

Manipur State Form No.V 7
FIRST INFORMATION REPORT
FIRST INFORMATION OF A COGNIZABLE CRIME REPORT
UNDER SECTION 154 CRIMINAL PROCEDURE CODE AT POLICE STATION.



Sub-Division: - Imphal West

District: - Imphal West

FIR No. 5(09)/2023 CB-PS U/S 7(b)/13 PC Act & 120-B/34 IPC

Date & hour of occurrence:
In the year 2015 onwards

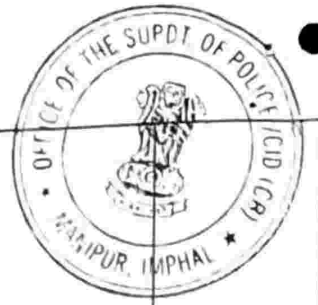
Date and hour when reported.	Place of occurrence & distance & direction from police station	Date of dispatch from police station
19/09/2023 3:35 pm	Within the jurisdiction of 17-phaibung DCC of Autonomous District Council, Senapati. (about 125 Kms North approx.)	19/09/2023

N.B. – A first information must be authenticated by the signature, mark of thumb impression of informant and attested by the signature of the officer recording it.

Name & residence of informant/ Complainant.	Name & residence of accused.	Brief description of offence with section and of property carried off, if any.	Steps taken regarding investigation explanation of delay in recording information.	Results of the case.
Shri Khundrakpam Duneshwor Singh (51 yrs) S/o Kh. Bobi Singh of Sayang Khwai Ningthou Leirak P.O. & P.S. Imphal, Inspector (Inquiry Wing) Manipur Lokayukta.	1) Shri M.L Markson S/o Late Lakho of Laii Village, Paomata Tadubi Block, Senapati District, the then Chairman (Ex-member of 1-Laii DCC) 2) Shri A. Kapani S/o Th. Ashikho of Chakumai, Mao Maram Tadubi block, Senapati District, the Caretaker Chairman (Ex-member of 14-Tadubi DCC). 3) Shri P. Veini S/o (L) Pani of Phaibung Khullen, Senapati District, Ex-member of 17-Phaibung DCC, Senapati District. 4) Shri Rangnamei Rang Peter, IAS S/o Rangnamei Paoshiba of Katomei village, Senapati District, P.O. & P.S. Senapati a/p Luwangsangbam, Imphal East, the then CEO of ADC, Senapati (now Deputy Commissioner, Kamjong District).	Obtains or accepts or attempts to obtain, an undue advantage from any person as a reward for the improper or dishonest performance of a public duty, criminal misconduct by a public servant, criminal conspiracy and common intention. Punishable U/S 7(b)/13 PC Act & 120-B/34 IPC	As per Manipur Lokayukta order dated 18/09/2023, Shri Luther Nangsha, JAG, i/c CO/11 IRB will please investigate the case.	

Contd/-

Rashmi
19/9/2023
Superintendent of Police (CID/CB)
Manipur, Imphal



5)	Shri Stiff Khapudang MCS S/o Aleng Khapudang of Konkan village, Kamjong District, Manipur, the then CEO of ADC, Senapati (now Additional Deputy Commissioner, Noney District)		
6)	Smt. Regina Hongray, MCS, W/o George Kangung Moram of Mantripukhri, Imphal East, the then CEO of ADC, Senapati (Now Joint Secretary, Works & Finance Deptt.)		
7)	Shri A. Theiba S/o (L) A. Ngaiyo of Yaikongpao village, Senapati District, in-charge Executive Engineer of ADC, Senapati.		
8)	Shri Mutum Shyamsunder Singh S/o (L) M. Jugindro Singh of Kwakeithel Konjeng Leikai, P.S Singjamei, Imphal West District, Section Officer of ADC, Senapati.		
9)	Shri Meivei Duo Kh. S/o Kushei of Phaibung Khullen, Senapati District (work agency).		
10)	Shri R.S. Luckyson S/o Seipaolu of Phaibung Khunou, Senapati District (work agency).		
11)	Shri D.H. Lao S/o Hralu Lao of Phaibung Khullen, Senapati District (work agency).		
12)	Shri Chisou S/o Dailu of Phaibung Khullen, Senapati District (work agency).		
13)	Shri P. John S/o Pami of Phaibung Khullen, Senapati District (work agency).		
14)	Shri Ng. Ngaoni S/o Ngaolu of Phaibung Khullen, Senapati District (work agency).		
15)	Smt. Tionani Duo D/o Mercy of Phaibung Khullen, Senapati District (work agency)		
16)	Shri D.D. Pearson Duo S/o Dalu of Phaibung Khullen, Senapati District (work agency).		

Contd/-

Rachini
19/9/2023
Superintendent of Police/CID(CB),
Manipur, Imphal



	<p>17) Shri R.A Ransing, MSS, Under Secretary (TA&H), (now Deputy Secretary), Govt. of Manipur.</p> <p>18) Shri Letkhogin Haokip, IAS (now Rtd.), the then ACS of the Department of Tribal affairs & Hills, Government of Manipur.</p> <p>19) Shri N. Kayisii (now MLA from Tadubi AC), the then Minister for Department of TA&H. Govt. of Manipur.</p>		
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OE is attached

Rashini
19/9/2023
Supdt. of Police/CID(CB), Manipur
(OC/CB-PS Manipur)
Superintendent of Police/CID(CB),
Manipur, Imphal

Signed :-

Name :- Dr. Rashini Yengkhom
Designation :- Superintendent of Police,
CID(CB), Manipur.
(OC/CB-PS, Manipur).

Rashini
19/9/2023
Superintendent of Police/CID(CB),
Manipur, Imphal

Receipt No. 2089

Date 19/7/23

Time 3:35 pm

To,

The Officer-in-Charge,
Crime Branch Police Station,
CID, Crime Branch Manipur.

Subject :- Report.**Ref:-** Inquiry Case No. 5/2020 of Manipur Lokayukta.

Madam,

- 1) During the course of inquiry of the above referred case regarding the misappropriation of funds released under the 13th, 14th & 15th Finance Commissions, 3rd State Finance Commission and funds sanctioned under Agriculture, Horticulture and Fishery Departments for developmental works since 2015 till 2020 in respect of 17-Phaibung DCC of Autonomous District Council, Senapati, the following facts were revealed.
- 2) The following general practice is reported to have followed by the Hon'ble Chairman, elected members, the officials of the ADC, Senapati and the work agencies during the implementation of works under the 14th FC & 3rd SFCA.
 - i) With the allocation of funds under 14th Finance Commission and 3rd SFCA for different years, the Autonomous District Council, Senapati was asked to submit their work programmes to the Hills Dept. Govt. of Manipur. The council then convened a meeting and took a resolution for framing the work programmes commensurate with the available fund and select the work agencies for executing the works. The work programmes and the work agencies were as proposed by the member of each DCC. No call of tender for selecting the work agencies was done.
 - ii) With the approval of the Chairman of the Council, the work orders were issued in the name of the selected work agencies. The council took the resolution to pay advance payment of bill amount before execution of work to the work agencies to start the work. On getting approval from the Chairman of the ADC, Senapati, the Chief Executive Officer (CEO) issued Sanction Orders for payment of 1st instalment and the sanction amounts were E-transferred to the accounts of the respective work agencies. The work agencies submitted the work completion reports to the CEO for release of the final bill. The CEO and the E.E prepared the final bill on the MB. The CEO after getting approval from the Chairman, sanction orders were issued. Final payments were made to the work agencies by e-transfer through their accounts. The cheques were signed both by the Hon'ble Chairman and the CEO as they are the joint signatory of the ADC account.
 - iii) In the resolution taken by the Council for advance payment to the work agencies, the members also resolved to personally supervise and monitor proper work execution in their respective DCCs.

