

## COMPLAINT CASE NO. 1 OF 2021

09.2.2021

1. Perused the note dated 06.02.2021 of the Deputy Registrar, Manipur Lokayukta reporting that a complaint has been filed by one Shri P.R. Amos, S/o Rozii of Kabungkhunou Village, Senapati against (1) Shri R.K. Holison, Member 24 – Karong DCC, Senapati District Council and (2) Shri S. Khapudang, CEO/SPIO, ADC, Senapati. We have also considered the complaint filed by Mr. P.R. Amos and after such consideration it is clear that the complaint bears a Court Fee Stamp of Rupees Five and the complainant has deposited a sum of Rs. 1000/- by way of Demand Draft. It is alleged in the complaint that Shri R.K. Holison, Member, 24 Karong DCC, Senapati District Council in collusion with Shri S. Khapudang, CEO/SPIO, ADC, Senapati has misappropriated/misused the funds released:

- (a) Under the 13<sup>th</sup> Finance Commission (2014-2015) final bills released amount is Approx. R. 1,00,00,000/- (One Crore) only (the amount may be more or less) works name like IVR and Drainage.
- (b) Under the 14 Finance Commission (2015-2016) released amount is Approx. Rs. 1,00,00,000/- (One Crore) only (the amount may be more or less) works name like IVR and additional classroom.
- (c) Under the 3<sup>rd</sup> State Finance Commission (2017-2018) released amount is Approx. Rs. 1,00,00,000/- (One Crore) only (the amount may be more or less). Works name like Community Toilet, IVR and Public Waiting Shed.
- (d) Under the 3<sup>rd</sup> State Finance & 15<sup>th</sup> Finance Commission (2018-2019) the Approx. amount released is around Rs. 50,00,000/- (Fifty lakhs) only (the amount may be more or less). Works name like Community Hall, Community Toilet and Ground levelling.
- (e) Under the 3<sup>rd</sup> State Finance & 15<sup>th</sup> Finance Commission (2019-2020) the Approx. amount released is around Rs. 50,00,000/- (Fifty lakhs) only (the amount may be more or less). Works name like Community Toilet and IVR.

2. It is stated that complainant had approached the Deputy Commissioner/DPIO, Senapati by filing an application dated 02.11.2020 under Sub-section (1) of Section 6 of Right to Information Act, 2005 for furnishing the information as to how and where the money mentioned in the expenditures i.e. (a) Financial expenditure report for the year of 2016-2017 of 24 DCC Karong; (b) Financial expenditure report for the year of 2017-2018 of 24 DCC Karong; (c) Financial expenditure report for the year of 2018-2019 of 24 DCC Karong and (d) Financial expenditure report for the year of 2019-2020, had been utilised. The said application dated 02.11.2020 was forwarded to the CEO/ADC, Senapati District

Council for furnishing the information sought for in the said application but the CEO/ADC refused to comply with the said request of the Deputy Commissioner to furnish the said information to the complainant.

3. The Lokayukta had already received similar complaints which have been already registered as Complaint Case No. 3 of 2020, Complaint Case No. 4 of 2020 and Complaint Case No. 5 of 2020. In those cases, we are of the considered view that a prima facie case for conducting a Preliminary Inquiry had been made out to find out the actual amount of fund released by the State Government to the ADC, Senapati for the developmental works and allocation of fund given to 16-Phuba DCC, Senapati District Council and 18-Ngari Khullen DCC, District Council for the years mentioned therein and also as to whether the works for which the funds had been released had been carried out or not.

4. For the foregoing reasons, in the present case also the Director of Inquiry, Manipur Lokayukta is directed to conduct a Preliminary Inquiry to find out the actual amount of fund released by the State Government to ADC, Senapati for the developmental works and allocation of fund given to 24 – Karong DCC for the years mentioned therein and also as to whether the works for which the funds had been released had been carried out or not and also as to whether prima facie case had been made out for investigation and also for further proceeding or not. Accordingly, we direct the Director (Inquiry), Manipur Lokayukta to submit the report within the period provided under Section 20 (1) of the Manipur Lokayukta Act, 2014 and Manipur Lokayukta Rules, 2018.

5. It is also made clear that the Director (Inquiry), Manipur Lokayukta and his team while conducting the Preliminary Inquiry shall keep in view their powers and jurisdiction as provided under Sub-section (1), Sub-section (2), Sub-Section (4), Sub-section (5) and Sub-section (9) of Section 20; Section 21; Section 22; Section 26; Section 28 (2); Section 29; Section 32; Section 36 and other provisions of Manipur Lokayukta Act, 2014.

6. Deputy Registrar, Manipur Lokayukta is directed to furnish a copy of this order and other relevant documents to the Director (Inquiry), Manipur Lokayukta.

7. Await report from the Director (Inquiry), Manipur Lokayukta.

Sd/-  
**MEMBER**

Sd/-  
**CHAIRPERSON**