/ 2022	78/2023	D. Gamini	Kamburupitiya Pradeshiya Sabha	The public authority is given further time to consider the information. Accordingly, the inquiry has been adjourned to 2024.01.05.

(Source: RTI Database)

6. The Responsibility of the Public Authority to Submit Reports and Related Documents.

In accordance with Section 10 of the Right to Information Act, No. 12 of 2016, every public authority is required to prepare an annual report, which should include the total number of requests received during the year and information provided and rejected; the amount of fees collected during the year; the number of requests rejected under section 5; the number of times information was provided at the direction of the Commission; any suggestions for improving the effectiveness of the regime of transparency; the number of appeals from refusal to communicate information; practices relating to the maintenance, management and destruction of records; and its activities under section 8. The report must be submitted to the Commission by December 31 of the year following the year to which it pertains.

The annual reports submitted are as follows:

Table 13 – Annual Reports to Be Submitted by Public Authorities in 2023

No.	Classification According to Section 43 of the Act	Public Authorities According to the Classification	Numbers
(A)	A Ministry of the government	Ministry of Urban Development and Housing	11
		Ministry of Transport and Highways	
		Ministry of Finance, Economic Stabilization and National Policies	
		Ministry of Education	
		Ministry of Power and Energy	
		Ministry of Shipping and Civil Aviation	
		Ministry of Mass Media	
		Ministry of Agriculture	
		Ministry of Defense	
		Ministry of Environment	
		Ministry of Water Supply and Estate Infrastructure Development	
B)	any body or office created or established by or under the Constitution, any written law, other than the companies Act No.7 of 2007, except to the extent specified in	University of Jaffna, Sri Lanka	72
		Divisional Secretariat - Gonapinuwa	
		District Secretariat - Matara	
		Divisional Secretariat - Weligepola	
		Balangoda Divisional Secretariat	
		Divisional Secretariat - Madurawala	

No.	Classification According to Section 43 of the Act	Public Authorities According to the Classification	Numbers
	paragraph, or a statute of a Provincial Council;	District Secretariat - Anuradhapura	
		Thumpane Divisional Secretariat - Galagedara	
		Divisional Secretariat - Laggala	
		District Secretariat - Kegalle	
		Divisional Secretariat - Kiriella	
		Sri Lanka Foreign Employment Bureau	
		Divisional Secretariat - Warakapola	
		Divisional Secretariat - Ukuwela	
		Divisional Secretariat - Jaffna	
		Divisional Secretariat - Nochchiyagama	
		Divisional Secretariat - Imbulpe	
		Regional Secretariat - Deraniyagala	
		District Secretariat - Kandy	
		Divisional Secretariat - Pujapitiya	
		Sri Lanka Social Security Board	
		Divisional Secretariat - Manmunai North	
		Divisional Secretariat - Homagama	
		Divisional Secretariat - Thambuttegama	
		Divisional Secretariat Pasbage Korale - Nawalapitiya	
		District Secretariat - Polonnaruwa	
		Divisional Secretariat - Nachchaduwa	
		Divisional Secretariat - Ambalangoda	
		Rattota Divisional Secretariat - Kaikawala	
		Divisional Secretariat - Mulatiyana	
		District Secretariat - Badulla	
		District Secretariat - Vavuniya	
		Divisional Secretariat - Ayagama	
		Divisional Secretariat - Pathahewaheta	
		Divisional Secretariat - Mallawapitiya	
		Divisional Secretariat - Elapatha	

No.	Classification According to Section 43 of the Act	Public Authorities According to the Classification	Numbers
		Divisional Secretariat - Godakawela	
		Divisional Secretariat - Kahawatta	
		Divisional Secretariat - Kamburupitiya	
		Divisional Secretariat - Kuruwita	
		District Secretariat - Matale	
		Divisional Secretariat - Polgahawela	
		Divisional Secretariat - Kuchchaveli	
		District Secretariat - Kurunegala	
		Divisional Secretariat - Galnewa	
		Divisional Secretariat - Vengalcheddikulam	
		Divisional Secretariat - Sri Jayewardenepura Kotte	
		President's Office	
		Prime Minister's Office	
		Divisional Secretariat - Kantale	
		Merchant Shipping Secretariat	
		Divisional Secretariat - Karadeniya	
		Divisional Secretariat - Kuliyaipitiya East	
		District Secretariat - Ratnapura	
		District Secretariat - Galle	
		Divisional Secretariat - Alawwa	
		District Secretariat - Mullaitivu	
		Sri Lanka Ports Authority	
		Office of the Comptroller General	
		Divisional Secretariat - Kadawatha Satara, Galle	
		Divisional Secretariat - Eheliyagoda	
		Public Service Commission Office	
		District Secretariat- Batticaloa	
		Divisional Secretariat - Udubaddawa	
		Central Bank of Sri Lanka	
		Divisional Secretariat – Opanayake	

