

MISC. CASE NO. 4 OF 2021

REF. : COMPLAINT CASE NO. 4 OF 2020

MISC. CASE NO. 3 OF 2021

REF. : COMPLAINT CASE 5 OF 2020

AND

MISC. CASE NO. 1 OF 2021

REF. : COMPLAINT CASE 1 OF 2021

25.08.2021

1. Heard the Complainant in person.
2. Taking into consideration of the urgent nature of the present case and the necessity of urgent steps for the safety of the Complainant, we passed an order dated 20.08.2021 calling a report/comment, in sealed cover, from the Director General of Police, Manipur. It appears that DGP, Manipur has taken some steps by calling report from the Superintendent of Police/CID(SB), Manipur through the Inspector General of Police (Adm) under his letter dated 21.08.2021 but as on date, Manipur Lokayukta has not received any comment/report from the side of the DGP, Manipur. As this matter is very important, Manipur Lokayukta is very reluctant to pass an order without taking any comment/report from the side of the DGP, Manipur. However, while waiting for the report/comment from the DGP, if any untoward incidents happen to the complainants responsibility will be fixed to the officer concerned and the officer concerned will face the consequences. In this context, in continuation of our earlier order dated 20.08.2021, we are again requesting the DGP, Manipur to send his report/comment in sealed cover to the Manipur Lokayukta as soon as possible. We hope and trust that DGP, Manipur will take this as a very urgent matter considering the peculiar facts and circumstances inasmuch as we do not want to pass any order without considering the comment/report of the DGP, Manipur.
3. We have also perused the material available on record as well as the application submitted by the complainant. On such perusal, we are of the considered view that the present inquiry is against the CEO, ADC, Senapati District, Hon'ble Members of ADC, Senapati District and others mentioned in the present Complaint Case. As on date, as per the information received, it is clear that many of the documents required in the Preliminary Inquiry of the present case are in the custody of the present CEO, ADC, Senapati District namely, Mr. S. Khapudang, SPIO/CEO, ADC, Senapati District. Therefore, it cannot be ruled out that the documents, which are already requisitioned long time back by the Inquiry officer in the course of the Preliminary Inquiry, still lying in the custody of Mr. S. Khapudang, SPIO/CEO, ADC, Senapati District will not

be tampered. Over and above, many staff working under the present CEO, ADC, Senapati District are required to be examined. In such case, there is sufficient material that the continuance of Mr. S. Khapudang as SPIO/CEO, ADC, Senapati District will hamper the free and fair proceeding of the Preliminary Inquiry. In the public interest at large and also in the interest of the ADC, Senapati District in particular and also for the free and fair proceeding of the Preliminary Inquiry, we are of the considered view that continuance of Mr. S. Khapudang as SPIO/CEO, ADC, Senapati District will be against the public interest and also will be in the way of free and fair proceeding of the Preliminary Inquiry.

4. For the reasons above said, we, invoking our jurisdiction under Section 32 of the Manipur Lokayukta Act, 2014, recommend to the State Government to transfer Mr. S. Khapudang, SPIO/CEO, ADC, Senapati District from his present place of posting as SPIO/CEO, ADC, Senapati District in the public interest as well as for free and fair Preliminary Inquiry of the present case to any office deemed appropriate by the State Government. This recommendation is made in the larger interest.

5. Deputy Registrar, Manipur Lokayukta is directed to send a copy of this order to the Chief Secretary, Government of Manipur for taking prompt action in the public interest.

6. Deputy Registrar, Manipur Lokayukta is further directed to send a copy of this order to the Director General of Police, by name, by Special Messenger. As ordered earlier, DGP, Manipur is directed to submit his comment/report in sealed cover to the Manipur Lokayukta which shall be opened by Hon'ble Chairperson in the present of Hon'ble Member. We further order that DGP, Manipur shall submit his comment/report on or before the next date so as to avoid any unpleasant situation.

7. List this case on **06.09.2021**.

Sd/-
MEMBER

Sd/-
CHAIRPERSON