- iv) The office of ADC, Senapati reported to have implemented the work programmes under the Guidelines issued in respect of 13th FC, 14th FC & 15th FC and 3rd SFCA.
- 3) The office of the ADC, Senapati failed to produce the complete relevant documents viz. resolution copies, work list, sanction orders, MBs etc. for implementation of work programmes under 3rd State Finance Commission Award 2015-16. The office of ADC, Senapati was intimated vide letter dated 27.08.2021 that the complete requisitioned documents have not been furnished and failure to furnish the remaining documents/information, it will be assumed that the documents /information are not maintained in the office of ADC, Senapati. In spite of that, the office of ADC, Senapati have not furnished the said documents/information. The office of ADC, Senapati was also visited several times to collect the documents. However, the documents were untraceable. The office of ADC, Senapati claimed that the files/ documents viz. MBs, Sanction orders etc. which they could not produce were untraceable due to either from shifting of the office from Imphal to Senapati HQ or misplacement during Audit period. However, the office of ADC, Senapati had not reported the matter to any of his/ their senior officers or higher authorities.

It is provided in section 7.14 of the CPWD Works Manual, 2014 that the loss of Measurement Books (MBs) should be immediately reported and reconstructed.

Section 7.14 of the CPWD Works Manual, 2014 is reproduced as follows:-

7.14 Loss of Measurement Books

- (1) *When a Measurement Book is lost, an FIR should be lodged with the police.*
- (2) *An immediate report of the facts of the case together with an explanation of all parties concerned responsible for the loss should also be made promptly to the Chief Engineer, who is empowered to sanction the write off of the lost Measurement Books. In case of theft or loss of a blank Measurement Book, the Superintending Engineer shall be the competent authority to write off the loss.*
- (3) *Such losses for write off should be reported in the proforma as at Appendix 10.*
- (4) *It is also necessary that the measurements in the lost Measurement Book should be re-constructed at the earliest.*

- 4) During the period of 2015-20, the following amounts of funds as Grant-in-aid for execution of work programmes under the 14th Finance Commission and 3rd State Finance Commission Awards were sanctioned for the Autonomous District Council (ADC), Senapati by the Secretariat: Hills Deptt., Govt. of Manipur.



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14th Finance Commission

Year	Amount Sanctioned
2017-2018	Rs. 31,62,79,623/-
2018-2019	Rs. 11,30,96,859/-
2019-2020	Rs. 11,30,96,859/-

3rd State Finance Commission Award

Year	Installment	Amount Sanctioned
2015-2016	1 st installment	Rs. 3,01,99,853/-
	2 nd installment	Rs. 3,32,25,057/-
2016-2017	1 st installment	Rs. 3,19,02,044/-
	2 nd installment	Rs. 3,84,92,766/-
2017-2018		Rs. 5,75,47,801/-
	Additional	Rs. 1,82,92,583/-
2018-2019		Rs. 9,45,80,401/-
2019-2020		Rs. 10,95,00,004/-
2020-2021		Rs. 13,21,01,689/-

- 5) The 17-Phaibung DCC received the following funds from the under mentioned Finance Commissions during the following years.

17-Phaibung DCC**14th Finance Commission**

Year	Amount Sanctioned
2017-2018	Rs. 1,20,00,000/-
2018-2019	Rs. 40,00,000/-
2019-2020	Rs. 40,00,000/-

Grand total = Rs. 2,00,00,000/-

3rd State Finance Commission Award

Year	Amount Sanctioned
2015-2016	Information not furnished
2016-2017	Rs. 20,00,000/-
2017-2018	Rs. 20,00,000/-
2018-2019	Rs. 40,00,000/-
2019-2020	Rs. 60,00,000/-
2020-2021	Rs. 40,00,000/-

Grand total = Rs. 1,80,00,000/-



Kambh

- 6) From the allocated fund under the 14th Finance Commission & 3rd State Finance Commission Award, the following work programmes along with their work agencies as proposed by the members of each DCCs were approved by the council for execution in respect of the 17-Phaibung DCC during the year 2015-20 and the council passed resolutions in this regard.

17 – PHAIBUNG KHULLEN DCC

14th FCA 2017-18

Sl. No	Name of the Work	Agency	Amount
1	Construction of IVR from Phaibung Khullen to Paddy Field	Mevei Duo Kh	2000000
2	Shingling Road from Phaibung Khullen to Christian compound to Holy Cross School	Mevei Duo Kh	1000000
3	Construction of IVR from Phaibung Khunou to Feikho	R.S. Luckyson	2000000
4	Construction of IVR from Phaibung Lower to Vourei River	R.S. Luckyson	2000000
5	Construction of Public Toilet at Phaibung Khullen	R.S. Luckyson	1000000
6	Construction of Public Toilet at Phaibung Khunou	D.H. Lao	1000000
7	Construction of Public Toilet at Phaibung Lower	D.H. Lao	1000000
8	Construction of Pucca Drainage at Phaibung Khullen	D.H. Lao	1000000
9	Construction of Market Shed at Phaibung Khullen	D.H. Lao	1000000

Total Rs. 1,20,00,000/-

14th FCA 2018-19

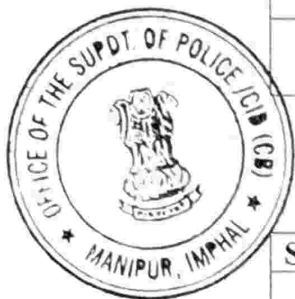
Sl. No	Name of the Work	Agency	Amount
1	IVR from Phaibung Khunou to Lower Phaibung	D.H. Lao	2000000
2	Drain from Phaibung Khullen main road to Holy Cross School	D.H. Lao	2000000

Total Rs. 40,00,000/-

14th FCA 2019-20

Sl. No	Name of the Work	Agency	Amount
1	IVR from Phaibung Khunou to Vourei	Chisou	2000000
2	Retaining wall near Phaibung Lower Playground	D.H. Lao	2000000

Total Rs. 40,00,000/-



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17 – PHAIBUNG KHULLEN DCC

3rd SFCA 2015-16

Data/ information not furnished by the office of ADC, Senapati.