No.	Classification According to Section 43 of the Act	Public Authorities According to the Classification	Numbers
		Divisional Secretariat - Embilipitiya	
		Divisional Secretariat - Maharagama	
		Provincial Land Commissioner's Department - North Central Province	
		Civil Aviation Authority of Sri Lanka	
		Telecommunications Regulatory Commission of Sri Lanka	
		University of Sri Jayewardenepura Sri Lanka	
(C)	A Government Department;	Department of Christian Religious Affairs	9
		Department of National Botanical Gardens	
		Legal Commission Department of Sri Lanka	
		Sports Development Department	
		Department of Maritime Conservation and Maritime Resources Management	
		Land Commissioner General's Department	
		Department of Agriculture	
		Department of Measurement Units, Standards and Services	
		Inland Revenue Department - Sri Lanka	
(D)	A Public corporation;	Sri Lanka Broadcasting Corporation	2
		Ceylon Shipping Corporation Limited	
(E)	A company incorporated under the Companies Act, No. 7 of 2007, in which the State, or a public corporation or the State and a public corporation together hold twenty-five per centum or more of the shares or otherwise has a controlling interest;	Sri Lankan Airlines	1

No.	Classification According to Section 43 of the Act	Public Authorities According to Classification	Numbers
(F)	A local authority;	Beruwala Pradeshiya Sabha - Aluthgama	19
		Harispattuwa Pradeshiya Sabha	
		Panadura Urban Council	
		Kuruwita Pradeshiya Sabha	
		Moratuwa Municipal Council	
		Pelmadulla Pradeshiya Sabha	
		Wariyapola Pradeshiya Sabha	
		Hambantota Pradeshiya Sabha	
		Rambukkana Pradeshiya Sabha	
		Kundasale Pradeshiya Sabha - Menikhinna	
		Kuliyapitiya Urban Council	
		Yatawatta Pradeshiya Sabha	
		Municipal Council - Dambulla	
		Eheliyagoda Pradeshiya Sabha	
		Biyagama Pradeshiya Sabha - Delgoda	
		Pujapitiya Pradeshiya Sabha - Pradeshiya Sabha Office - Pujapitiya	
		Suryawewa Pradeshiya Sabha	
		Kaduwela Municipal Council	
		Dickwella Pradeshiya Sabha	
(G)	A private entity or organization which is carrying out a statutory or public function or service, under a contract, a partnership, an agreement or a license from the government or its agencies or from a local body, but only to the extent of activities covered by that statutory or public function or service;		0
(H)	Any department or other authority or institution established or created by a Provincial Council.	Provincial Revenue Department - Regional Office Kegalle	36
		North Central Provincial Health Services Department	
		Principal Ministry - North Central Province	

No.	Classification According to Section 43 of the Act	Public Authorities According to Classification	Numbers
		Ministry of Provincial Lands, Irrigation, Road Development, Rural Development, Housing and Women's Affairs - North Central Province	
		Ministry of Health, Indigenous Medicine, Social Welfare, Residential and Childcare Services, Environment and Provincial Council Affairs, North Central Province	
		Provincial Road Development Authority - North Central Province	
		Chief Secretariat - Western Province	
		Provincial Public Service Commission - Western Province	
		Council Secretariat - Sabaragamuwa Provincial Council	
		Chief Secretariat - Central Province	
		Provincial Department of Social Services - North Central Province	
		Provincial Cultural Department	
		Cooperative Employees Commission	
		Sabaragamuwa Provincial Council Public Service Commission - Sabaragamuwa Provincial Council Complex, New Town, Ratnapura	
		Provincial Department of Education - Northern Province	
		Transport Services Authority - Central Province	
		Ministry of Health, Indigenous Medicine, Social Welfare, Refugee and Childcare Services, Women's Affairs and Council Affairs - Northwestern Provincial Council	
		Cooperative Service Commission - North Central Provincial Council	

