

COMPLAINT CASE NO. 4 OF 2021

14.07.2022

1. Perused the office note dated 05.07.2022, wherein it is stated that Director (Inquiry), Manipur Lokayukta vide his letter dated 05.07.2022 has submitted the Preliminary Inquiry Report dated 29.06.2022 of Complaint Case No.4 of 2021.

2. We have carefully perused the complaint as well as the Preliminary Inquiry Report dated 29.06.2022 and it is found that the same is submitted against 5 (five) persons whose particulars are mentioned in the Offences/Irregularities of the Officials/Public Servants para and Conclusion para of the Preliminary Inquiry Report. For easy reference, the Offences/Irregularities of the Officials/Public Servants para and Conclusion para of the Preliminary Inquiry Report dated 29.06.2022 is reproduced hereunder:

“Offences/ Irregularities of the Officials/ Public Servants:

H. Pradeep Kumar Singh, Executive Officer, Thoubal Municipal Council, Thoubal has performed his executive duty of nominating one official of the Municipality as Member Secretary. As the executive head, under section 3 (4) of Manipur Municipality Community Participation Act,2010 he has failed to look into meetings and deliberations of the Ward Development Committee(WDC) as he has not participated in any WDC meeting and failing to ensure proper working by the sub ordinates. He has violated section 3(2)(i) of CCS (Conduct)Rules 1964 which is reproduced below: “*every Government Servant holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government Servants for the time being under his control and authority.*”

Waikhom (O) Sanathoi Devi (52) W/O W. Amujao Singh of Thoubal Achouba Pakhangkhong Leirak (Ex-Councillor, Ward No. 8, Thoubal Municipal Council), Ex- Chairman of Ward Development Committee, Ward No. 8, a resident of Thoubal Achouba Pakhangkhong Leirak, P.O. & P.S. – Thoubal has undertaken the role of the Chairperson of the Ward Development Committee but failed to look into the *deviations from official procedure with regard to final bill payment* and the actual construction work being carried out *not conforming to standards as required* and violated section 3(2)(i) of CCS (Conduct)Rules 1964. The Chairperson is also in violation of section 60 of the Manipur Municipalities Act, 1994 (page 177) for being the work agency of the above projects under inquiry in the ward

Yumnam Kullachandra Singh, Executive Engineer of Thoubal Municipal Council, a resident of Thoubal Leishangthem Keli Makhong, P.O. & P.S. – Thoubal has failed to perform his duty. He has *not signed any of the MBs* as required after inspection being the competent authority and also failed to put up the

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MBs before the Executive Officer for final approval. Therefore the *final bill payment without looking into the MBs* and depending only on photographs as mentioned in the notesheets is erroneous. He has violated section 3(1)(ii) of CCS (Conduct)Rules 1964 and failed to maintain devotion to duty

Moirangthem Bimola, Section Officer (S.O), Member Secretary Ward Development Committee, Ward No.8, Thoubal Municipal Council, a resident of Khangabok Awang Leikai, P.O. & P.S. – Thoubal has performed her duty of inspection but *failed to put up the MBs before the Executive Engineer as well as the Executive Officer for final approval*. Therefore the final bill payment without looking into the MBs and depending only on photographs as mentioned in the notesheets is erroneous. And in doing so, she has violated section 3(1)(ii) of CCS (Conduct)Rules 1964 and failed to maintain devotion to duty.

Thongam Jiten Meitei, First Class Contractor, a resident of Athokpam Awang Leikai, P.O. & P.S. – Thoubal has carried out the assigned works but *failed to carry out the construction as per the detailed estimates and measures* and has violated section 3(1)(vi) of CCS (Conduct)Rules 1964 and failed to maintain high ethical standards and honesty.

“Conclusion:

Hence, in keeping view of the records and evidences in hand, the inquiry has found that the allegation that the size of the constructed drains is much smaller is not true. It is proved by the technical inspection report that the average dimensions of the width of the drains is on the higher side of the estimates as per the drawings. In addition to this the thickness of the drain is on the higher side of the estimates.

The allegation that the necessary depth of the drain is not maintained is not true. It is proved by the technical inspection report that the average dimensions of depths of the drain matches with the dimension in the drawing.

The technical report also observed that in the structure of the drain the stone aggregate used in the construction of drains were visually found to be *a bit on the higher side* as compared to the nominal size of 40mm and 20 mm as given in the estimates. Hence, the sanctioned projects/ works of construction of pucca drain in Ward no 8 is executed on the field with deviation in the aggregate stone sizes.

As per the detailed estimates, the structure of the drain to be built must be a cement concrete one but it was found to be of rubble masonry because the aggregate stone sizes are more than 40 mm.

Though the construction works/ projects have been carried out but there have been deviations in terms of the stone sizes and the type of CC structure. Final Bill Payments have been carried out without referring to the MBs. Running Account Bills has not been prepared. The Executive Engineer of Thoubal Municipal Council has not signed the Measurement Books (MBs) violating office procedure. The Section officer

who is also serving as the Member Secretary failed to put up the MBs before the Executive Engineer as well as the Executive Officer for final approval. The Executive officer of Thoubal Municipal Council has not ensured the sub-ordinates to perform their duty. Lack of Competency resulting in Procedural lapses on the part of the Govt Officials has been made out. Departmental Inquiry may be initiated against the officials/ public servants i.e. 1)H. Pradeep Kumar Singh, Executive Officer 2) Yumnam Kullachandra Singh, Executive Engineer & 3) Moirangthem Bimola, Section Officer as per provisions of Central Civil Services (Classification, Control & Appeal) Rules 1965 (page 178). The Work Contractor failed to carry out the construction as per the detailed estimates and measures. The Chairperson (Ward no8) Waikhom (O) Sanathoi Devi (52), W. Amujao Singh (Ex- Councillor) & Thongam Jiten Meitei, First Class Contractor colluded and conspired to become the work agency of the above projects, hence are charged u/s 120B(2)IPC.

Submitted for kind perusal and necessary actions please.”

3. The 5 (five) persons against whom preliminary inquiry report has been submitted are made respondents in the present complaint. Accordingly, the name and particulars of the respondents of the present complaint are as under:

- 1) Shri H. Pradeep Kumar Singh, Executive Officer, Thoubal Municipal Council, Thoubal;
- 2) Smt. Waikhom (O) Sanathoi Devi (52), W/O W. Amujao Singh of Thoubal Achouba Pakhangkhong Leirak (Ex-Councillor, Ward No. 8, Thoubal Municipal Council), Ex-Chairman of Ward Development Committee, Ward No. 8, a resident of Thoubal Achouba Pakhangkhong Leirak, P.O. & P.S. – Thoubal;
- 3) Shri Yumnam Kullachandra Singh, Executive Engineer, Thoubal Municipal Council, Thoubal, a resident of Thoubal Leishangthem Keli Makhong, P.O. & P.S. Thoubal;
- 4) Smt. Moirangthem Bimola, Section Officer (S.O), Member Secretary Ward Development Committee, Ward No. 8, Thoubal Municipal Council, a resident of Khangabok Awang Leikai, P.O. & P.S. Thoubal; and
- 5) Thongam Jiten Meitei, First Class Contractor, a resident of Athokpam Awang Leikai, P.O. & P.S. – Thoubal.

4. Deputy Registrar, Manipur Lokayukta is directed to issue notice to the complainant as well as to the respondents for their appearance on 25.07.2022.

Sd/-
MEMBER

Sd/-
CHAIRPERSON