

LEGAL_AWARENESS FROM 2020 IN AUGUST 2022 35 EMAIL DATED 11 03 2022 TO ELECTION COMMISSION OF INDIA AND HOME ELECTION DEPT REGARDING CHIEF ELECTORAL OFFICER ODISHA

To

Nihar Ranjan Mohapatra Asst Chief Electoral Officer cum Under Secretary to Govt

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ELECTION COMMISSION OF INDIA decus@eci.gov.in

Copy to

Hon'ble PMO

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Chairman UPSC

Chairman OPSC

Chief Information Commissioner ODISHA SOOCHANA COMMISSION

RTI ACTIVIST Smt Aruna Roy arunaroy@gmail.com

RTI ACTIVIST Smt Anjali Bhardwaj anjali.sns@gmail.com

Sir

Ref-EC-RTI 1257/ELEC DATED 28 02 2022

Please refer to your above mentioned letter as a reply to my RTI application dated 31 01 2022 (two nos).

It is pertinent to mention that you have provided only the list of Chief Electoral Officers (CEO) in Odisha from 1990 to 2021 but details asked about their profession before they became CEO are willfully suppressed.

You have only mentioned IAS and OAS and not clarified about AN AND FN and it requires to give full form of AN AND FN.

You are getting away by saying that my information sought is not clear and understood and you are required to clarify that what is the ambiguity in details of the profession of the CEOs which you could

not understand being Asst Chief Electoral Officer cum Under Secretary to Govt and involved in electoral process of the state as it is asked in a very simple English.

Perhaps something is terribly wrong in the selection process of the Under Secretaries of Odisha Govt whose vocabulary is very poor that they do not understand very simple English but entrusted to crucial departments like Home Election.

When you have written IAS /OAS; you should be knowing about their official position/dept etc which you have deliberately suppressed.

Independence of CEOs who conduct elections both state and center involving huge financial burden on the Govt of such a huge democratic system should be beyond reasonable doubt as it is involved in voting process which may change the power corridor.

Under the circumstances you should provide the details of professional career of the 14 CEOs as per your letter both before becoming CEOs and after finishing the tenure of CEO as obviously it is in your record.

Again I reiterate that the RTI application is very simple to understand and a primary school student can explain to you.

Now regarding my second RTI application where political affiliation and favours from the state in the form of land, flat etc taken by the CEOs is sought; you said that you could not understand as the question is not clear.

It is pertinent to mention that before the appointment of CEOs their background, integrity, credibility, professional career, political affiliation etc must have been verified by somebody/committee and there must have been thorough selection process through which they must have gone to become the CEO.

It is essential to know the in and out of the CEO as they are necessary parties in forming governments, changing of power, vote bank politics, checking purchase of votes, abuse of money power by both ruling and opposition parties; where the role of the CEO is crucial to preserve the democratic system of a very poor state like Odisha.

If any CEO has taken a single paisa unlawfully from any political party during his/her tenure then it can be assumed that the elections he/she conducted in the state is liable to be challenged in the court of law.

Independence and honesty are two main criterion required to be a CEO as they are involved in electoral process resulting in forming government or removing government where tons of taxpayer's money is involved.

If a CEO is found guilty of taking favour and political affiliation before, after, during the tenure then nothing can be more hazardous for the democracy and such type of acts of corrupting the official like cadre officers and using them as weapon for winning election is an eye opening case in Odisha (if).

Time has come that ONLY RETIRED HON'BLE JUDGES of both High Courts and Supreme Court should be in command as CEOs with the help of fresh interns of NLUs to keep the faith of the people in the electoral process as still people think judges are next to God and they get solace by approaching them through the judicial process.

You are suggested to provide the details as sought in my two RTI applications without making any excuse as they are readily available with you.

It is necessary to say that when government issues RATION CARDS for one Rupee Rice; the concerned person has to fill up number of pages with full details of the family members both past and present, details of family income etc certified by authorities, verified by authorities, field verification by authorities and many others to prove it is transparent process.

So such transparency of the CEOs is also required in their self declaration forms when they apply for the post of CEO as their post is more crucial in nature in comparison to issue of ration cards.

As these are crucial issues relevant to the existence of democratic system and if not redressed satisfactorily at the earliest I may approach the judicial platform for setting the wrongs right as willfully the documentation is not provided to suppress certain illegalities.

Thanking you

Yours faithfully

Jayanti Das