No.	Classification According to Section 43 of the Act	Public Authorities According to Classification	Numbers
		Department of Animal Production and Health - Southern Province	
		Department of Health Services - Central Province	
		Provincial Land Commissioner's Department - North Western Province	
		Chief Secretariat - Eastern Province	
		Chief Secretariat - Sabaragamuwa Provincial Council	
		Provincial Revenue Department - Sabaragamuwa Province	
		Chief Ministry - Sabaragamuwa Province	
		Chief Secretariat Northern Province - Deputy Chief Secretariat Engineering Services - Provincial Council Complex	
		Provincial Department of Education - Western Province	
		Chief Secretariat - Northern Provincial Council	
		Cooperative Services Commission - Sabaragamuwa Provincial Council	
		Uva Provincial Council - Uva Province Chief Secretariat	
		Cooperative Services Commission - (Southern Province)	
		Ministry of Agriculture, Agricultural Production, Marketing, Animal Production, Animal Health and Fisheries - North Central Province	
		Chief Secretariat Northern Provincial Council – Provincial Internal Audit Office	
		Provincial Land Commissioner's Department - North Central Province	
		Northwestern Chief Secretariat	

No.	Classification According to Section 43 of the Act	Public Authorities According to Classification	Numbers
		Ministry of Public Administration, Home Affairs, Provincial Council and Local Government	
(I)	Non-governmental organizations that are substantially funded by the government or any department or other authority established or created by a Provincial Council or by a foreign government or international organization, rendering a service to the public in so far as the information sought relates to the service that is rendered to the public;		0
(J)	Higher educational institutions including private universities and professional institutions which are established, recognized or licensed under any written law or funded, wholly or partly, by the State or a public corporation or any statutory body established or created by a statute of a Provincial Council;		0
(K)	Private educational institutions including institutions offering vocational or technical education which are established, recognized or licensed under any written law or funded, wholly or partly, by the state or a public corporation or any statutory body established or created by a statute of a Provincial Council;		0
(L)	all Courts, tribunals and institutions created and established for the administration of justice;		0
	Total		150

(Source: RTI Database)

7. Celebrating International Day for Access to Information

The United Nations celebrated September 28th every year as World Information Day from 2002 to 2019. However, the day was renamed the International Day for Access to Information in 2019. The Right to Information Commission has also celebrated this day since 2017.

In 2023, we, the Right to Information Commission, joined more than 26 countries around the world to celebrate this International Day both locally and internationally.

The Commission officially celebrated this year's International Day for Access to Information at the Kalutara District Secretariat. An awareness program on the Right to Information Act was held for the public sector and civil society. Additionally, an awareness program was conducted for the designated officers and information officers of all institutions under the Southern Provincial Council.

Furthermore, an awareness campaign on the Right to Information Act was broadcast on the Yaal TV channel, featuring Commissioner and Attorney-at-Law Jagath Liyanarachchi, a member of the Commission.

The International Day for Access to Information (IDUAI) was also celebrated online in New Delhi on September 28th, 2023, under the theme "The Right to Information and Its Role in Ensuring Sustainable Development," organized under the auspices of UNESCO. On that occasion, Commissioner Advocate Kishali Pinto-Jayawardena, a member of the Commission, delivered the keynote address online on the theme "Protecting the Constitution."

8. Administration and Financial Performance

The Commission carried out its duties and functions under the Act with extreme difficulties during this period due to severely limited resources. It had managed the major workload of appeals heard by the commission as well as a high number of appearances in court as required under the act notwithstanding unpresented human, financial and physical resources.

8.1 Staff of the Commission

The number of staff working at the commission during the period was only 10. The commission made several requests in regard to recruitment of urgently needed staff to carry out the requirements of its statutory mandate and the provision of adequate salaries thereto from relevant authorities but to no avail.

Table 14 - Staff Details

Position	Approved Cardre	Current Staff
Director General	01	01
Senior Research Officer	01	-
Research Officer	01	01
Legal officer	01	-
Administrative Officer	01	01
Finance Officer	01	01
Legal Assistant	04	-
Development Officer	04	01
Translator	01	-
Information Technology Assistant	01	01
Management Assistant	04	01
Personal assistant	01	01
Driver	03	01
Office Assistant	02	01
Total	26	10

The Official Committee, appointed by the Cabinet to review the recruitment process in the public service in 2023, has approved the recruitment for the vacant posts at this Commission. Recruitment for these vacant positions was in progress by December.

