

COMPLAINT CASE NO. 4 OF 2021

16.03.2021

[1] Perused the administrative note dated 10.03.2021 wherein and whereunder it is reported that a complaint dated 08.03.2021 had been filed by the complainant namely Shri Waikhom Jotinkumar Singh against 5 (five) Respondents namely (i) Shri H. Pradeep Singh, Executive Officer, Thoubal Municipal Council, Thoubal, (ii) 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, (iii) Shri Yumnam Kullachandra Singh, Executive Engineer of Thoubal Municipal Council, a resident of Thoubal Leishangthem Keli Makhong, P.O. & P.S. – Thoubal, (iv) 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 (v) Shri Thongam Jiten Meitei, First Class Contractor, a resident of Athokpam Awang Leikai, P.O. & P.S. – Thoubal alleging that the Respondents had committed offences punishable under Section 120 B, 420 of the IPC read with Section 13(1) (c) and Section 13(2) of the P.C. Act, 1988.

[2] The Complaint has deposited a sum of Rs. 1000/- by way of Demand Draft and also paid the Court fee of Rs. 5/-. We have perused the complaint and found that the complaint is in proper format and is supported by sworn affidavit. We have also given our anxious consideration to the complaint and the documents enclosed to the complaint in support of the fact alleged in the complaint.

[3] The fact on which the allegations are based is not required to be disclosed in detail in the present stage. It would be sufficed to mention the gist of the statement of fact basing on which the allegations are made. At this stage, the succinct fact of the complainant in the complaint is that the Thoubal Municipal Council is a corporate body established under the Manipur Municipality Act, 1994 and the Respondents i.e. Respondent No. 1 is the Executive

Officer of Thoubal Municipal Council, Thoubal, Respondent No. 2 is the Ex-Chairman of the Ward Development Committee, Ward No. 8, Respondent No. 3 is the Executive Engineer of Thoubal Municipal Council, Respondent No. 4 is the Member Secretary Ward Development Committee, Ward No. 8, Thoubal Municipal Council, Thoubal and Respondent No. 5 is a First Class Contractor. The Ward Development Committee of Ward No. 8, Thoubal Municipal Council under the Chairmanship of the then Councillor i.e. Respondent No. 2, Smt. Waikhom (O) Sanathoi Devi prepared the work programme under letter dated 15.01.2020 for construction of pucca drain at W. Basanta to W. Kerani Singh Ingkhol Mapa, Ward No. 8 and issued the work to the Respondent No. 5, Shri Jiten Meitei, First Class Contractor. It is also alleged that the Respondents hatched a conspiracy amongst themselves for misappropriation of the fund in executing the said contract work and they had executed the work by reducing the size of the constructed drain and also the bouldering walls of the drain. It is also further alleged that the necessary depths of the drain, the quality and size of the bouldering walls were also not maintained. The complainant and some other local people inspected the executed work and found out that the work had been done for nominal sake without maintaining the terms and conditions of the works provided in the sanction order as well as the work order. We have also perused the annexures annexed with the present complaint which proposes to prove the allegations in the complaint.

[4] The aim and object for establishing the Manipur Lokayukta for the state of Manipur is to enquire into allegations of corruption against certain public functionaries and for matters connected therewith or incidental thereto. After careful perusal of the complaint as well as the documents annexed thereto, we are of the considered view that allegations made by the complainant in the present case is good enough for an order to the Director (Inquiry), Manipur Lokayukta to ascertain whether a prima facie case is made out for investigation and also for further proceeding. Accordingly, we direct the Director (Inquiry), Manipur Lokayukta to conduct a Preliminary Inquiry in the light of the above observations and the inquiry report

may be submitted within the period prescribed under the Manipur Lokayukta Act, 2014. It is also made clear that the Director (Inquiry), Manipur Lokayukta and its officers while conducting the inquiry shall keep in view of their powers and jurisdiction as provided under Sub-section (1), (2), (4), (5), (9) of Section 20, Section 21, Section 22, Section 26, Section 28(2), Section 29, Section 32 and other provisions of the Manipur Lokayukta Act, 2014.

[5] Deputy Registrar, Manipur Lokayukta is directed to furnish a copy of this order and the relevant documents to the Director (Inquiry), Manipur Lokayukta within 48 hours.

Sd/-
MEMBER

Sd/-
CHAIRPERSON