

COMPLAINT CASE NO. 5 OF 2022

08.09.2022

1] Perused the office note dated 01.09.2022, wherein it is stated that a complaint has been filed by one Shri Ngangom Ibotombi Singh, S/o (L) Ngangom Parijat Singh of Oinam Bazar Makha, P.O. & P.S. Nambol, Bishnupur District against (i) Shri N. Sarat Singh, Managing Director (MSPCL), (ii) Transmission Division – III, Lamphel and (iii) M/s Shyama Power (India) Pvt. Ltd., 15 & 16, Hartron Complex, Electronics City, Sector – 18 (part), Gurgaon – 122015 Harayana (India).

2] We have perused the complaint which has been filed in Form 1 of Rule 15 of the Manipur Lokayukta Rules, 2018. Under Rule 15 of the Manipur Lokayukta Rules, 2018, every complaint shall be made in Form 1 appended to these rules; every complaint made under sub-rule (1) shall contain a statement in a concise form of the facts on which that allegation is based. It shall also indicate as far as possible, the evidence by which the complainant proposes to prove each allegation; every complaint shall bear a Court Fee Stamp of Rupees five; the complainant shall deposit a fee of Rs. 1000/- (one thousand) by way of bank draft/IPO payable to the Secretary, Manipur Lokayukta; and every complaint shall be supported by an affidavit in Form 2 duly sworn in by the complainant before the Magistrate of First Class or an Oath Commissioner appointed by the High Court; every such affidavit shall be verified at the end by the complainant or by one of the complainants.

3] On perusal of the present complaint, it is clear that it is in the proper form as required under the Rule. The complaint also contains a statement in a concise form of the facts on which that allegation is based. The said concise statement of facts is also enclosed in separate sheet. Enclosing of statement in separate sheet is also indicated in the complaint in proper format and the complaint is also supported by an affidavit in the prescribe format which contain the verification and attestation in proper format.

4] The allegation and assertion in the complaint is that a project “Installation of 2x5 MVA 33/11 KV sub-station at Sugnu along with associated 33 KV line and related works” in Thoubal District was taken up by MSPCL during the period 2014 to 2017 under NLCPR and state fund. The contract work of the said project was executed by M/s Shyama Power India Pvt. Ltd. on turnkey basis. The length of the associated 33 Kv Transmission line from 33/11 KV sub-station New Chayang to Sugunu as per the approved scheme is 20 km. However, the sub-station has been commissioned by erecting a line of 3 km, tapping from the existing 33 KV New Chayang-Joupi line at Khongnang Paishabi thereby embezzling the fund released from Doner Ministry and the state Government for supply and erection of the balance 17 km long 33 KV Transmission line and one 33 KV sending end bay along with the equipment at 33 KV Sub-station, New Chayang. Unauthorised change in the scope of work and supply, non-execution of 17 kms of 33 KV line and sending End Bay but incurred expenditure for the said works and supply implies embezzlement and misappropriation of public fund.

5] Since the present matter is of public importance involving several crores of rupees of public fund, the Manipur Lokayukta is to take all possible means to get correct information before initiating the case for preliminary inquiry or investigation inasmuch as registering a case for investigation in such serious matter will certainly tarnish the image of the Government. Accordingly, in order to get the proper information and documents relating with the above project for which serious allegation has been made for embezzlement in terms of cores of rupees, we invoke our jurisdiction under Section 22 of the Manipur Lokayukta Act, 2014. For easy reference Section 22 of the Manipur Lokayukta Act, 2014 is quoted hereunder :

“22. Subject to the provisions of this Act, for the purpose of any preliminary inquiry or investigation, the Lokayukta or the investigating agency, as the case may be, may require any

public servant or any other person who, in its opinion, is able to furnish information or produce documents relevant to such preliminary inquiry or investigation, to furnish any such information or produce any such document”

5.1] In exercising our power and jurisdiction under Section 22 of the Manipur Lokayukta Act, 2014, the Administrative Secretary, Department of Power, Government of Manipur is directed to furnish and produce the following information and documents (original), in seal _____ cover _____ within 23rd September, 2022:

- (i) Government of India's sanction order;
- (ii) PIB proposal and approval;
- (iii) State Government sanction and fund release order;
- (iv) Tender Committee proposal and minutes;
- (v) Work orders;
- (vi) Agreement between MSPCL and turnkey firm;
- (vii) All Utilisation Certificates; both financial and physical sent to Government of India;
- (viii) Date of completion and commissioning; and
- (ix) Total amount sanctioned and released to MSPCL and total amount paid to turn-key firm.

6] Registry is directed to furnish a copy of this order to the Administrative Secretary, Department of Power, Government of Manipur by Special Messenger, who shall obtain acknowledgment for receiving this order from the office of the Administrative Secretary, Department of power, Government of Manipur.

Sd/-
MEMBER

Sd/-
CHAIRPERSON