3rd SFCA 2016-17

Sl. No	Name of the Work	Agency	Amount
1	Extension of Additional Class Room at Shanatsiina P/S	P. John	1000000
2	Construction of Suspension Bridge at Silirie between Phaibung Khullen & Chingmai Khullen	P. John	1000000

Total Rs. 20,00,000/-

3rd SFCA 2017-18

Sl. No	Name of the Work	Agency	Amount
1	IVR from Phaibung Khullen to Phaibung Khunou	P. John	1000000
2	Construction of additional class room at Shanatsiina Phaibung Khullen	Ng. Ngaorai	1000000

Total Rs. 20,00,000/-

3rd SFCA 2018-19

Sl. No	Name of the Work	Agency	Amount
1	Construction of IVR from Phaibung Khullen to Phaibung Khunou	Tionani Duo	2000000
2	Construction of Medical Dispensary at Phaibung Khullen	Tionani Duo	2000000

Total Rs. 40,00,000/-

3rd SFCA 2019-20

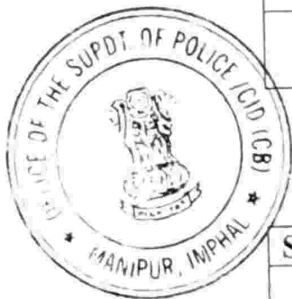
Sl. No	Name of the Work	Agency	Amount
1	Construction of IVR from UTC Road to Phaibung Khullen	D.H. Lao	2000000
2	Additional classroom at Madouna Mathak Sagai UJB School, Phaibung Khullen	D.H. Lao	2000000
3	Check Dam at Zatho, Phaibung Khullen	D.H. Lao	2000000

Total Rs. 60,00,000/-

3rd SFCA 2020-21

Sl. No	Name of the Work	Agency	Amount
1	Construction of Retaining Wall near Lower Phaibung Playground	D.H. Lao	2000000
2	Construction of IVR from UT Road junction to Phaibung Khunou	DD Pearson Duo	2000000

Total Rs. 40,00,000/-



7) During the period of 2015-20 the following Ex-members, the officials of ADC, Senapati and the work agencies were involved in the implementation of work programmes under 14th Finance Commission & 3rd State Finance Commission in respect of 17-Phaibung DCC.

- i) Shri M.L. Markson, the then Chairman for the period from 31.07.2015 to 06.03.2019 (Ex-member of 1-Laii DCC).
- ii) Shri A. Kapani, the Caretaker Chairman for the period from 07.03.2019 till date (Ex-member of 14-Tadubi DCC).
- iii) Shri P. Veini S/o (L) Pani of Phaibung Khullen, Senapati District, Ex-member of 17-Phaibung DCC, Senapati District.
- iv) Shri Rangnamei Rang Peter, IAS S/o Rangnamei Paoshiba of Katomei village, Senapati District, P.O. & P.S. Senapati a/p Luwangsangbam, Imphal East, the then CEO of ADC, Senapati for the period from September 2013 to July 2017 (now Deputy Commissioner, Kamjong District).
- v) Shri Stiff Khapudang MCS S/o Aleng Khapudang of Konkan village, Kamjong District, Manipur, the then CEO of ADC, Senapati for the period from 13.07.2017 to 09.09.2019 and 11.10.2019 to 06.09.2021 (now Additional Deputy Commissioner, Noney District)
- vi) Smt. Regina Hongray, MCS, W/o George Kangung Moram of Mantripukhri, Imphal East, the then CEO of ADC, Senapati for the period from 10.09.2019 to 10.10.2019 (Now Joint Secretary, Works & Finance Deptt.)
- vii) Shri A. Theiba S/o (L) A. Ngaiyo of Yaikongpao village, Senapati District, in-charge Executive Engineer of ADC, Senapati.
- viii) Shri Mutum Shyamsunder Singh S/o (L) M. Jugindro Singh of Kwakeithel Konjeng Leikai, P.S Singjamei, Imphal West District, Section Officer of ADC, Senapati.
- ix) Shri Meivei Duo Kh. S/o Kushei of Phaibung Khullen, P.O & P.S Tadubi (work agency).
- x) Shri R.S. Luckyson S/o Seipaolu of Phaibung Khunou, P.O & P.S Tadubi (work agency).
- xi) Shri D.H. Lao S/o Hralu Lao of Phaibung Khullen, P.O & P.S Tadubi (work agency).
- xii) Shri Chisou S/o Dailu of Phaibung Khullen, P.O & P.S Tadubi (work agency).
- xiii) Shri P. John S/o Pami of Phaibung Khullen, P.O & P.S Tadubi (work agency).
- xiv) Shri Ng. Ngaoni S/o Ngaolu of Phaibung Khullen, P.O & P.S Tadubi (work agency).



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- xv) Smt. Tionani Duo D/o Mercy of Phaibung Khullen, P.O & P.S Tadubi (work agency).
- xvi) Shri D.D. Pearson Duo S/o Dalu of Phaibung Khullen, P.O & P.S Tadubi (work agency).
- 8) A Technical Appraisal team was constituted by an order of the Hon'ble Chairperson, Manipur Lokayukta so as to ascertain as to whether the works have been properly executed or not and also as to how the measurement of the works alleged to have been executed have been entered properly in the Measurement Books. Accordingly, the work sites of 17-Phaibung DCC which were reported to have executed under the 14th FC and 3rd SFCA during the year 2015 to 2020 were inspected at the pointing of Shri Theiba, E.E in-charge and village Chief/village authority and the representatives of the concerned elected members in comparison with the documents viz. MBs, Abstract of Cost/Estimates etc. maintained by the office of ADC, Senapati in respect of the executed works.
- 9) The Technical Appraisal team submitted the inspection report vide letter dated 16.11.2021. The technical inspection report is reproduced as follows:-

Inspection report (17-Phaibung DCC)

Ref:- 5/2020 of Manipur Lokayukta.

7th October, 2021

With reference to the W/T message no.5/ML/DIR(INQ)/2020 dated the 4th October, 2021 from the DIR(INQUIRY), Manipur Lokayukta, a joint inspection was held on 5th October 2021 led by Kh. Duneswor Singh, Inspection and I.O of the case. The joint team comprising of

1. L. Rojendro Singh, E.E DRDA- Bishnupur.
2. Telheiba Konsam, E.E PWD (Thoubal Division).
3. Mr A. Theiba, E.E Senapati District Hill Council.

Then, after inspecting the works taken up, the following observations are made.

:- **17-Phaibung DCC**

14th FCA 2017-18

1. **Name of work:-** Construction of IVR from Phaibung Khullen to paddy field.

- a) Name of Agency:- Mevei Duo Kh.
- b) Sanction amount:- Rs. 20,00,000/-

Report

An old road was pointed out by the E.E ADC during our visit and as per our observation the work done was not commensurate with the sanction amount and no shingling was observed during the visit (photograph enclosed).

2. **Name of work:-** Shingling of road from Phaibung Khullen to Christian compound to Holly Cross School.



[Signature]

- a) Name of Agency:- Meivei Duo Kh.
- b) Sanction amount:- Rs. 10,00,000/-

Report

The present status of the road is not so good. However, work done proof has been found during our visit and if the work was taken up then it is O.K (photograph enclosed).

- 3. **Name of work:-** Construction of IVR from Phaibung Khunou Feikhro.
 - a) Name of Agency:- R.S Luckyson.
 - b) Sanction amount:- Rs. 20,00,000/-

Report

An old dampness road was pointed out by the EE concerned. The average width of the road which measured found to be 5m Ukhrul Tadubi Road as per work list given by Lokayukta. If it was done under this programme then it is O.K (photograph enclosed).

- 4. **Name of work:-** Construction of Public Toilet at Phaibung Khullen.
 - a) Name of Agency:- R.S Luckyson.
 - b) Sanction amount:- Rs. 10,00,000/-

Report

2 rooms an old toilet attached to Phaibung Jr. High School had been pointed out by the EE ADC Senapati by providing brick wall and CGI sheet roofing over wooden trusses. Work done is not matching with the sanction amount also work site may be wrong as it was constructed on the school campus (photograph enclosed).

