

**ODISHA INFORMATION COMMISSION
BHUBANESWAR**

**Present : Shri Sunil Kumar Misra,
State Chief Information Commissioner**

Date 12th June, 2018

Second Appeal No.2970/2014

Biswajit Mohanty,
Shantikunj,
Link Road, Cuttack,
District-Cuttack.....Appellant

-Vrs-

1. Public Information Officer,
Office of the Director-cum-Addl. D.G. & I.G. of Police Vigilance,
Odisha, Cuttack,
District-Cuttack.
2. First Appellate Authority,
Office of the Director-cum-Addl. D.G. & I.G. of Police Vigilance,
Odisha, Cuttack,
District-Cuttack.....Respondents

Decision

1. Appellant, Biswajit Mohanty, is present. Aswini Kumari Pattanayak, PIO-cum-Superintendent of Police, Coordination, Vigilance, Odisha, Cuttack and Rabindra Kumar Panda, APIO-cum-Deputy Superintendent of Police of the said Office are present. The PIO had earlier sent a written memorandum requesting for a month's time on the ground, among others, that the First Appellate Authority is on Mid-Career Training and currently not available.

2. Vide an application in form-A dated 13.10.2014, the appellant had requested the PIO, office of the Director-cum-D.G. & I.G. of Police, Vigilance, Odisha to provide him the following information:

“Regarding sanction and disbursement of source money for collecting intelligence and information on corruption in State

Government agencies as per details furnished below for each financial year and part of financial year:

- a) Total amount sanctioned by Government for the year;
- b) Total amount disbursed to various District Vigilance offices for the year;
- c) Total amount disbursed at Headquarters Cell for the year.”

3. After receiving the application in form-A on 14.10.2014, the PIO-cum-Superintendent of Police(Coordination), Vigilance Directorate, Cuttack informed the appellant vide a letter dated 03.11.2014 that the information sought by him could not be supplied as disclosure of information relating to assistance given in confidence was exempt under Section 8(1)(g) of the RTI Act, 2005.

4. Aggrieved, the appellant filed first appeal vide an appeal memo in form-D dated 10.11.2014. The appellant contended in the appeal that he had not asked for any details regarding the sources or names of the persons who were paid source-money. On the contrary, he had only sought details of amounts sanctioned and disbursed under the relevant budget-head respecting source-money. Under the circumstances, the required information could by no means come within the purview of the exemption clause of Section 8(1)(g). The appellant also contended that as the concerned public authority happened to be the only anti-corruption body in the State, he had every right to know how much was sanctioned for collecting intelligence and how much was paid in a particular year. It was also stated that as lakhs of rupees were being disbursed as source-money every year, disclosure of information relating thereto would be of immense public interest. The appellant alleged that the PIO had willfully denied the required information with mala fide intention.

