

BEFORE
MANIPUR LOKAYUKTA
3rd Floor, Directorate Complex, 2nd M.R., North AOC, Imphal

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COMPLAINT CASE NO. 1 OF 2019

In the matter between:

Mr. Bashan Singh Waikhom

... Complainant

1. Dr. M. Shyamo Singh, Ex-Director, JNIMS, Porompat.
2. Dr. Angam, Professor, Dept. of Forensic Medicine, JNIMS, Porompat, Imphal East.
3. Dr. L. Fimate, the then Head of Department, Forensic Medicine, JNIMS, Ebenezer Villa, Laimanai, Langol, Imphal West District, Manipur.

..... Respondents/Opposite Parties

BEFORE

Mr. Justice T. Nandakumar Singh, Hon'ble Chairperson
Mr. Ameising Luikham, Hon'ble Member

Date of Order : 06.07.2020

ORDER

[1] Perused the note of the administrative side dated 02.07.2020 that the Director, Inquiry Wing, Manipur Lokayukta has submitted the Preliminary Inquiry Report.

[2] Lokayukta received a complaint filed by one Bashan Singh Waikhom against Dr. M. Shyamo Singh, Ex-Director, JNIMS, Porompat and Dr. Angam, Professor, Dept. of Forensic Medicine, JNIMS, Porompat, Imphal East alleging that in the month of March, 2015 one HPLC machine which cost about Rs. 22,53,563/- had been purchased by the respondents/opposite parties in collusion with others at Rs. 72,87,787/- for Forensic Medicine Department, JNIMS. It was also alleged that the respondents/opposite parties and others had misled the Government by stating that the said machine was mandatory as per the MCI recommendation but it was found that MCI never recommended

the said machine as mandatory. It was also mentioned that an exactly similar equipment was supplied to Tripura Medical College at only Rs. 16,22,313/-. Lokayukta, after perusal of the complaint, was of the considered view that Preliminary Inquiry against the respondents/opposite parties by the Inquiry Wing of Manipur Lokayukta was required to ascertain as to whether there exist a prima facie case against the respondents/opposite parties or not as provided under Section 20 (1) of the Manipur Lokayukta Act, 2014. Accordingly, by an order dated 07.07.2019, the Inquiry Wing, Manipur Lokayukta was directed to conduct a Preliminary Inquiry.

[3] The Inquiry Wing, Manipur Lokayukta after conducting a thorough Preliminary Inquiry as provided under Sub-sections (1) and (2) of Section 20 of the Act submitted its report that Dr. L. Fimate, Head of Department, Forensic Medicine Department, JNIMS in collusion with Dr. G. Angam of Forensic Medicine Department, JNIMS had submitted a list of equipment of 20 items including the alleged HPLC machine with water purification at Column No. 3 of Sl. No. 10 as MCI requirement, but the said machine is not required at all for MCI requirement as per minimum requirement of MCI. In the Preliminary Inquiry report it is also mentioned that the procurement of HPLC machine was already rejected in the Tender process as there was a single bidder but on the pressure of Dr. G. Angam of Forensic Medicine Department, JNIMS, Dr. M. Shyamo Singh, the then Director, JNIMS deliberately misled the Health Department, State Government by sending a proposal that HPLC machine was a mandatory requirement as per the minimum requirement of MCI and took cabinet approval for purchasing the said machine at a break neck speed. In the Preliminary Inquiry report, it is also mentioned that in the normal process, JNIMS could not issue cheque to any person without authorisation letter or any authentication of any firm, the cheque in question was to be received by the concerned firm i.e. M/s Indian Instrument Manufacturing Company, Kolkata but Dr. G. Angam who is neither an employee nor representative of the said firm received the cheque of the bill amounting to Rs. 72,87,787/- only from the dealing clerk of JNIMS on behalf of the firm M/s Indian Instrument Manufacturing Company, Kolkata. It is also clearly mentioned in the Preliminary Inquiry report that the supply order for

the said machine to the Single bidder i.e. M/s Indian Instrument Manufacturing Company, Kolkata at a floated rate of Rs. 72,87,787/- was issued by the then Director, JNIMS, Dr. M. Shyamo Singh without any market survey. The Preliminary Inquiry report in its conclusion mentioned that Dr. M. Shyamo Singh, the then Director, JNIMS in collusion with Dr. L. Fimate, the then Head of Department, Forensic Medicine, JNIMS and Dr. G. Angam, Professor, Department of Forensic Medicine, JNIMS had deliberately misled the Government of Manipur by misrepresenting JNIMS that the HPLC machine was mandatory and required for MCI recognition and the said machine was purchased at an escalated price after obtaining cabinet approval. Thus, they had incurred a huge amount of Government's money unnecessarily on HPLC machine at an escalated price on the pretext that it is a mandatory requirement of MCI.

[4] After perusal of the Preliminary Inquiry report submitted by the Inquiry Wing, Manipur Lokayukta, we are of the considered view that after giving an opportunity of being heard to the opposite parties and Dr. L. Fimate, the then Head of Department, Forensic Medicine, JNIMS, who is now impleaded as Respondent No. 3, the case needs to be decided as to whether there exists prima facie case against the opposite parties for investigation as provided under Section 20 (3) of the Manipur Lokayukta Act, 2014.

[5] Issue notice to the respondents/opposite parties for appearance on 29.07.2020. On their appearance before the Manipur Lokayukta, a copy of the Preliminary Inquiry report, which is voluminous, will be furnished to them.

[6] Fix 29.07.2020 for appearance.

[7] Deputy Registrar, Manipur Lokayukta is directed to issue notice to the respondents/opposite parties.

Sd/-
MEMBER

Sd/-
CHAIRPERSON