8.2 Financial Administration

The total financing of the Commission can be summarized as follows.

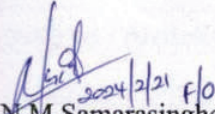
Item	Budgetary Allocation Rs.	Total Expenditure Rs.	Percentage %
Recurrent Expenditure	43,970,000.00	43,748,331.89	99%
Capital Expenditure	1,500,000.00	1,498,771.20	100%
Total Expenditure	45,470,000.00	45,247,109.09	99%

Right to Information Commission

Statement of Financial Position as at 31st December 2023

As at	Note	31/12/2023 (Rs.)	31/12/2022(Rs.)
ASSETS			
Non-Current Assets			
Property, Plant and Equipment		10,362,332.90	10,362,332.90
(-) Accumulated Depreciation		(3,246,924.29)	(1,702,466.65)
TOTAL ASSESTS	1	7,115,408.61	8,659,866.25
EQITY AND LIABILITIES			
Equity			
Stated Capital		10,362,332.90	10,362,332.90
Retained Earnings		(3,802,075.87)	(1,986,092.22)
Total Equity		6,560,257.03	8,376,240.68
Current Liabilities			
Provisions	2	400,000.00	-
Other Payable	3	155,151.58	283,625.57
TOTAL LIABILITIES		7,115,408.61	8,659,866.25

The Financial statements have been prepared in compliance with the requirements of the Sri Lanka Public Sector Accounting Standards as laid down by the Institute of Chartered Accountants of Sri Lanka, Finance Act no.38 of 1971 and Right to Information Commission Act No. 12 of 2016.


N.M.Samarasinghe

Finance Officer

Nuwanthi Samarasinghe
Finance Officer
Right to Information Commission

2024/02/21

Date



D.C.Dissanayake

Director General

D.C. Dissanayake
Director General
Right to Information Commission

2024/02/21

Date

Right to Information Commission

Statement of Financial Performance and Other Comprehensive Income for the year ended 31st December 2023

For the year ended 31 December	Note	2023 (Rs.)	2022 (Rs.)
Revenue			
Grants		45,470,000.00	36,728,635.92
Less: Grants returned to the Ministry of Mass Media		(1,228.80)	(4,190.16)
Add Other Income		61,963.46	19,248.00
		45,530,734.66	36,743,693.76
Other Income			
Differed Income		-	57,797.00
Total Income	4	45,530,734.66	36,801,490.76
Operating Expenses			
Costs of Members and Staff	5	(15,545,373.11)	(15,772,395.86)
Stationary		(1,193,358.45)	(1,167,197.07)
Fuel		(398,700.00)	(360,493.02)
Diets and Uniforms		(451,480.01)	(259,977.48)
Maintenance Expenses		(414,051.53)	(311,877.64)
Postal and Communication		(1,222,689.91)	(1,077,494.90)
Rents and Local Taxes	6	(14,724,278.37)	(12,819,900.27)
Lease Rental for Vehicles	7	(6,325,353.84)	(4,365,913.16)
Advocacy workshop Expenses	8	(1,498,771.20)	(57,797.00)
Other Administration Expenses	9	(1,168,858.98)	(818,832.60)
Miscellaneous Expenses	10	(653,217.10)	-
Legal Expenses		(2,206,128.17)	-
Depreciation of Fixed Assets	11	(1,544,457.64)	(1,702,466.65)
		(47,346,718.31)	(38,714,345.65)
Surplus / (deficit) for the year	12	(1,815,983.65)	(1,912,854.89)

The accounting policies and notes as set out in pages 7 to 13 form an integral part of these financial statements.

Right to Information Commission
Statement of Changes in Equity as at 31st December 2023

	2022			2023		
	Capital Grant (Rs.)	Surplus /Deficit (Rs.)	Total (Rs.)	Capital Grant (Rs.)	Surplus /Deficit (Rs.)	Total (Rs.)
Grant (Fixed asset valuation amount)	9,441,683.90	(73,237.33)	9,368,446.57	Balance as at 01.01.2023	10,362,332.90	8,376,240.68
Capital Grant for the year	920,649.00		920,649.00	Capital Grant for the year	-	-
Surplus /Deficit		(1,912,854.89)	(1,912,854.89)	Surplus /Deficit	(1,815,983.65)	(1,815,983.65)
Balance as at 31.12.2022	Note 01 10,362,332.90	(1,986,092.22)	8,376,240.68	Balance as at 31.12.2023	10,362,332.90	6,560,257.03

