

LEGAL_AWARENESS FROM 2020 IN AUGUST 2022 33 EMAIL DATED 10 05 2022 TO ELECTION COMMISSION OF INDIA REGARDING CHIEF ELECTORAL OFFICER ODISHA

To

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REF-YOUR LETTER NO 1057 DATED 06 05 2022

Sir

Pls refer to your above mentioned letter where you have cited about my two complaints dated 01 04 2022 and 20 04 2022 which is about certain irregularities anticipated in the electoral process conducted by the Chief Electoral Officer (CEO) of Odisha as per information obtained under RTI.

I have been informed by the Dept of Home (Election) Odisha that the Chief Electoral Officer is directly coming under Election Commission of India and CEO is controlled by Election Commission of India.

So it can be inferred that you have checked about the bio data, political affiliation of the cadre officers both OAS and IAS before appointing them as the CEOs of the states.

Although I have addressed the two above mentioned letters to the Asst Chief Electoral Officer cum Under Secretary to Govt of Odisha; I had sent a copy of that to you as you are a necessary party if any illegality is committed in the selection process of the CEOs.

You have been served copies of the two above mentioned letters addressed to the Asst Chief Electoral Officer cum Under Secretary to Govt of Odisha because the said officer willfully is not providing the information regarding the political affiliation and favours taken by the CEO by violating Supreme

Court guidelines and AIS rules. It can be assumed as you are involved in the selection process of the CEOs you should have verified to ascertain about their nature of independence and whether they are apolitical or not; so the data not available with Asst Chief Electoral Officer cum Under Secretary to Govt of Odisha must be available with you.

Asst Chief Electoral Officer cum Under Secretary to Govt of Odisha cannot wash his hands by saying "NOT AVAILABLE".

It is not about the integrity of a desk clerk which can be overlooked easily; it is about the credibility of CEO who conducts the electoral process of a state where tons of taxpayer's money is spent and power changes hands and obviously the life and future of the people of that particular state is at stake.

If the independence of the CEO is compromised by having political affiliation and land is allotted to that CEO during his career as cadre officer then the whole system of democracy is at stake and all the elections conducted by the CEO is going to be challenged in the Supreme Court where you will be a necessary party.

Although you have claimed that Election Commission of India and O/O of the CEO Odisha are separate entities as per RTI Act is concerned but you cannot separate yourself from O/O of the CEO Odisha because you are the competent authority of O/O of the CEO Odisha if any complaint is made against them as you have selected and appointed them.

I will definitely take steps against the concerned PIO for not following the RTI Act but as the information sought is about the credibility of the CEO Odisha; it is your duty to instruct him to provide the details which is already available in the website specifically two IAS officers namely Pyarimohan Mahapatra who turned to political advisor of Naveen Patnaik and Alka Panda.

Office of CEO Odisha is trying its level best to hide information about other 12 CEOs of Odisha and is not providing details under RTI as the Odisha Information Commission is itself a miserable failure as it itself does not provide information under RTI and takes more than six years to dispose of a case that too without applying judicial mind arbitrarily.

Under the circumstances as there is a prima facie case of illegality where the independence of the O/O of the CEO Odisha is compromised and many skeletons will come out if an independent Court monitored commission takes up the matter by the Supreme Court.

I think it is my duty to make you aware of the illegalities in the O/O of the CEO Odisha where either knowingly or unknowingly you have been made a necessary party.

Pls treat this representation as compliance to PIL guidelines.

Being a citizen of this democratic country of which you are the backbone of the whole electoral process; I thought it proper to intimate you to preserve the hard earned democracy by our predecessors.

Thanking you

Yours faithfully

Jayanti Das