

**MISC. CASE NO. 9 OF 2021**  
*Ref. : Complaint Case No. 2 of 2019*

**17.03.2021**

1. Vide office note dated 10.03.2021, an application dated 06.03.2021 filed by the Complainant (Mr. Ch. Corneleus) before Manipur Lokayukta has been brought to our notice. Register this application as Misc. Case.

2. We have perused the said application and after close perusal it appears that some important fact and supporting evidence have been brought to our notice and such fact and documents may be pertinent for the investigation in unearthing the true facts of the case. The sole purpose of the investigation is to unearth the true facts by adopting fair procedure under the law. Such being the settled position of law, it may not be proper to neglect what the complainant stated and mentioned in his application dated 06.03.2021.

3. In our earlier order date 29.01.2021 passed in the present case, we already made the certain observation and direction. Para nos. 7, 8 and 9 of the earlier order dated 29.01.2021 are reproduced below :

**“7. In the earlier Preliminary Inquiry Report dated 30.12.2019, there was a finding of the Inquiry Officer that there was conspiracy amongst the Engineers/present respondents in deceiving and misleading the senior officer and competent authority to release the fund by giving wrong information and concealing the true facts and also effected loss and embezzlement of Government money. As stated above, the same Inquiry Officer while conducting the further inquiry for the supplementary charges levelled against (i) Shri Rouwaithang (Respondent No. 6) being left out in the F.I.R. without discharge from the case. (ii) Shri Ch. Bishwachandra, the then Executive Engineer of Chandel/Tengnoupal Division, PWD, Manipur. (iii) Shri Kh Temba Singh, Chief Engineer, PWD, Manipur, and (iv) ACE-II and SE-II of PWD, Manipur as on 12<sup>th</sup> March, 2018 and 23<sup>rd</sup> March, 2018, has completely lost sight of the conspiracy angle amongst themselves i.e. the respondents against whom application is filed in the peculiar fact of the case. The Inquiry Officer did not make any inquiry as to whether Chief Engineer, PWD and Additional Chief Engineer, PWD, who are the party in the preparation and finalisation of Revised Estimate of the present contract work, has a direct or indirect knowledge of the procedural irregularities and the concocted facts alleged above. In the given facts and circumstances, it is not the point that whether the Chief Engineer and the Additional Chief Engineer concerned had power to approve the revised estimate or not but the question concerned in the inquiry by the Inquiry officer is that whether they have misused their power or committed mistake in exercising the power in preparing/finalising the revised estimate for the present contract work and also whether time period/time for preparation of the revised estimate in the present case is proper or not.**

8. For the foregoing discussions, we accordingly ordered that the present Supplementary Inquiry Report dated 18.01.2021 should not be read disjunctively with the earlier Preliminary Inquiry Report dated 30.12.2019. In other words, earlier Preliminary Inquiry Report and Supplementary Inquiry Report be read together; and while reading the Supplementary Inquiry Report dated 18.01.2021, our earlier order dated 22.07.2020

should be in mind. It is further ordered that the Supplementary Inquiry Report dated 18.01.2021 should not stand in the way of proper and free investigation by the Investigating Officer, who is now conducting the investigation of the present case. It is left to the Investigating Officer to see who are involved in the present case and submit his report.

9. As the time for completion of the investigation of the present case is running out, Deputy Registrar, Manipur Lokayukta is directed to send a copy of the application dated 14.10.2020 filed by the complainant and the Supplementary Inquiry Report dated 18.01.2021 along with a copy of this order to Mr. Sarangthem Hemanta Singh, MPS, Additional SP (Vigilance) for completing the investigation at the earliest.”

4. For the ends of justice and for fair proceeding of the investigation, the Deputy Registrar, Manipur Lokayukta is directed to furnish a copy of the present application dated 06.03.2021 filed by the complainant to the Director (Inquiry), Manipur Lokayukta so that he may carefully look into the facts and evidences pointed out by the complainant in his application dated 06.03.2021 and for close supervision of the Inquiry Officer conducting the present inquiry. It is made clear that the direction for close supervision of the Inquiry Officer conducting the present investigation by the Director (Inquiry), Manipur Lokayukta will not amount to interference in the investigation of the present case, rather advice of the Director (Inquiry), Manipur Manipur will help/assist the Inquiry Officer in unearthing the truth i.e. true fact of the case.

5. As stated above we reiterated that the Inquiry Officer should not loss sight of the conspiracy angle amongst the respondents in the present case. What would be the angle for finding out the conspiracy angle had already been observed by us in the earlier order dated 29.01.2021. As stated earlier, all the orders passed in the present case should be read conjunctively and not disjunctively. Deputy Registrar, Manipur Lokayukta is directed to furnish a complete copy of the application dated 06.03.2021 filed by the complainant to the Director (Inquiry), Manipur Lokayukta along with a copy of this order within 48 hours for prompt action from his side.

6. Deputy Registrar, Manipur Lokayukta is further directed to furnish a copy of this order to the complainant/applicant.

7. Misc. Case is disposed of accordingly.

Sd/-  
**MEMBER**

Sd/-  
**CHAIRPERSON**