Right to Information Commission

Statement of Cash Flows for the year ended 31st December 2023

For the year ended 31 December	Note	2023 (Rs.)	2022 (Rs.)
Cash flows from operating activities			
Net surplus/ (deficit) for the year		(1,815,983.65)	(1,912,854.89)
Adjustments for;			
Depreciation		1,544,457.64	1,702,466.65
Operating profit/(loss) before working capital changes		(271,526.01)	(210,388.24)
Working Capital Adjustments			
(Increase)/ decrease in Provisions		400,000.00	-
(Increase)/ decrease in Telephone payable (Net)	12	26,629.39	(21,847.98)
(Increase)/ decrease in Overtime payable (Net)	12	(16,461.72)	(17,970.83)
(Increase)/ decrease in Travelling expenses payable		300.00	-
(Increase)/ decrease in Training allowances payable (Net)	12	(1,000.00)	(1,500.00)
(Increase)/ decrease in Newspaper payable		(16,530.00)	16,530.00
(Increase)/ decrease in Water payable		(1,900.00)	1,900.00
(Increase)/ decrease in Rent payable		(233,277.05)	233,277.05
(Increase)/ decrease in Legal fee payable		113,765.39	-
Net cash flows from Operating Activities		-	-
Cash flows from Investing Activities			
Acquisition of property, plant & equipment		-	(920,649.00)
Net cash flows from Investing Activities		-	-
Cash flows from Financing Activities			-
Increasing Stated Capital		-	920,649.00
Net increase/ (decrease) in cash and cash equivalent		-	-
Cash and cash equivalents at the end of the year		-	-

RIGHT TO INFORMATION COMMISSION

General Information in regard to the financial statements

1. General Information

The Right to Information Commission is an independent statutory Commission established under the Right to Information Act, No. 12 of 2016. The vision of the Commission is to foster a culture of transparency and accountability in public authorities by giving effect to the right of access to information and thereby combating corruption and promoting accountability and good governance.

The Commission comprises of four Commissioners and a chairperson appointed by the President on the recommendation of constitution of the council and its staff currently comprising ten in number is headed by the Director General who is the Chief Executive officer (CEO) of the Commission. The total approved cadre positions as at 31/12/2023 were 26. Accordingly, there was a shortage of 16 number of staff as at the same date. The Commission is taking relevant steps to recruit necessary staff for the vacant positions during 2024.

The Financial statements to the Commission for the year ended 31st December 2023 were authorized for issue by the Commission and Director General.

2. Basis of preparation and adoption of Sri Lanka Financial Reporting Standards

The Commission prepares its financial statements in accordance with the Sri Lanka Public Sector Accounting Standards issued by the Institute of Chartered Accountants of Sri Lanka.

3. Basis of preparation

The Commission is obliged to prepare its accounts and submit the same to the Auditor General as per Section 17 of the Right to Information Act, No. 12 of 2016. Subject to the necessary changes, provisions in Part Two of the Financial Act, No. 38 of 1971 is also applicable in respect of the financial control and maintenance of the Commission as per Section 18 of the Right to Information Act, No. 12 of 2016.

The principal accounting policies applied in the preparation of these financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

The financial statements of the Commission have been prepared in accordance with Sri Lanka Public Sector Accounting standards and it has been prepared under the historical cost convention.

No adjustments have been made for inflationary factors affecting the financial statements. The financial statements are presented in Sri Lankan rupees.

4. Currencies

Items included in the financial statements of the Commission are measured using the currency the primary economic environment in which the entity operates ("the functional currency"). The financial statements are presented in Sri Lanka Rupees, which is the Commission's functional and presentation currency.

5. Property, Plant and Equipment

All the property, plant and equipment are stated at historical cost. Historical cost includes expenditure that is directly attributable to the acquisition of the items.

6. Cash and cash equivalents

Bank balances according to the bank statements for the 31st December 2023, Bank of Ceylon Torrington branch is Rs. 0.00.

7. Payables / Liabilities

Accounts payable are classified as current liabilities. Trade payables are recognized at fair value.

8. Grants

The Commission has received grant from government amounting Rs. 45,468,771.20 in the year of 2023.