- 5. **Name of work:-** Construction of Pucca drainage at Phaibung Khullen.
 - a) Name of Agency:- D.H Lao.
 - b) Sanction amount:- Rs. 10,00,000/-

Report

During our visit as pointed out by the villagers as well as EE ADC and Ex-member, the drain constructed by them appear to be short in length and almost the portion was damaged. However, the work done proof was there without matching with the sanction amount and the work is same with the Sl. No.2 of 14th FCA 2018-19 amounting to Rs. 20,00,000/- as reported by them/when enquired by us (photograph enclosed).

- 6. **Name of work:-** Construction of market shed at Phaibung Khullen.
 - a) Name of Agency:- D.H Lao.
 - b) Sanction amount:- Rs. 10,00,000/-

Report

Two photographs have been enclosed as they reported that they have constructed two markets shed such as 1. for butcher and 2. for vegetable market.



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14th FCA 2018-19

1. **Name of work:-** Drain from Phaibung Khullen main road to Holly Cross School.

- a) Name of Agency:- D.H. Lao
- b) Sanction amount:- Rs. 20,00,000/-

Report

As pointed out by the villagers and EE ADC the work is same with the 14th FCA 2017-18 of Sl.No.8 i.e. construction of pucca drain at Phaibung Khullen. The work done is very poor and not commensurate with the sanction amount (same photo).

3rd SFCA 2017-18

1. **Name of work:-** IVR from Phaibung Khullen to Phaibung Khunou.

- a) Name of Agency:- P. John
- b) Sanction amount:- Rs. 10,00,000/-

Report

An old earthen damp road was pointed out during our visit and the work done is not commensurate with the sanction amount as per our observation (enclosed photo).

2. **Name of work:-** Construction of additional class room at Shanatsiina Khullen.

- a) Name of Agency:- Ng. Ngaorai
- b) Sanction amount:- Rs. 10,00,000/-

Report

Very look nice 3(three) rooms school building was pointed out during our visit. However, no signboard/logo was affix on the wall or around the campus of school building (photograph enclosed).

3rd SFCA 2018-19

1. **Name of work:-** Construction of IVR Phaibung Khullen to Phaibung Khunou.

- a) Name of Agency:- Tionani Duo
- b) Sanction amount:- Rs. 20,00,000/-

Report

The work is already included under Sl. No.1 of 3 SFCA 2017-18 and achievement of work done is very poor.

2. **Name of work:-** Construction of Medical Dispensary at Phaibung Khullen.

- a) Name of Agency:- Tionani Duo
- b) Sanction amount:- Rs. 20,00,000/-

Report

3(three) rooms brick walling building have been found constructed in the campus of a school building near the Gate of Phaibung Khullen without ceiling item. If it is constructed for the said purposed then it will be provided



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ceiling and some windows in the rear side (photograph enclosed). No logo/signboard was displayed near the office premises.

3rd SFCA 2019-20

1. **Name of work:-** Construction of IVR from UTC road to Phaibung Khullen.

- a) Name of Agency:- D.H. Lao
- b) Sanction amount:- Rs. 20,00,000/-

Report

An old road simply grass cutting grow on the moorum just look like foot path was pointed out during visit and work done is not commensurate with the sanction amount (photograph enclosed).

2. **Name of work:-** Additional class room at Madouna Mathak Sagai UJB School, Phaibung Khullen.

- a) Name of Agency:- D.H. Lao
- b) Sanction amount:- Rs. 20,00,000/-

Report

Good looks measuring an area of 12.24m x 4.40m and 2.86m height with brick wall was pointed out during our visit. However, no signboard on the wall either a separate board indicating the year of construction and in what scheme it was implemented not displayed on the building etc. (photograph enclosed).

3rd SFCA 2020-21

1. **Name of work:-** Construction of IVR from UT road junction to Phaibung Khunou.

- a) Name of Agency:- D.D Pearson Duo
- b) Sanction amount:- Rs. 20,00,000/-

Report

During our visit an old road was pointed out by the Ex-member, EE-ADC and however, it seems to be an old road as per the work programme it is taken up only during 2020-21 and it will not be constructed during 2020-21 (photo enclosed).

3rd SFCA 2016-17

1. **Name of work:-** Extension of additional class room at Shanatsiina P/S.

- a) Name of Agency:- P. John
- b) Sanction amount:- Rs. 10,00,000/-

Report

Same work was included under 3rd SFCA 2017-18 of Sl. No. 2 and no more extension was seen and no signboard was displayed near the work site indicating year, name of school, constructed under what scheme it was etc.



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14th FCA 2019-20

1. **Name of work:-** Retaining wall near Phaibung Lower Playground.
- a) **Name of Agency:-** D.H Lao
- b) **Sanction amount:-** Rs. 20,00,000/-

Report

During our visit, when we enquire about the work site to EE-ADC and the Ex-member, they reported that the work was not executed. However, as per record the sanction amount was already released, but no work at the site.

3rd SFCA 2020-21

1. **Name of work:-** Construction of retaining wall near Lower Phaibung playground.
- a) **Name of Agency:-** D.H Lao
- b) **Sanction amount:-** Rs. 20,00,000/-

Report

Same work with the Sl. No. 2 of 14th FCA 2019-20 and no work at the site. However, amount was released.

10) The report of the Technical appraisal team can be summarised as follows:-

- i) During the inspection of the work "Medical Dispensary at Phaibung Khullen" under 3rd SFCA, 2018-19 the EE pointed out 3(three) rooms purportedly to have constructed under the work programme. It has been found to have constructed inside the campus of a school building. Further, there is no sign of using the rooms for medical purposes. It may be just an extension of the school class rooms. It is a common view that no educational institute will allow their campuses to be used by other agencies and disturb the academic atmosphere. It may be the work programme under SSA.
- ii) Most of the executed works does not commensurate with the estimated and released amount. In other words, quality of the work has been compromised.
- iii) During the inspection of the work "Construction of Market shed at Phaibung Khullen" under 14th FC, 2017-18, the EE and the Ex-member pointed out two market sheds purportedly to have executed under the said work programme. However, in the estimate prepared for the work and the MB maintained for the work, the work is only for construction of one market shed. As either one of the structure does not commensurate with the sanctioned amount i.e. Rs. 10,00,000/- (Rupees ten lakhs), they have pointed it to the two market sheds.
- iv) There is repetition of works in the work programme. For instance, it was pointed out during the work inspection that the construction of "IVR from Phaibung Khullen to Phaibung Khunou" under 3rd SFCA, 2017-18 and the "IVR from Phaibung Khullen to Phaibung Khunou" under 3rd SFCA, 2018-19 are the same.



