

## COMPLAINT CASE NO. 3 OF 2020

02.11.2020

1. Office note dated 02.11.2020 clearly speaks that the complaint filed by (1) Mr. Gonmei Kuripou and (2) Mr. Gailachung Kamei is in the proper format and deposited a sum of Rs. 1000/- by way of Indian Postal Order (IOP). Over and above, the complaint bears a Court fee stamp of Rs. 5/-.

2. The succinct fact of the case of the complainants in the present complaint is that Tamenglong District is one of the most backward Districts of Manipur. On 8<sup>th</sup> December, 2016, the Revenue Department, Government of Manipur has issued a notification thereby bifurcating Tamenglong District into two Districts namely Tamenglong District and Noney District. It is the further case of the complainants that even though Noney District became a newly created District, it is still under the jurisdiction of the Autonomous District Council, Tamenglong. The Central Government has been sanctioning funds in terms of crores of rupees with the aim to develop the district in all the spheres through the state Government to the Autonomous District Council, Tamenglong. The complainants filed application under the Right to Information Act, 2005 ('RTI' for short) to the concerned authorities for obtaining certain information as to the amount of fund sanctioned in favour of the Autonomous District Council, Tamenglong under the 3<sup>rd</sup> State Finance Commission award during 2017-18 and 2018-19 and also other amounts for the development in favour of the Autonomous District Council, Tamenglong. Through the RTI, the complainants came to know that the following sanction orders had been issued by the Government of Manipur for development of the Autonomous District Council, Tamenglong :-

- a. Vide Secretariat TAH letter No. 19/2/2017-CHA/FC dated 26.03.2018 amounting to Rs. 14,88,01,950 (Rupees fourteen crores eighty eight lakhs one thousand nine hundred fifty) only; and
- b. Vide secretariat TAH letter No. 19/2/2017-CHA/Fc dated 26.03.2018 amounting to Rs. 3,14,28,122/- (Rupees three crores fourteen lakhs twenty right thousand one hundred and twenty two) only.

3. The complainants also further alleged that through RTI they can obtain a list of works taken up under the 14<sup>th</sup> Finance Commission (2017-18) in respect of the Autonomous District Council, Tamenglong. Further, as per the information, the Autonomous District Council, Tamenglong had expended a sum of Rs. 18,02,30,072/- (Rupees eighteen crores two lakhs thirty thousand and seventy two) only but on inspection of the spot where the works were supposedly executed, the complainants found that most of the works have not been executed and on the contrary the expenditure meant for the said developmental works were released by the respondent/opposite party, namely Mr. Dipu (D. Gangmei), MCS, the then Chief Executive Officer, Autonomous District Council, Tamenglong (now conferred IAS, designated as Additional Deputy Magistrate (ADM), Ukhru) to the so called executing agencies without verifying the correctness of the executed works. It is also alleged that the respondent in connivance with the executing agency and other officials of the Autonomous District Council, Tamenglong had shown undue favour to the so called implementing agency in awarding the developmental works despite many default/error in the process of awarding the work for in furtherance of their criminal conspiracy. Various developmental works alleged to have been executed by the implementing/executing agency in collusion with the respondent/opposite party for the Tamenglong District are :-

- (i) Development of inter village roads;
- (ii) Construction of water tanks/reservoirs;
- (iii) Construction of public toilets;
- (iv) Construction of waiting sheds;
- (v) Construction of pucca drainages/water storm drainages;
- (vi) Improvement of playgrounds;
- (vii) Construction of community halls and village authority offices;
- (viii) Extension/improvement of primary schools; and
- (ix) Setting up of solar street lightings etc.

4. We have given our anxious consideration as to whether the present complaint is in the proper format and also contain the statement in a concise form of facts on which the allegation is

based and also indicates as far as possible, the evidence by which the complainant proposes to prove each allegation. After such consideration, we are of the considered view that the statement of fact in a concise format on which the allegations are based are mentioned in the present complaint and the complaint is annexed with some documents by which the complainants propose to prove each allegation.

5. On such consideration, we are of the considered view that a Preliminary Inquiry against the respondent/opposite party i.e. Mr. Dipu (D. Gangmei), MCS, the then Chief Executive Officer, Autonomous District Council, Tamenglong (now conferred IAS, designated as Additional Deputy Magistrate (ADM), Ukhrul), to ascertain if there exists a prima facie case for proceeding the present complaint is required. Accordingly, we direct the Inquiry Wing, Manipur Lokayukta to conduct a Preliminary Inquiry and to submit the report within the period provided under Section 20 (1) of the Manipur Lokayukta Act, 2014 and Manipur Lokayukta Rules, 2018.

6. It is also made clear that the Director (Inquiry), Manipur Lokayukta and his team while conducting the Preliminary Inquiry shall keep in view their powers and jurisdiction as provided under Sub-Section (1), Sub-Section (2), Sub-Section (4), Sub-Section (5) and Sub-Section (9) of Section 20; Section 21; Section 22; Section 26; Section 28 (2); Section 29; Section 32; Section 36 and other provisions of Manipur Lokayukta Act, 2014. Director (Inquiry), Manipur Lokayukta shall submit the report within the timeframe under the Sections referred to above.

7. Deputy Registrar, Manipur Lokayukta is directed to furnish a copy of this order along with copy of the complaint and supporting documents to the Director (Inquiry), Manipur Lokayukta within 2 (two) days.

8. Await report from the Director (Inquiry) Manipur Lokayukta.

Sd/-  
**MEMBER**

Sd/-  
**CHAIRPERSON**