9. Accounting for Expenditure

Expenditure of the Commission is accounted for on accrual basis, charging all expenses incurred in the day-to-day operations of the Commission.

10. Cash Flow Statement

The cash flow statement has been prepared using the indirect method. Cash and cash equivalent consist of bank current account balance.

Notes to the Financial Statements

01. Assets

	2022					2023				
	Office Equipment	Computer Equipment	Communication Equipment	Furniture	Total	Office Equipment	Computer Equipment	Communication Equipment	Furniture	Total
At the beginning of the year	1,355,078.90	5,503,154.66	724,749.10	1,858,701.24	9,441,683.90	1,525,977.90	6,042,154.66	733,174.10	2,061,026.24	10,362,332.90
Additions	170,899.00	539,000.00	8,425.00	202,325.00	920,649.00	-	-	-	-	-
At the end of the year	1,525,977.90	6,042,154.66	733,174.10	2,061,026.24	10,362,332.90	1,525,977.90	6,042,154.66	733,174.10	2,061,026.24	10,362,332.90
Accumulated depreciation at the beginning of the year	-	-	-	-	-	271,015.78	1,100,630.93	144,949.82	185,870.12	1,702,466.65
Depreciation for the year	271,015.78	1,100,630.93	144,949.82	185,870.12	1,702,466.65	250,992.42	988,304.75	117,644.86	187,515.61	1,544,457.64
Accumulated depreciation as at 31.12	271,015.78	1,100,630.93	144,949.82	185,870.12	1,702,466.65	522,008.20	2,088,935.68	262,594.68	373,385.73	3,246,924.29
Net Assets	1,254,962.12	4,941,523.73	588,224.28	1,875,156.12	8,659,866.25	1,003,969.70	3,953,218.98	470,579.42	1,687,640.51	7,115,408.61

2. Provisions

Audit fee provision for the year of 2023 - Rs. 400,000.00

3. Other Payable (As at 31.12.2023)

	(Rs.)
Telephone Payable	33,233.97
Overtime Payable	7,852.22
Travelling Expenses payable	300.00
Legal fees payable	113,765.39
Total amount	155,151.58

4. Government Grants

	(Rs.)
Funds received in 2023	45,470,000.00
Grants returned to the Ministry of Mass Media	(1,228.80)
Other Income	61,963.46
Total Income	45,530,734.66

5. Staff Costs

	(Rs.)
* Staff Remuneration	12,911,400.83
* Employee's Provident Fund	715,706.80
* Employee's Trust Fund	178,926.75
* Monthly Allowances	592,500.00
* Overtime and Holiday Payments	780,588.73
* Other Allowances	3,750.00
* Training Allowances	362,500.00
Total amount	15,545,373.11

6. Rents and Local Taxes

Building rent per month is Rs.1,166,772.13 for eleven rooms. Right to Information Commission is operating at Block No 02 of the premises of BMICH.

The total cost of building rent for the year 2023 is Rs.14,724,278.37.

7. Lease Rental for Vehicles

The Commission has leased below vehicles under the operating leasing scheme from Central Finance Company PLC. The total cost of lease rentals for vehicles is for the year 2023 Rs.6,325,353.84

To 2023/04/25	From 2023/04/25 to 2028/04/25
ISUZU-Double Cab (WPPI 7233)	Honda- VEZEL (WPCAZ 4364)
To 2023/04/25	From 2023/07/16 to 2028/06/16
Honda- VEZEL (WPCAZ 4364)	Van (WPNC 9740)

8. Expenses of Advocacy programmes

Total advocacy workshop cost consists with costs of all the advocacy work shops held by the Right to Information Commission and total cost is Rs. 1,498,771.20

9. Other Administration Expenses

Rs

* Travelling and Transport expenses	59,333.98
* Uniform	4,000.00
* Audit fee	1,105,525.00
Total Amount	1,168,858.98

10. Miscellaneous Expenses

	(Rs.)
* Water	141,444.06
* Newspapers	100,730.00
* Advertisement	311,029.00
* Other Expenses	100,014.04
Total Amount	653,217.10

11. Depreciation of Fixed Assets

Right to Information Commission has decided to depreciate the fixed assets from the previous year (2022) except the year of purchase. According to such policy, the annual depreciation percentages and depreciation amounts for 2023 are as follows.

