

## COMPLAINT CASE NO. 4 OF 2024

23.05.2024

1. Perused the office note dated 08.05.2024, wherein it has been reported that one Shri Thangjam Robindro Singh, S/o (L) Thangjam Kerani Singh, a resident of Luwangsangbam Matai, Mayai Leikai, P.O. Mantripukhri, P.S. Heingang, Imphal East District - 795002 Manipur filed a Complaint against Shri Laishram Manikanta Singh, Managing Director, MANIDCO, Industrial Estate, Takyelpat, Imphal, Manipur - 795004 alleging that he had knowingly and intentionally abused their position to obtain undue gain in the bid of the e-tender of Manipur Industrial Development corporation Limited (MANIDCO Ltd.) dated 06.10.2023 for the work of "Construction of Eklavya Model Residential School at Resubelpara, North Garo Hills District, Meghalaya".

2. On perusal of the complaint, it has been found that the same 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. All these have been duly completed and submitted along with the complaint.

3. On perusal of the Complaint and also the supporting documents, it appears that there is an allegation for abuse of position by the Managing Director, Manipur Industrial Development Corporation Limited (MANIDCO Ltd.), Manipur for the work of "Construction of Eklavya Model Residential School at Resubelpara, North Garo Hills District, Meghalaya" and the reasons stated by the Complainant are as follows:-

- "1. That, invitation of bids for the above said work was first published 06/09/2023 by MANIDCO Ltd. Therefore reasons best known to MANICOD Ltd. the said e-tender notice have been postponed/re-tendered on different occasions.**
- 2. That, the last notification of the above said work was issued on 07/02/2024 re-tender notice was published by MANIDCO Ltd. by Managing Director as a last and final date.**
- 3. That, thereafter a complete bypass of procedures has been observed. There was no procedure for verification of documents submitted and furthers no intimation of any sort in their official website.**
- 4. That, as per the notification dated 07/02/2024 the end time and date for receipt of hard copies original documents was on 20/02/2024 (16:00 hrs).**
- 5. That, it is learned from a reliable source that a Company/Construction firm who had not complied with the mandatory provision of submitting hard copies of original documents has been selected for awarding the work order is under processed if not already awarded. An RTI application for seeking relevant information has been filed with the authorities.**
- 6. That, the actions of the MANIDCO Ltd. is questionable. There is no transparency in the matter and requires an in-depth enquiry to bring out the wrong and fixed out the responsibilities of the concerned authorities. "**

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.

5. It is clear that the complaint concerns the bidding process with allegation of lack of transparency thereby rendering the outcome suspect to corrupt practices.

6. The facts relating to the Complaint will emerge from the records on file and on the e-tender system and its software. As doubts of corrupt practice is being alleged and at the same time if the process is to be validated as carried out as per established procedure, Rules etc. with transparency and fair play, a Preliminary Inquiry would be required.

7. For the foregoing reasons, it is considered 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, the Inquiry Wing, Manipur Lokayukta is directed 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 27 (1), 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.

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**