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- v) In some cases, the Chairman and the CEO of the related period made payments upto final bills for unexecuted works. In one instance, the Chief of the Phaibung village and Shri Theiba, E.E reported at the time of inspection that both the work of construction of "Retaining wall near Phaibung Lower Playground" under 14th FCA, 2019-20 and "Retaining wall near Lower Phaibung Playground" under 3rd SFCA, 2020-21 are the same repetition of work programme and has not been executed. However, MB was found to have been maintained and work measured and payments upto final bill has been made. Shri Theiba, E.E even though has the knowledge of the unexecuted work, measurements were entered in the MB purportedly to have executed and bills were prepared and encashed.
- vi) Some works are doubtful whether the works has been executed under the said Finance Commissions/fundings as the works which are reported to have executed under older work programmes are found to have recently constructed. For instance, the work "Extension of additional class room at Shanatsiina P/S" under 3rd SFCA, 2016-17 and construction of "additional classroom at Shanatsiina Phaibung Khullen" under 3rd SFCA, 2017-18 which are the same repetition of work programme was found to have constructed recently. There were no signboards or structures to indicate that the work has been executed under the said fundings of the Finance Commission. There is suspicion that the work might have been executed under the fundings of SSA or other such fundings/scheme.
- vii) Work programmes are very confusing as the exact locations of the work sites are not indicated. For instance the work programme just mentioned construction of Public toilet at Phaibung Khullen or IVR from Phaibung Khullen to Phaibung Khunou. It can be constructed anywhere in the vast area of village or collided with other work programmes like works under MLA Local area development fund/MGNREGS etc.



- 11) During the examination of the available MBs as furnished by the office of ADC, Senapati, the following irregularities are found:-

17 - PHAIBUNG KHULLEN DCC

14th FCA 2017-18

Sl. No	Name of the Work	Remarks
1	Construction of IVR from Phaibung Khullen to Paddy Field	No measurement for 1 st R.A bill, measurement for only final bill.
2	Shingling Road from Phaibung Khullen to Christian compound to Holy Cross School	No measurement for 1 st R.A bill, measurement for only final bill.

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3	Construction of IVR from Phaibung Khunou to Feikho	No measurement for 1 st R.A bill, measurement for only final bill.
4	Construction of IVR from Phaibung Lower to Vourei River	No measurement for 1 st R.A bill, measurement for only final bill.
5	Construction of Public Toilet at Phaibung Khullen	No measurement for 1 st R.A bill, measurement for only final bill.
6	Construction of Public Toilet at Phaibung Khunou	No measurement for 1 st R.A bill, measurement for only final bill.
7	Construction of Public Toilet at Phaibung Lower	No measurement for 1 st R.A bill, measurement for only final bill.
8	Construction of Pucca Drainage at Phaibung Khullen	No measurement for 1 st R.A bill, measurement for only final bill.
9	Construction of Market Shed at Phaibung Khullen	No measurement for 1 st R.A bill, measurement for only final bill.

14th FCA 2018-19

Sl. No	Name of the Work	Remarks
1	IVR from Phaibung Khunou to Lower Phaibung	No measurement for final bill.
2	Drain from Phaibung Khullen main road to Holy Cross School	No measurement for final bill.

14th FCA 2019-20

Sl. No	Name of the Work	Remarks
1	IVR from Phaibung Khunou to Vourei	No measurement for final bill, only passing of final bill. Not signed by CEO for passing the bill.
2	Retaining wall near Phaibung Lower Playground	No measurement for final bill, only passing of final bill. Not signed by CEO for passing the bill.

17 – PHAIBUNG KHULLEN DCC**3rd SFCA 2015-16**

Data/ information not furnished by the office of ADC, Senapati.

3rd SFCA 2016-17

Sl. No	Name of the Work	Remarks
1	Extension of Additional Class Room at Shanatsiina P/S	MB not maintained.
2	Construction of Suspension Bridge at Silirie between Phaibung Khullen & Chingmai Khullen	MB not maintained.

3rd SFCA 2017-18

Sl. No	Name of the Work	Remarks
1	IVR from Phaibung Khullen to Phaibung Khunou	Measurement for only 1 st R.A bill.
2	Construction of additional class room at Shanatsiina Phaibung Khullen	MB not maintained.

3rd SFCA 2018-19

Sl. No	Name of the Work	Remarks
1	Construction of IVR from Phaibung Khullen to Phaibung Khunou	No measurement for final bill. Only passing of final bill.
2	Construction of Medical Dispensary at Phaibung Khullen	No measurement for final bill. Only passing of final bill.

3rd SFCA 2019-20

Sl. No	Name of the Work	Remarks
1	Construction of IVR from UTC Road to Phaibung Khullen	No measurement for final bill.
2	Additional classroom at Madouna Mathak Sagai UJB School, Phaibung Khullen	No measurement for final bill.
3	Check Dam at Zatho, Phaibung Khullen	No measurement for final bill.



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3rd SFCA 2020-21

Sl. No	Name of the Work	Remarks
1	Construction of Retaining Wall near Lower Phaibung Playground	No measurement for final bill.
2	Construction of IVR from UT Road junction to Phaibung Khunou	No measurement for final bill.

It can be observed from the above that in some instances, measurements of works of the final bills of the above mentioned works were not entered in the MB. Thus, it is a clear indication that the works are half executed and the final bills were encashed without execution of the remaining work. In most of the cases, MBs were partly maintained i.e. either measurements of only the final R.A bill or final bill is found to have entered. In some cases, entry of passing of final bill is found to have entered without any measurements.

- 12) The Chairman, CEO and engineers neglected the importance of the MB. The section 7.2 of the CPWD works manual is reproduced as follows:-

7.2 Writing of Measurement Book

(1) The measurement book is the basis of all accounts of quantities whether of works done by Contractors or by labourers employed departmentally, or materials received. It should be so written that the transactions are readily traceable.

(2) These books should be considered as very important accounts records and maintained very carefully and accurately as these may have to be produced as evidence in a court of law, if and when required.



- 13) The Engineering Wing of ADC/SPT, Shri A. Theiba, in-charge E.E and M. Shyamsunder Singh, S.O have failed to give technical supervision to the executed works and also failed to conduct work site inspection to verify whether works have been executed or not. They have even not maintained the MBs properly. Items of works which were not executed were found to have entered in the MBs. MBs for most of the works were not maintained. The payments of works of 1st R.A. bill were not even reflected in the MBs whereas passing final bill are reflected. Further, in some cases, final bills were prepared without any measurements which indicate that the bill has been prepared without the execution of the work. Thus, they are also responsible for allowing the works to be executed by the work agencies at their own will.
- 14) Shri M. Shyamsunder stated that he was made to sign on the entries of the MBs for the works he had never inspected. Then, Shri Theiba, in-charge E.E and Shri M. Shyamsunder Singh, S.O of ADC, Senapati have given a free hand to the work agencies. As no technical supervision has been given during the execution of

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works, it has resulted in compromising the quality of the work i.e. non-maintenance of the quality of the work.