Asset Category	Value of Net assets (Rs.)	Percentages of Depreciation	Depreciation Amount (Rs.)
Office Equipment	1,254,962.12	20%	250,992.42
Computer Equipment	4,941,523.73	20%	988,304.75
Communication Equipment	588,224.28	20%	117,644.86
Furniture	1,875,156.12	10%	187,515.61
Total	8,659,866.25		1,544,457.64

12. Net Deficit

The accumulated payable amount of Rs. 271,526.01 and depreciation value of Rs. 1,544,457.64 shown as a deficit figure (Rs. 1,815,983.65) in the statement of financial performance and other comprehensive income.

Report of the Auditor General on the Financial Statements and Other Legal and Regulatory requirements of the Right to Information Commission for the year ended 31st December 2023 in terms of Section 12 of the National Audit Act No. 19 of 2018.

1. Financial Statements

1.1 Qualified Opinion

The audit of the financial statements of the Right to Information Commission for the year ended 31st December 2023 comprising the statement of financial position as at 31st December 2023 and the statement of financial performance, statement of comprehensive income for the year ended and notes to the financial statements, including a summary of significant accounting policies, was carried out under my direction in pursuance of provisions in article 154(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka read in conjunction with provisions of the National Audit Act No.19 of 2018 and Finance Act No.38 of 1971. My report will be tabled in Parliament in due course in accordance with article 154 (6) of the Constitution.

In my opinion, except for the effects of the matters described in the basis for Qualified Opinion section of my report, the accompanying financial statements give a true and fair view of the financial position of the commission as at 31st December 2023, and its financial performance and cash flows for the year then ended in accordance with Sri Lanka Public Sector Accounting Standards.

1.2 Basis for Qualified Opinion

- (a) The commission has depreciated assets on the diminishing balance method but this had not been disclosed in the financial statements in accordance with Sri Lankan Public Sector Accounting Standard No.07 of section 86(b)

(b) Capital grants totaling Rs.10,362,333 received in previous years were not included in income in accordance with Sri Lanka Public Sector Accounting Standard 11 (Amended) and were shown as stated capital in the Statement of Financial Position. As a result, the retained earnings balance shown in the Statement of Financial Position was shown to be less than that amount and the stated capital balance was shown to be more than that amount. I conducted my audit in accordance with Sri Lanka Auditing Standards (SLAuS). My responsibilities under those auditing standards are further described in the Auditor's responsibilities for the Audit of the Financial Statements section of this report. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for opinion expressed in my report.

1.3 Other information included in the 2023 Annual Report of the Commission

Other information means information included in the Commission's 2023 Annual Report, which is expected to be provided to me after the date of this audit report, but not included in the financial statements and my audit report thereon. Management is responsible for this other information.

My opinion on the financial statements does not cover the other information and I do not express any form of assurance or opinion thereon.

In connection with my audit on the financial statements, my responsibility is to read the other information identified above if available, and in the course of the said action, consider whether the other information is materially inconsistent with the financial statements or with my knowledge obtained in the audit or otherwise.

If, on reading the Commission's 2023 Annual Report, I conclude that there are material misstatements, they shall be communicated to stakeholders to rectify, If there are further uncorrected misstatements, they will be included in the report which I will table in Parliament in due course in accordance with article 154(6) of the Constitution.

1.4 Responsibilities of the management and those charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Sri Lanka Public Sector Accounting Standards and for determining such internal control as is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the management is responsible for assessing the Commission's ability to continue as a going concern basis, and for disclosing any matters related to the going concern of the Commission unless management either intends to liquidate the Commission or, in the absence of any other appropriate alternative, to cease operations.

The responsibility of auditing on the financial reporting process of the commission is controlled by the management.

As per sub section 16(1) of the National Audit Act No.19 of 2018, is required to maintain proper books and records of all its income, expenditure, assets and liabilities to enable annual and periodic financial statements to be prepared of the commission.

