

**ODISHA INFORMATION COMMISSION
BHUBANESWAR**

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

Dated: 8th November, 2018

Complaint Case No.442/2015

Biswajit Mohanty,
Shantikunj, Link Road,
District-Cuttack Complainant

- Vrs -

(1)Public Information Officer,
Parliamentary Affairs Department &
Office of the Chief Minister, Odisha,
Government of Odisha,
Bhubaneswar.

(2)First Appellate Authority,
Parliamentary Affairs Department &
Office of the Chief Minister, Odisha,
Government of Odisha,
BhubaneswarOpposite Parties

Decision

1. Complainant, Biswajit Mohanty, is present. Naba Kishore Sethi, PIO-cum-Under Secretary, Parliamentary Affairs Department and Office of the Chief Minister, Odisha and Bishnuprasad Mishra, Deputy Secretary, Office of the Chief Minister, Odisha are also present. The PIO has made a written submission which is taken on record.

2. Vide an application in Form-A dated 29.06.2015 submitted before the PIO, Office of the Chief Minister, Odisha, the complainant had requested the PIO to provide him information about all the staff and officers engaged / deployed at the residential Office of the Chief Minister of Odisha. He had also asked for specific

details such as names of the staff / officers, their designations, last monthly gross pay drawn by them and duties assigned to them.

3. Vide a letter dated 17.08.2015, the PIO sent to the complainant a copy of the letter dated 28.07.2015 of the Office of the Chief Minister, Odisha along with one page information as available in the Parliamentary Affairs Department.

4. The complainant followed up his application in Form-A by filing a complaint before this Commission vide a petition dated 26.11.2015. In the complaint petition, he alleged that no Public Information Officer had been appointed in the Chief Minister's Office.

5. The case was earlier heard on 4 occasions. During the initial hearings the PIO of the Parliamentary Affairs Department submitted that as per the letter dated 11.07.2006 of the Office of the Chief Minister, Odisha, the PIO and the First Appellate Authority of the Parliamentary Affairs Department would act as the PIO for the Office of the Chief Minister, Odisha as well. Further, as per the Chief Minister's Office letter dated 25.07.2017, the issue of appointment of separate PIO and First Appellate Authority in the Office of the Chief Minister, Odisha had been considered earlier. An intimation in the matter had also been sent to the Secretary of this Commission vide a letter dated 15.09.2016 expressing difficulties in having a separate PIO in the Chief Minister's Office.

5.1 The complainant on the other hand submitted before the Commission that the Office of the Chief Minister did not appoint a PIO despite the Commission's earlier two directions to this effect.

5.2 In view of the submission thus made by the complainant, the Commission directed the PIO to produce before the Commission the various letters referred to in the PIO's written submissions. The complainant was also advised to submit copies of the earlier orders of the Commission referred to by him.

6. In compliance of the directions thus issued, while the appellant expressed his inability to trace out the directions which, as per him, had been issued, the respondents submitted copies of a few note-sheets and correspondences including copies of summons issued by the Commission in connection with four complaint

