

- 1) Perused the application dated 14.10.2020 filed by the complainant Shri Ch. Corneleus for inclusion of 4(four) individuals viz.1) Shri Rowaithang 2) Shri Ch. Bishwachandra, the then E.E. of Chandel/Tengnoupal Div., 3) Shri Kh. Temba Singh, Chief Engineer 4) ACE-II and SE-III, all of PWD, Manipur as accused in the FIR No.8(9) 2020 - V & AC PS.U/S 420/120-B IPC & 13(2) R/W 13(1)(c)(d) of P.C. Act., 1988. The said FIR was registered against the 7(seven) persons after the Director (Inquiry) submitted the preliminary report that there are some prima facie case against them. As required under the provision of the Manipur Lokayukta Act, 2014, the said 7(seven) accused person were given ample opportunities of being heard by the Lokayukta before directing Shri Sarangthem Hemanta Singh, MPS, Additional S.P., Vigilance to investigate the case against the said 7(seven) accused persons mentioned in the FIR. Accordingly Shri Sarangthem Hemanta Singh, MPS, Addl. S.P. Vigilance had already started the investigation by registering the said FIR.
- 2) After the registration of the FIR against the 7(seven) accused the complaint Shri Ch. Corneleus filed present application dated 14.10.2020 for inclusion of (1) Shri Rouwaithang (2) Shri Bishwachandra, the then EE of Chandel /Tengnoupal Division. (3) Shri Kh. Temba Chief Engineer (4) ACE -III and SE - III all of PWD, Manipur as accused in the said FIR.
- 3) Section 21 of the Manipur Lokayukta Act, 2014 clearly provide that

" If, at any stage of the proceeding, the Lokayukta -

- a) Considers it necessary to inquire into the conduct of any person other than the accused ; or
 - b) is of opinion that the reputation of any person other than an accused is likely to be prejudicially affected by the preliminary inquiry, the Lokayukta shall give to that person a reasonable opportunity of being heard in the preliminary inquiry and to produce evidence in his defence ,consistent with the principles of natural justice."
- 4) No doubt Lokayukta has the power to direct the investigating agency to add other persons as accused in the said FIR. However, such directions could only be issued after the Director (Inquiry) has submitted the preliminary report that there are prima facie case against the said persons who are to be added as accused in the said FIR and also after giving ample opportunities of being heard to them.
 - 5) This being the situation under the provision of Manipur Lokayukta Act 2014, Director (Inquiry) is directed to make a preliminary inquiry as to whether there are prime facie case for substantiating the allegation made against the 4(four) individuals in the present application dated 14.10.2020. In the above facts and circumstances of this case, Director (Inquiry) is to submit the report within 30(thirty) days.

Sd/-
MEMBER

Sd/-
CHAIRPERSON