- 15) It is a normal practice for the elected members to choose the work agencies who are either his/her family members, relatives or close ones. In the name of the work agencies, the works were executed by the members indirectly under their direction. As such the Chairman and the officials of the ADC, Senapati did not question the genuineness of the completion reports submitted by the said work agencies.
- 16) The elected members prepared the work programmes without considering the ground feasibility i.e. work programme for construction of market shed where there is no need by the villagers, construction of water reservoir where there is no inhabitant, construction of IVR where peoples rarely used the pathway etc. As there is no ground feasibility in the execution of the works, it has resulted in changing of work sites and work programmes without the approval of competent authority. For instance, the work "Construction of Public toilet at Phaibung Khullen" under 14th FC, 2017-18 has been found to have constructed attached to the building of Phaibung Junior High School. They have changed the work sites. As the work programme clearly indicates as "Public toilet", it should be constructed at a public place and not inside a school campus. The engineers have allowed such practices to be carried out by the work agencies.
- 17) The elected member prepared the work programmes in repetition of the works that has been already included in previous year programme. For instance, the work of "Construction of Retaining wall near Phaibung Lower Playground" under 14th FC, 2019-20 and the work "Construction of Retaining wall near Lower Phaibung Playground" under 3rd SFCA, 2020-21 are the same.
- 18) No signboards/any structures as done in work programmes MGNREGS, under PMGSY etc. are there indicating that the work has been executed under the said funding. The public/villagers were kept at dark in ascertaining under which fundings the works are being executed. Even most of the villagers were unaware of the works.
- 19) The elected members being a representative of the people failed to check whether the work programmes proposed by them are executed by the work agencies or not. Instead they kept a closed eye. In other words, it is a clear indication that they are in conspiracy with the work agencies as the work agencies were proposed/nominated by them. In the resolution of the council dated 12.06.2020 for release of 1st instalment to the work agencies, the members also resolve to personally supervise and monitor proper work execution in their respective DCCs. They have forgotten their responsibility.
- 20) The Chairman and the concerned officials of ADC viz- the CEO of the related period and the engineers of the Engineering Wing failed to verify whether the works has been executed or not. The Chairman and the CEO of the related periods made payments for works in which MBs were not maintained and measurements



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not made by the concerned E.E of the Engineering Wing. They just rely on the fictitious completion reports submitted by the work agencies. As most of the work agencies were either family members or close relatives of the members of the DCCs, the Chairman as well as the concerned officials of the ADC rarely questions the genuineness/correctness of the completion reports submitted by the work agencies. Moreover, measurements of unexecuted works were also entered in the MB. One such instance is that, during the work site inspection it was pointed out that the work "Extension of additional class room at Shanatsiina P/S" under 3rd SFCA, 2016-17 is the same with the work "Construction of additional class room at Shanatsiina Phaibung Khullen". No new construction/structures were seen at the work site. However, MBs of both the works were found to have maintained and payments of bill made to the work agencies.

- 21) Bills were passed on the MB without the signature of the CEO. Thus, it is an indication that the MBs were never put up to the Chairman and the CEO for reporting the progress of the work and the amount of works that has been executed. Further, the Chairman and CEO of the related periods made payments to the work agencies on their own.
- 22) The measurement entered/recorded in the MBs has no relevancy with the sanction orders issued by the CEO and payments being made. The Chairman and the CEO made payments to the work agencies in their own. The amounts of bills reflected in the MBs to have been passed has no similarity with the amounts in the sanction orders. In one instances, for the work "Construction of IVR from Phaibung Khullen to Phaibung Khunou" under 3rd SFCA, 2018, an amount of Rs. 7,40,000/- (Rupees seven lakhs) was found to have reflected for passing of final bill in the MB, whereas in the sanction order dated 25.09.2019 issued by Smt. Regina Hongray, MCS, an amount of Rs. 7,76,000/- (Rupees seven lakhs seventy six thousand) was sanctioned for payment. Thus, an excess amount of bill has been paid to the work agency. For the same work, during the passing of 1st R.A bill, an amount of Rs. 12,00,000/- (Rupees twelve lakhs) was reflected to have passed in the MB, whereas in the sanction order dated 06.08.2019 issued by Stiff Khapudang, MCS, an amount of Rs. 11,64,000/- (Rupees eleven lakhs sixty four thousand) has been sanctioned. Thus, there are irregularities in the payment of bills by the office of ADC, Senapati.
- 23) The CEO of the related periods and the Engineers of the Council have made false entries on the MBs. In the MBs, items of works were entered purportedly to have executed as on date and passed bills. Although, it is a known fact that advance payment has been made to the work agencies before execution of the works, the E.E and the CEO of the relevant period made entries on the MBs as if the payment of 1st R.A. bill were made after the execution of the work.
- 24) The work agencies have fraudulently withdrawn money/encashed bills either without execution of works or maintaining quality of the work. They have submitted fictitious completion reports by concealing the fact of non-execution of



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the works/non completion of works or not executing as per the given specification. They were taking the advantage of the nature of the Engineers in which they rarely visit the work sites and failure of the Hon'ble Chairman and the CEO of related periods to verify the claims of completion of the works made by the work agencies. Being the close ones of the members, they were taking the advantage behind the image of the members and have influenced the Chairman as well as the officials of the ADC, Senapati through the elected members. They have violated the agreements with the office of ADC, Senapati to execute the work as per specification.

- 25) Agreements were signed between the work agency and the office of ADC, Senapati even before the work order has been issued. One instance is the signing of agreement for the work "Construction of IVR from Phaibung Khunou to Fukhro" under 14th FC, 2017-18 between the work agency and the office of ADC, Senapati on 14.10.2018. Whereas, the work order for the said work is found to have issued only on 15.10.2018. Such other instances are also there. Thus, there is no authenticity/genuineness in the official documents/records maintained by the office of ADC, Senapati.
- 26) It is provided in the Rule no. 95 and Rule no. 97 of "The Manipur (Hill Areas) District Councils Rules, 1972" that tenders should be called for all works except that are undertaken by the council departmentally and the CPWD codes will be applicable in the works undertaken by the Council.



Rule no. 95 and Rule no. 97 of "The Manipur (Hill Areas) District Councils Rules, 1972" are reproduced as follows:-

95. Tenders: - (1) No tender shall be called for if the work is undertaken by the Council departmentally.

(2) Subject to the provisions of sub-rule (1) no work exceeding Rs. 5,000/- in value shall be allotted except on the basis of tender.

(3) All tenders shall be opened by the Chief Executive Officer or by any other officer authorised by the Council in this behalf and thereafter the tenders shall be accepted by the following authorities :-

(i) Tenders upto Rs. 5,000/- an Assistant Engineer.

(ii) Tenders upto Rs. 50,000/- an Executive Engineer.

(iii) In all other cases, Council with previous approval of the Governor.

(4) Where no tender is received inspite of calls, the work shall be allotted by the Council on the basis of negotiation and with the previous approval of the Governor where the cost exceeds Rs. 50,000/-.

Provided that before invoking this sub-rule tenders shall have been called for at least twice after giving, on each occasion, notice of not less than three weeks.

97. Applications of C.P.W.D. Codes etc. :- *For all other purposes not provided for in the Act or these rules, the provisions of all the codes, Rules and regulations, which are applicable for a work undertaken by the Government of Manipur shall be deemed to be applicable in the case of a work undertaken by the Council.*

The Chairman and the CEO of the related periods in violation of Rule no. 95 of "The Manipur (Hill Areas) District Councils Rules, 1972" have not called for tender of the works. The office of ADC, Senapati have awarded the works to the agencies of their choice (mostly close relatives of the members elected). Thus, other probable successful work agencies were denied of their chance to compete for the work. It has become one of the factors for compromising the quality of the work.

- 27) The Secretariat: Hills Department, Govt. of Manipur had issued OM no. 22/202/2018(Hills) dated 09.11.2018 for regularising/authorising the practice of executing the works under funds granted from the State Fund, State Finance Commission and Central Finance Commission without call of tender. The para no. 4 of the said OM is reproduced as follows:-



4. The Autonomous District Councils as usual, shall have the flexibility to select appropriate Agency/Individual from the local areas through which the work shall be executed under the supervision of respective technical staff of the Councils.

Before the issuance of the said OM dated 09.11.2018, no other OM or notification was there for authorising the office of ADCs to select agency/individual from the local areas and execute the works without the call of tenders.

