

COMPLAINT CASE NO. 6 OF 2021

01.08.2023

1. This order is in continuation of our earlier order 20.07.2023 passed in the present case. Under our earlier order, we have taken the considered view that there exists a prima facie case for investigation against the person listed in the Preliminary Inquiry Report i.e. (i) Shri K Dickson, former ADC Chairman; (ii) Shri M. Issac, former Vice Chairman (20-Phungyar DCC Segment) & former Executive members of the Executive Committee of ADC. Ukhrul; (iii) Shri HS. Ngamsung (11-Khamasom DCC, Segment); (iv) Shri VL. Khayinghor (14-Tuinem DCC Segment); (v) Shri Somimayar Awungshi (21- Shingkap DCC Segment); (vi) Shri Kapangpam Zimik (6-Tolloi DCC Segment); (vii) Shri Themreishang AS, former ADC Member (3-Chingai segment); (viii) Shri S Thotasheng, former ADC Member (23-Kasom Khullen segment); (ix) Shri H A Vareishang, former ADC Member (10- Ukhrul South segment); (x) Shri Polly Makan, the then CEO; (xi) Shri L. Raghmani Singh (EE); and (xii) Shri Kh. Okendro Singh (AE) and also against Shri R.A. Ransing, MSS, Under Secretary (TA&H) now Deputy Secretary, the then ACS of the Department of Tribal Affairs & Hills, Govt. of Manipur Shri Letkhogin Haokip, IAS (now Rtd.) and the then Minister for Department of TA&H, Govt. of Manipur Shri N. Kayisii (now MLA from Tadubi AC). After taking the said considered view, we passed the following orders by invoking our jurisdiction under Sections 20 (3) (a) and 28 of the Manipur Lokayukta Act, 2014:

- 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 7 (seven) 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, 2023-24.

- 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 as such entrustment of the present case for investigation will not amount to new transfer and posting. 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.
- E) A general recommendation is made herein, not necessarily related to this particular complaint case but to all other Complaint cases also

before Manipur Lokayukta regarding the omissions and commissions, lapses and violations indicating ignorance, negligence, lack of updation and awareness of various Acts, Rules, Manuals, SOPs, instructions, FR/SR, Guidelines etc. and duties and functions, power, authority mainly of executives and functionaries including engineers and elected representatives of local bodies (Autonomous District Councils, Municipalities/Nagarपालikas) for the State Government to consider imparting refresher courses/workshop to such public servants for proper understanding of various Acts, Rules, Manuals, SOPs, instructions, FR/SR, Guidelines etc. relevant for them for implementation of various programmes, schemes, awards, etc. sanctioned by the Central and State Governments/Central authorities with a view to streamline implementation of various Government activities. The Chief Secretary, Government of Manipur may, in consultation with department concerned/training institutions work out a detailed training programme and implement the same. A copy of the training programme may be shared with the Manipur Lokayukta.

2. Pursuant to our order dated 20.07.2023, the Chief Secretary, Government of Manipur through a letter of Joint Secretary (DP), Government of Manipur being No. LOK-1/1/2023-DP-DP dated 27.07.2023 to the Deputy Registrar, Manipur Lokayukta has furnished the list of Direct Recruit IPS Officers (non-local) of Manipur Cadre as on 25.07.2023. The said list consists of nine IPS officers. We have considered the said list of the IPS officers vis-à-vis their present posting and rank, and after such consideration, we have decided to utilise the service of Shri Shivanand Surve, IPS (presently SP, Senapati / under transfer as SP, Tengnoupal) as investigating officer of the FIR which is going to be registered as per para no. 21 (B) of our earlier order dated 20.07.2023.

2.1. In our earlier order, it is clearly mentioned that the Preliminary Inquiry Report of the present cases will be treated as Ejahar for the purpose of registration of the case for investigation. Further, in our earlier order dated 20.07.2023, it has been mentioned 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. Now, we have decided to utilise the service of Shri Shivanand Surve, IPS (presently SP, Senapati / under transfer as SP, Tengnoupal), after receiving a panel of IPS officers. As for registration of the case, for convenience, we have decided that the case should be registered at the Crime Branch Police Station, Imphal for the purpose of investigation of the present case. The investigating officer, Shri Shivanand Surve, IPS (presently SP, Senapati / under transfer as SP, Tengnoupal), while conducting the investigation will not be under the supervision of his senior officers of the department or the station where the present case is to be registered. It is also made clear that the investigating officer shall carry out the investigation with full co-ordination with the Director (Inquiry), Manipur Lokayukta.

3. 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, Imphal 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 police department or Government of Manipur will not be required. We are passing this order in discharging our statutory duties. The Investigating Officer, Shri Shivanand Surve, IPS (presently SP, Senapati / under transfer as SP, Tengnoupal) shall report the registration of the present case to the Manipur Lokayukta through the Director (Inquiry), Manipur Lokayukta without any delay.

4. Deputy Registrar, Manipur Lokayukta is directed to furnish a copy of this order along with a copy of our earlier order dated 20.07.2023 to :

- i) the Chief Secretary, Government of Manipur.
- ii) the Director General of Police, Manipur.
- iii) Shri Shivanand Surve, IPS (presently SP, Senapati / under transfer as SP, Tengnoupal)

for information and necessary prompt action. And also furnish a copy of this order to the parties of the present case within three days.

Sd/-
MEMBER

Sd/-
CHAIRPERSON