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தகவல் அறியும் உரிமைகளுக்கான ஆணைக்குழு
RIGHT TO INFORMATION COMMISSION
(CONSTITUTED UNDER THE ACT, No 12 OF 2016)

කාමර අංක 203-204 ,බණ්ඩාරනායක ජාත්‍යන්තර සම්මන්ත්‍රණ ශාලා පරිශ්‍රය, බෞද්ධාලෝක මාවත කොළඹ 07
 அறை இல 203-204, பிளம்ஐசிஎச்,பௌத்தாலோக்க மாவத்தை, கொழும்பு 07.
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 Date }

Public Statement; Right to Information Commission of Sri Lanka

November 20th 2025

Sri Lanka is nearing the ten year anniversary (2026) of enactment of the Right to Information Act, No 12 of 2016 (RTI Act), globally ranked among the best in the world which has enabled thousands of Sri Lankans to exercise their right to obtain information from state and non-state bodies.

The vigorous use of the RTI Act by the public with principles of public transparency emphasized by the Right to Information Commission of Sri Lanka (RTIC) has been affirmed by the appellate Courts.

In 2020, UNESCO's global report presented to the UN-GA's High Level Political Forum on Sustainable Development ('From Promise to Practice...') singled out Sri Lanka as a 'best practice' model, illustrating the release of information in key cases before the RTIC. Among others, the World Bank has called upon the Government of Sri Lanka to ensure the 'primacy of transparency' and the International Monetary Fund (IMF) has acknowledged the measures taken by the RTIC to foster 'an (embryonic) culture of transparency among public authorities' (Governance Diagnostic Report, September 2023).

Despite these progressive developments, the RTIC expresses serious concern regarding the chronic understaffing of its Office. The RTI Act divides responsibilities on two entities, the RTIC with the primary responsibility of hearing appeals and the nodal agency, namely the Ministry assigned the subject of mass media which must 'ensure the effective implementation of the Act,'(Section 2).

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Under Section 41, the nodal agency issues RTI Regulations which must be placed before Parliament for approval. In contrast, Section 42 states that the Commission's Rules on Fees and Appeals Procedure, published in the same gazette (ie; Gazette Extraordinary No 2004/66), are not legally required to be placed for parliamentary approval. Two different procedures apply in each instance.

While the RTIC and the nodal agency must harmoniously work together to maximize the effectiveness of the Act, the RTIC has a particular duty to maintain its independence from Public Authorities which are summoned before it as parties to appeals. Specifically, the independent recruitment of staff and a dedicated Fund (Sections 13 (3) and 16) secures the financial independence of the Commission without which there is no functional independence.

It is therefore highly regrettable that these statutory safeguards have been ignored by successive Governments. No dedicated Fund has been allowed to be operated. The RTIC has been functioning with a skeleton staff, one legal officer and two legal assistants (later increased to three) to handle an increasing case load of appeals.

Requests for additional legal staff and other essential cadre including approval to recruit mid-level positions such as information technology (IT) assistant have been ignored. In forwarding the RTIC's requests for staff to the Ministry of Finance, which the RTIC is compelled to do through the nodal agency, the process has been inexplicably delayed, in one instance by eight months.

Further, the RTIC has repeatedly informed the Government of the need to allocate a separate line item in the National Budget in line with its budgetary allocation in 2017 which was thereafter taken away and the allocations placed under the nodal agency, undermining the RTIC's financial and functional independence. This too has been ignored.

Additionally, serious damage has been done to the RTIC's appeal function by misleading media reports on 11th November 2025 using a wrong English translation of a response sent in Sinhala by the Office of the RTIC on 15th October 2025 to the Ministry of Health and Mass Media regarding a Parliamentary question asked by Opposition MP Hon. Ajith P.Perera.

The RTIC is unaware as to the origin of the English translation on which these inaccurate media reports are commonly based.

On 15th October 2025 and in response to a routine parliamentary question asking for appeal statistics,, the Office of the RTIC under the hand of the Director General responded via the Ministry of Health and Mass Media that 308 appeals had been ‘adjourned’ out of 1306 appeals received by the Office of the RTIC during 1st January 2025-30th September 2025.

The RTIC has handed down final decisions and concluded appeals in 1157 appeals (out of 1306) up to 30th September 2025. Adjournment for justifiable reasons, including request of parties, legal complexity of the subject matter etc are part of the normal hearing process of any tribunal. Reporting ‘adjourned’ appeals as ‘failing to attend to’ is a serious misrepresentation and a deliberate interference with the RTIC’s quasi-judicial appeal function.

Typically, adjourned appeals are either resolved during the remainder of the year or brought over to the next year to conclude hearings. For example, by 15th November 2025, the number of adjourned appeals had decreased to 244. Correspondingly, the number of appeals received by the Office of the RTIC had increased to 1538 and concluded appeals to 1304 There has been no ‘reduction’ in the number of appeals being filed.

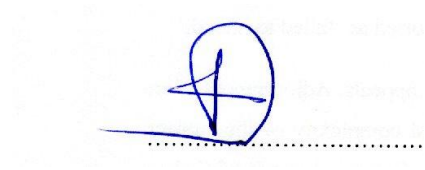
The RTIC further clarifies that there has been no reduction of its fund allocation. As reported in the Hansard of 23rd October 2025 in the answer to the said Parliamentary question, the budgetary allocations referred to therein are not the budgetary allocations of the RTIC which are publicly available on

<https://www.rticommission.lk/web/images/pdf/Budget/Annual-Budgetary-Allocation-and-Expenses.pdf>

The RTIC exercised a Right of Reply in regard to such misleading news reports on 13th November 2025. However, the said newspapers have failed to publish that response up to this date violating the code of ethics for newspapers and necessitating a public Statement to be issued by the RTIC.

In conclusion, the RTIC emphasizes that any attempt to amend Sri Lanka’s RTI Act in a manner that dilutes the nature of the information right will be to the detriment of citizens, will

undermine Article 14A of the Constitution and constitute a grave setback to progressive gains made so far under the RTI regime.



Mr KDS RuwanChandra

Director General, RTIC

(for and on behalf of the RTIC)