Thus, the office of ADC, Senapati had been violating the Rule no. 95 of "The Manipur (Hill Areas) District Councils Rules, 1972" for not calling tenders for execution of the works for the periods before the issuance of the said OM dated 09.11.2018. In other words, the office of ADC, Senapati has to follow the Rule no. 95 of "The Manipur (Hill Areas) District Councils Rules, 1972" for the works that were executed before the issuance of the said OM dated 09.11.2018.

- 28) It is observed that during the tenure of Shri Rangnamei Rang Peter, no agreements to execute the work as per the specification and to complete the work in time were signed between the office of ADC and the work agencies. As such, no responsibility was fixed to the work agencies. Thus, it has resulted in the careless execution of works. Moreover, records or documents like MBs, Completion

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reports on the basis of which payments were made could not be produced by the office of ADC, Senapati.

- 29) During the tenure of Shri R. Rang Peter, IAS, two different APRs for payment of bills for the same work are found to have maintained by the office of ADC, Senapati. For instance, during the payment of bill for the work "Construction of Suspension Bridge between Phaibung Khullen to Chingmai Khullen" one APR dated 10.02.2017 and another APR dated 13.02.2017 for receipt of 1st R.A bill is there. Further, one APR dated 20.04.2017 and another APR dated 22.04.2017 for receipt of final bill is there. The same irregularity of maintaining double documents (APRs) for the same purpose is repeated in all the works under 3rd SFCA, 2016-17 in respect of 17-Phaibung DCC. Thus, there is doubt of authenticity/genuineness of the documents furnished by the office of ADC, Senapati.
- 30) Smt. Regina Hongray, MCS, during her tenure as CEO of ADC, Senapati had issued a sanction order dated 25.09.2019 for the work "Construction of Medical Dispensary at Phaibung Khullen" under 3rd SFCA, 2018-19 as final bill and paid to the work agency without verifying the completion report submitted by the work agency. This fact is evident from the statement of Smt. Regina Hongray, MCS in which she stated that MB was not put up to her. In the MB of the same work, the passing of bill is signed by Shri Stiff Khapudang, MCS the then CEO and not Smt. Regina Hongray, MCS the then CEO which is a clear indication that the entries in the MB were made during the later period of Stiff Khapudang, MCS and not during the period of Regina Hongray, MCS. However, the sanction and payments were made by Smt. Regina Hongray, MCS, the then CEO of ADC, Senapati. Thus, payment was made even before the items of works were executed and measured.
- 31) During the tenure of Shri Stiff Khapudang, MCS as CEO, all the works under 14th FC and most of the works under 3rd SFCA were executed and payments made for the said works. As such, most of the above mentioned irregularities were found during his tenure. Over and above all the irregularities mentioned above, he had signed for passing bills on the MB during the period in which Smt. Regina Hongray was assuming the charge of CEO. For instance, for the work "Construction of IVR from Phaibung Khullen to Phaibung Khunou" under 3rd SFCA, 2018-19 passing of bill on the MB was made by Shri Stiff Khapudang, MCS during the period in which he has not assuming the charge of CEO i.e. on 25.09.2019 when Smt. Regina Hongray, MCS was assuming the charge of the CEO.
- 32) During the tenure of Shri Stiff Khapudang, MCS as CEO of ADC, Senapati, payment was made to the work agency lesser than the sanctioned amount of the work bill. One such instance is payment of final bill for the work "Construction of IVR from Phaibung Khullen to Phaibung Khunou" under 3rd SFCA, 2017-18. During the payment of final bill for the said work, an amount of Rs. 5,00,000/- (Rupees five lakhs) only was sanctioned by Shri Stiff Khapudang, MCS vide order dated 30.05.2019. However, the work agency was paid Rs. 4,34,400/- (Rupees



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four lakhs thirty four thousand four hundred) only. Such other case is also during the payment of bill of the work "Construction of additional classroom at Shanatsiina UJB School" under 3rd SFCA, 2017-18. Thus, there is indication of irregular transactions between the officials of the ADC, Senapati and the work agencies.

33) Regarding the implementation of the schemes under the agriculture sector during the year 2015-20, the office of ADC, Senapati adopted the following procedures.

- i) The office of ADC, Senapati have received the following fund allocation for the agriculture sector during the year 2015-20 and a Committee of the Council selected the beneficiaries for giving the financial assistance under the schemes.

Horticulture (State Plan Scheme – Assistance to Small and Marginal Farmers for Increasing Agricultural Production)

Sl. No	Year	Amount Sanctioned	No. of beneficiaries selected	Amount for each beneficiary (Rs.)
1	2015-2016	Rs. 6.00 Lakhs	12	50,000/-
2	2016-2017	Rs. 6.00 Lakhs	6	1,00,000/-
3	2017-2018	Rs. 6.00 Lakhs	12	49,500/-
4	2018-2019	Rs. 6.00 Lakhs	12	49,500/-
5	2019-2020	Rs. 5.40 Lakhs		unutilized

Fishery (Assistance to Pisciculture)

Sl. No	Year	Amount Sanctioned	No. of beneficiaries selected	Amount for each beneficiary (Rs.)
1	2017-2018	Rs. 0.50 Lakhs	10	5,000/-
2	2018-2019	Rs. 1.00 Lakhs	10	10,000/-
3	2019-2020	Rs. 1.00 Lakhs		unutilized

- ii) The beneficiaries for the said schemes/fundings were selected from the DCCs by a Committee in presence of the concerned officials. As the sanctioned amount is very small, beneficiaries could not be selected from all DCCs. It was made on rotational basis.
- iii) The office of the ADC, Senapati made the payments in advance so that the beneficiaries can procure the fishery nets, fish feeds etc. and man power can be engaged for the land development of the agricultural lands.
- iv) The office of ADC, Senapati reported to have reported to have implemented the work programmes under the guidelines issued in respect of the scheme "Assistance to small & marginal for increasing Agriculture Productions".
- v) The office of ADC, Senapati implemented the work programmes under the guidelines of "Assistance to Pisciculturists" scheme.



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- vi) No Agriculture schemes were taken up during the period as no funding were received from the department.

No irregularities are found during the implementation of the schemes.

- 34) The following irregularities/malpractices were found to have been done by the following Ex-members, officials of ADC, Senapati and the concerned work agencies in the implementation of work programmes under 14th FC and 3rd SFCAs during the year 2015-20.

- i) **Shri M.L. Markson, the then Chairman for the period from 31.07.2015 to 06.03.2019 (Ex-member of 1-Laii DCC).**

As a Chairman of the ADC, Senapati, he is responsible for giving approval to the payment of bills for works which have been either never executed or not completed. Being a joint signatory with the CEO for the ADC account, he had made payments to the work agencies for such works. He had misused his official power by making decisions based only on fictitious reports submitted by the work agencies and not on the official records/documents. In spite of his knowledge about the non-execution of the work/uncompleted work or non-maintenance of quality of the work, payments of bills were made to the work agencies.

No call of tender for selecting the work agencies for execution of the work programmes was done before the issuance of OM dated 09.11.2018, thus violating the Rule no. 95 and Rule no. 97 of "The Manipur (Hill Areas) District Council rules, 1972".

