

## **COMPLAINT CASE NO. 2 OF 2024**

29.01.2024

1. Perused the office note dated 29.01.2024, wherein it has been reported that one Shri R.K. Kishan Kumar Singh, S/o R.K. Shantikishore Singh, resident of Khurai Chingangbam Leikai, Tinsid Road, P.O. & P.S, Porompat, Imphal West District, Manipur filed a Complaint against Shri Ngangom Uttam Singh, Director, Social Welfare Department, Manipur that he has knowingly and intentionally abused his position to obtain undue gain or favour during the tender process for appointment of Transport Contractors for transportation of Wheat Based Nutrition Program (Rice) as well as Micronutrients Fortified Dense Food.

2. We have perused the complaint which has been filed in Form No. 1 as provided under Rule 15 (2) of the Manipur Lokayukta Rules, 2018. Rule 15 (3) of the Manipur Lokayukta Rules, 2018 provides that 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. Rule 15 (5) of the Manipur Lokayukta rules, 2018 mandates that complainant shall deposit a fee of Rs. 1000/- (on thousand) by way of bank draft/IPO payable to the Secretary, Manipur Lokayukta. Rule 15 (6) and (7) of Manipur Lokayukta Rules, 2018 provides that every complainant shall be supported by an affidavit in Form 2 duly sworn in by the complainant before the Magistrate of First Class or any Oath Commissioner appointed by the High Court and every such affidavit shall be verified at the end by the complainant or by one of the complainants. Form 1 i.e. Form of Complaint prescribes that to support the allegations the complaint relies on the facts and is also filing an affidavit.

3. On perusal of the Complaint and also the supporting documents, it appears that there is an allegation for abuse of position by the Director, Social Welfare Department, Manipur for obtaining undue gain inasmuch as the Department of Social Welfare under its Director have altered the conditions of Tender process for appointment of Transport Contractors for transportation of Wheat Based Nutrition Program (Rice) as well as Micronutrients Fortified Dense Food in the midway to favour certain bidder/bidders.

4. The aim and object for establishing the Manipur Lokayukta Act for the state of Manipur is to inquire into allegations of corruption against certain public functionaries and for matters connected therewith or incidental thereto. Therefore, we are of the considered view that the allegation made by the complainant in the present complaint can be inquired into as provided under the Manipur Lokayukta Act, 2014 (Manipur Act No. 11 of 2014).

5. For the foregoing reasons, we are of the considered view that there is a prima facie case for holding a preliminary inquiry as contemplated under section 20(1) of the Manipur Lokayukta Act, 2014. Accordingly, we direct the Inquiry Wing, Manipur Lokayukta to conduct a Preliminary Inquiry in light of the above observations and the preliminary inquiry report may be submitted within the period prescribed under the Manipur Lokayukta Act, 2014. It is also made clear that while conducting the inquiry, the inquiry officer shall keep in view of their powers and jurisdiction as provided under sub-section (1), (2), (4), (5), (9) of Section 20, Section 21, Section 22, Section 25, Section 26, Section 28(2), Section 29, Section 32, Section 36 and other provisions of the Manipur Lokayukta Act, 2014.

6. Director (Inquiry), Manipur Lokayukta is further directed to entrust the preliminary inquiry of this complaint to one of Police Officers attached to Inquiry Wing of Manipur Lokayukta promptly.

6.1. Director (Inquiry), Manipur Lokayukta has to submit a report for taking up prompt steps in this regard on or before 02.02.2024.

7. Deputy Registrar, Manipur Lokayukta is directed to furnish a copy of this order along with a full set of complaint to Director (Inquiry), Manipur Lokayukta within 48 hours.

8. Await preliminary Inquiry Report.

Sd/-  
**MEMBER**

Sd/-  
**CHAIRPERSON**