1.5 Auditor's responsibility for the Audit of the Financial Statements

My objectives are to provide a reasonable assurance that the financial statements as a whole are free from material misstatement, whether due to fraud or error and to reduce the audit report with my opinion. Though, reasonable assurance is a higher standard assurance, it is not a guarantee that the audit carried out in accordance with Sri Lanka Auditing Standards will always detect a material misstatement. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

I exercised professional judgment and professional skepticism as part of my audit in accordance with Sri Lanka Auditing Standards. I further state that,

- In providing a basis for the audit opinion expressed, audit procedures were designed and performed to identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error. The impact of fraud is greater than the impact of material misstatements due to misrepresentation because they arise from collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Although not for the purpose of expressing an opinion on the effectiveness of internal control, an understanding of internal control was obtained in order to design audit procedures that are appropriate in the circumstances.
- Evaluate the appropriateness of the accounting policies used the reasonableness of the accounting estimates made and the related disclosures made by the management.
- Conclude on the appropriateness of the management's use of the commission's going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the commission to cease to continue as going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance about significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

2. Report on other legal and regulatory requirements

2.1 The special provisions are included in the National Audit Act, No. 19 of 2018 on the following requirements.

2.1.1 Except for the matters described in the Basis for Qualified Opinion section of my report, I have obtained all the information and explanations necessary for the audit in accordance with the requirements of Section 12(a) of the National Audit Act, No. 19 of 2018, and my examination shows that the Commission has maintained proper financial records.

2.1.2 The financial statements of the Commission presented are consistent with the preceding year as required by Section 6(1)(d)(iii) of the National Audit Act, No. 19 of 2018.

2.1.3 In accordance with the requirement set out in section 6 (1) (d) (iv) of the National Audit Act, No. 19 of 2018, the recommendations I made in the preceding year, except for the observations set out in section (b) of the Basis for the Opinion I have based on in my report, are included in the financial statements presented.

2.2 Based on the procedures followed and the evidence obtained and limited to the quantitative aspects, nothing came to my attention that warrants the following statement.

2.2.1 As per the requirement of Section 12 (d) of the National Audit Act No. 19 of 2018, any member of the Governing Body of the Commission has a direct or indirect relationship with any contract relating to the Commission outside the ordinary course of business.

2.2.2 That, in accordance with the requirement set out in Section 12 (e) of the National Audit Act No. 19 of 2018, there has been any non-compliance with any relevant written law or other general or special directives issued by the Governing Body of the Commission, except for the observations below.

Reference of Rules/Directive**Observations**

- | | |
|---|--|
| (a) Public Finance Circular No.01/2020 dated 28 th August 2020. | The Commission has not conducted a stock count as at 31st December 2023. |
| (b) Section 4.4 of the guidelines on corporate Governance for state Enterprises No.01/2021 dated 16th November 2021 | The Commission was established in 2018 and no internal audit has been conducted to date in the relevant accordance with ongoing provisions. |
| (c) State Enterprises Operation Manual issued by the department of section 6.6 of the state Enterprise circular no. 01/20121 dated 16th November 2021 | Although it is stated that the draft annual report should be submitted to the Auditor General within 60 days of the end of the accounting year and that the annual report, including the financial statements and audit report, should be tabled in Parliament within 150 days (05 months) of the end of the accounting year, as of the date of this report, the Commission had not submitted the draft annual report for the year 2023 for audit and the Commission had not tabled the annual reports for the years 2021 and 2022 in Parliament |

2.2.3 The Commission has acted in a manner inconsistent with the powers, functions and duties of the Commission as required by Section 12 (g) of the National Audit Act, No. 19 of 2018.

2.2.4 The resources of the Commission have not been procured and utilized economically, efficiently and effectively within the time limits in accordance with the relevant rules and regulations as required by Section 12 (h) of the National Audit Act, No. 19 of 2018.

2.2 Other matters

- (a) The President shall appoint the Chairman and 5 members to the Commission on the recommendation of the Legislative Council. In terms of Section 13 of the Right to Information Act, No. 12 of 2016, the Chief Executive Officer of the Commission shall be the Director General and the Commission shall appoint such number of officers and employees as may be determined necessary for the conduct of the duties of the Commission. Accordingly, as at 31 December 2023, the total approved cadre of the Commission was 26, while the actual cadre was 10, leaving 16 vacancies.
- (b) No permanent officer had been appointed to the post of Director General of the Commission from the beginning and the post had been filled on a contract basis and acting basis. Furthermore, the audit cannot rule out that the existence of vacancies in the posts of Senior Research Officer, Legal Officer and 04 Legal Assistant as at 31st December 2023 may adversely affect the performance of the Commission.
- (c) An agreement had not been entered into between the Commission and the relevant company regarding the annual servicing of the fingerprinting machine purchased for Rs. 51,500 in the previous year. Also, time and attendance records had not been obtained from the machine and this machine had become inoperative by the date of audit, 10th April 2024.

W.P.C.Wickramaratne
Auditor General

