

**COMPLAINT CASE NO. 3 OF 2020**

**WITH**

**COMPLAINT CASE NO. 9 OF 2021**

**02.02.2022**

1. By our earlier common judgment and order dated 07.01.2022, we have already expressed our considered view that there exists prima facie case for investigation and accordingly, by invoking our power and jurisdiction under Section 20 (3) and 28 of the Manipur Lokayukta Act, 2014 passed 4 (four) directions in para no. 22 as under:

- A) **A direct recruit IPS Officer (non-Local) of the rank not lower than Additional SP serving under the State of Manipur is directed to investigate the present cases by exercising all the powers conferred under the Manipur Lokayukta Act, 2014. The name of the IPS Officer will be intimated later after receiving a panel of names within five working days from the Chief Secretary, Government of Manipur. The Chief Secretary, Government of Manipur while sending the list of panel of IPS officer may not include IPS officer who is in the Offer List for Central/State deputation for the year, 2022.**
- B) **The Preliminary Inquiry Report of the present cases will be treated as Ejahar for the purpose of registration of the case for investigation. As the Preliminary Inquiry Report of the present case is treated as Ejahar/FIR, the Investigating Officer is not required to confine his investigation within the four corners of the Preliminary Inquiry Report. Where the case is to be registered will be intimated after taking a decision on the panel of names received from the Chief Secretary, Government of Manipur.**
- C) **The Investigating Officer while conducting the investigation will not be under the supervision of his superior officers of the department or the station where the present case is to be registered. It is also made clear that he/she shall conduct the investigation with full co-ordination with the Director (Inquiry), Manipur Lokayukta and also that the investigation of the present case is in addition to his normal duty. The Investigating Officer shall take necessary action to complete the investigation within a period of six months from the date of passing this order or from the date of receiving the records.**
- D) **Chief Secretary, Government of Manipur and Director General of Police, Manipur shall ensure that the place of posting of the assigned Investigating Officer of these cases should not be disturbed without the prior consent of Manipur Lokayukta.**

2. The present order is in continuation of our earlier common judgment and order dated 07.01.2022, wherein it has been made known to all the parties that the name of direct recruit IPS officer (non-local) of the rank not lower than Additional SP whose service is to be utilised for investigating the present case will be intimated later on after receiving a panel of names within five working days from the Chief Secretary, Government of Manipur. Further, vide para 22 (B) of our earlier common judgment and order dated 07.01.2022, it has been stated that where the case is to be registered will be intimated after taking a decision on the panel of names received from the Chief Secretary, Government of Manipur. In pursuance of our order dated 07.01.2022, the Chief Secretary, Government of Manipur and Director General of Police, Manipur were directed to take necessary action and accordingly, we were anticipating the panel of names of direct recruit IPS officers (non-local). It has come to our notice that the Inspector General of Police (Admn) for Director General of Police, Manipur under his letter being No. E/35/23/2015-PHQ(Adm)/832 dated 20<sup>th</sup> January, 2022 had sent a panel of names of direct recruit IPS officers (non-local) in pursuance of our common judgment and order dated 07.01.2022 to the Under Secretary (DP), Govt. of Manipur for taking further necessary action.

3. It may be pertinent to mention here that the utilisation of the service of officer posted at a particular posting for investigating the present case will not amount to transfer and posting inasmuch as his service is simply utilised for investigation of the present case. In other words, utilisation of service for investigation of the present case is in addition to his normal duty without disturbing his posting.

4. We have decided by invoking our power and jurisdiction under Sections 20 (3) and 28 of the Manipur Lokayukta Act, 2014 for utilising the service of Shri Ravi Choudhari, IPS at present SP, Kamjong, office of which is presently functioning at Imphal, to investigate the present case. Accordingly, Shri Ravi Choudhari, IPS is directed to investigate the present case by exercising all the power conferred under the Manipur Lokayukta Act, 2014 and relevant Statutes taking the Preliminary Inquiry report of the Inquiry Officer who

conducted the Preliminary Inquiry as an Ejahar for the purpose of registration of the case. For registration of the case, we have decided, for convenience, that the case should be registered at the Crime Branch Police Station, Imphal for the purpose of registration of the present case. The Investigating Officer, Shri Ravi Choudhari, IPS while conducting the investigation will not be under the supervision of his senior officer of his department or the station where the present case is to be registered. It is also made clear that the Investigating Officer shall conduct the investigation with full co-ordination with the Director (Inquiry), Manipur Lokayukta.

5. The Investigating Officer, Shri Ravi Choudhari, IPS shall take necessary action to complete the investigation of the present case within 6 (six) months from the date of registration of the case at the Crime Branch Police Station, Imphal. It is also made clear that the Investigating Officer while investigating the present case will not be under the supervision of his senior officer of his department or the station where the present case is to be registered, and it is for the purpose of maintaining the sanctity of Manipur Lokayukta and for not interfering with the proceeding of the cases before the Manipur Lokayukta and inquiry and investigation are parts of the proceeding of the case filed before Manipur Lokayukta.

6. The Director General of Police, Manipur shall ensure the registration of the case at the Crime Branch Police Station, Imphal for the matter indicated above and registration of the present case as indicated above in the Crime Branch Police Station will be done immediately upon receipt of this order; and for registration of the case at the Crime Branch Police Station, Imphal under our order further approval of any authority of the police department or Government of Manipur will not be required. We are passing this order in discharging our statutory duties. The Investigating Officer, Shri Ravi Choudhari, IPS shall report the registration of the present case at the Crime Branch Police Station to the Manipur Lokayukta through the Director (Inquiry), Manipur Lokayukta without any delay.

7. Deputy Registrar, Manipur Lokayukta is directed to send a copy of this order to :

- i) the Chief Secretary, Government of Manipur;
- ii) the Director General of Police, Manipur;
- iii) Shri Ravi Choudhari, IPS, SP, Kamjong

for information and necessary prompt action and also to the parties of the present case for information.

8. Await investigating report.

Sd/-  
**MEMBER**

Sd/-  
**CHAIRPERSON**