

COMPLAINT CASE NO. 1 OF 2023

12.05.2023

1. We have perused the complaint filed by Shri L. Diamond, aged 64 years, S/o Lungshi, a resident of Lambui Village, Grihang, Ukhrul Litan, P.O. & P.S. Litan, Ukhrul District, Manipur- 795145. Rule 15 of the Manipur Lokayukta Rules, 2018 prescribed that every complaint made under Sub Rule (1) shall contain the statement in a concise form of the fact 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 be supported by an affidavit in Form 2 duly sworn in by the complainant before the Magistrate First Class or an Oath Commissioner appointed by the High Court.

2. On careful perusal of the present complaint it appears that the complaint filed by the complainant Shri Shri L. Diamond, aged 64 years, S/o Lungshi has fulfilled all requirements for filing the complaint as provided under the Manipur Lokayukta Rules, 2018. The Manipur Lokayukta Act, 2014 clearly provides that the Lokayukta on receipt of the complaint may order, if satisfied, for preliminary inquiry to ascertain whether there exist a prima facie case in proceeding further on the matters. It is no more *res integra* that the Manipur Lokayukta for deciding whether there is material for conducting preliminary inquiry, it is not required to issue notice for opportunity of being heard to person against whom preliminary inquiry may be ordered. The person against whom preliminary inquiry is ordered shall be given all sorts of opportunity of being heard to put up their case during the preliminary inquiry or before passing any order against him. The Manipur Lokayukta has taken abundant precaution for protecting the right of interest of any person against whom any sort of order is passed.

3. The Manipur Lokayukta is of the considered view that before passing any sort of order against any individual, there must be prima facie case for preliminary inquiry or any other actions. Therefore, Manipur Lokayukta is of the considered view that the personal hearing of the complainant is required so as to understand clearly what are the specific allegation against the individual concerned?, Whether the allegation is against construction of which dam under the Minor Irrigation of the Government of Manipur? And whether the allegation made is for possession of property disproportionate to the known sources of income under the law and against whom? In the above circumstances, we are of the considered view that the personal hearing of the complainant Shri L. Diamond, aged 64 years, S/o Lungshi is required. As stated above the Manipur Lokayukta need the personal hearing of the complainant for passing any order.

4. Deputy Registrar is directed to furnish a copy of this order through WhatsApp or by special messenger to the complainant.

6. List this Case on 29.05.2023.

Sd/-
MEMBER

Sd/-
CHAIRPERSON