- ii) **Shri A. Kapani, the Caretaker Chairman for the period from 07.03.2019 till date (Ex-member of 14-Tadubi DCC).**

As a Chairman of the ADC, Senapati, he is responsible for giving approval to the payment of bills for works which have been either never executed or not completed. Being a joint signatory with the CEO for the ADC account, he had made payments to the work agencies for such works. He had misused his official power by making decisions based only on the fictitious reports submitted by the work agencies and not on the official records/documents. In spite of his knowledge about the non-execution of the work/ uncompleted work or non-maintenance of quality of the work, payments of bills were made to the work agencies.

- iii) **Shri P. Veini, Ex-member of 17-Phaibung DCC.**

He intentionally prepared the work programmes without indicating the exact location of the work sites so that public are confused of the works and can be pointed to any work executed under other funding/schemes. Further, there is repetition of works in the preparation of work programmes.



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Being the elected member of the 17-Phaibung DCC, he had proposed the name of his family members, relatives/close friends as the work agencies for implementation of works under the Finance Commissions so that the works can be executed under his direction. He had left out other probable successful work agencies who can execute the works to the satisfaction of everyone.

Although bound by the resolution of the Council dated 12.06.2020 to personally supervise and monitor proper work implementation, he had failed to act so.

He as well as the Engineers of ADC, Senapati and the work agencies had not identified the works to the public. The public/villagers were kept at dark in ascertaining whether the works has been actually executed under the said Finance Commissions or other fundings. No signboards/structures were used to identify the works or exhibit it to the public.

- iv) **Shri Rangnamei Rang Peter, IAS the then CEO, ADC, Senapati for the period from September 2013 to July 2017 (Now Deputy Commissioner, Kamjong District).**

During his tenure as CEO of the ADC, Senapati, he had not signed any agreements with the work agencies for execution of the works as per specification. The failure to bind the work agencies under the agreement has resulted in executing the works at their own will i.e. either not executing the work or not maintaining the quality of the work.

He had put up files to the Chairman for passing bills for payment to the work agencies by overlooking his official capacity to verify the completion reports submitted by the work agencies. He had never relied on the official records/documents for passing the bills. The MB which is a very important record book of works was never relied upon.

Being a joint signatory with the Chairman of ADC, Senapati for the ADC account, he had made payments to the work agencies. He had misused his official power by making decisions based only on the reports submitted by the work agencies and not on the official records/documents. In spite of his knowledge about the non-execution of the work/uncompleted works or non-maintenance of quality of the work, payments of bills were made to the work agencies. His act has encouraged the work agencies to submit their fictitious reports.

As most of the documents/records of his tenure are untraceable, there is suspicion that implementation of works under the 3rd SFCA were done only on table and the funds were fraudulently withdrawn.

No call of tender for selecting the work agencies for execution of the work programmes was done before the issuance of OM dated 09.11.2018,



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thus violating the Rule no. 95 and Rule no. 97 of "The Manipur (Hill Areas) District Council rules, 1972".

During his tenure, maintenance of double records of documents viz. APRs for the same work were found which indicates that there is no authenticity/genuineness of the official records.

- v) **Shri Stiff Khapudang, MCS, the then CEO, ADC, Senapati for the period from 13.07.2017 to 09.09.2019 and 11.10.2019 to 06.09.2021 (Now Additional Deputy Commissioner, Noney District).**

During his tenure as CEO of the ADC, Senapati he had put up files to the Chairman for passing bills for payment to the work agencies by overlooking his official capacity to verify the completion reports submitted by the work agencies. He had never relied on the official records/documents for passing the bills. The MB which is a very important record book of works was never relied upon.

Being a joint signatory with the Chairman of ADC, Senapati for the ADC account, he had made payments to the work agencies. He had misused his official power by making decisions based only on the reports submitted by the work agencies and not on the official records/documents. In spite of his knowledge about the non-execution of the work/uncompleted works or non-maintenance of quality of the work, payments of bills were made to the work agencies. His act has encouraged the work agencies to submit their fictitious reports.

His act of signing on documents as CEO for the period in which he is not assuming the charge of CEO creates doubtfulness/suspicion of the authenticity of the documents/records maintained at the office of ADC, Senapati.

No call of tender for selecting the work agencies for execution of the work programmes was done before the issuance of OM dated 09.11.2018, thus violating the Rule no. 95 and Rule no. 97 of "The Manipur (Hill Areas) District Council rules, 1972".

He made deductions from the sanctioned amount during the payment of bills to the work agencies for unexplained reasons indicating irregular transactions between the officials of ADC, Senapati and the work agencies.

- vi) **Smt. Regina Hongray, MCS, the then CEO, ADC, Senapati for the period from 10.09.2019 to 10.10.2019 (Now Joint Secretary, Works & Finance Deptt.)**

During her tenure as CEO of the ADC, Senapati, she had put up files to the Chairman for passing bills for payment to the work agencies by overlooking her official capacity to verify the completion reports submitted



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by the work agencies. She had never relied on the official records/documents for passing the bills. The MB which is a very important record book of works was never relied upon. She had misused her official power by making decisions based on the unofficial records. Her act has encouraged the work agencies to submit their fictitious reports.

vii) **Shri A. Theiba, in-charge Executive Engineer of ADC, Senapati.**

Shri A. Theiba, in-charge E.E had failed to maintain the MBs of most of the works. He had entered/reflected the measurements of items of works erroneously in the MBs without visiting the work sites. Measurements of unexecuted works/uncompleted works were entered in the MBs as to have completed as per specification so that bills can be prepared. Bills were prepared based on the fictitious measurements of works. He had failed to verify the completion reports submitted by the work agencies by visiting the work sites. He had made his subordinate staff namely Shri M. Shyamsunder, S.O to sign on the MBs of the work in which he had never visited. He had failed to give technical supervision of the works. He had certified on the MB even for the unexecuted/uncompleted works that the works are executed as per the specification.



Moreover, he has failed to make the elected members and the work agencies to identify the works to the public. The public/villagers were kept at dark in ascertaining whether the works has been actually executed under the said Finance Commissions or other fundings. No signboards/structures were used to identify the works or exhibit it to the public.

viii) **Shri M. Shyamsunder, Section Officer (work-charge) of ADC, Senapati.**

Being a Section Officer and as provided under CPWD manual, he is duty bound to visit the work sites, enter the measurements of the items of works executed, maintain quality of the work and report every development to his senior officer. He had failed to give technical supervision of the works. However, he had entered the measurements of the works on table without visiting the sites. Measurements of unexecuted works/uncompleted works were entered in the MBs as to have completed. Bills were prepared based on the fictitious measurements of works. Verifications of the completion reports submitted by the work agencies were not done. He had certified on the MB even for the unexecuted/uncompleted works that the works were executed as per specification.

Moreover, he has failed to make the elected members and the work agencies to identify the works to the public. The public/villagers were kept at dark in ascertaining whether the works has been actually executed under the said Finance Commissions or other fundings. No signboards/structures were used to identify the works or exhibit it to the public.

Amh

ix) Work agencies

- a) Shri Meivei Duo Kh. S/o Kushei of Phaibung Khullen, Senapati District (work agency).
- b) Shri R.S. Luckyson S/o Seipaolu of Phaibung Khunou, Senapati District (work agency).
- c) Shri D.H. Lao S/o Hralu Lao of Phaibung Khullen, Senapati District (work agency).
- d) Shri Chisou S/o Dailu of Phaibung Khullen, Senapati District (work agency).
- e) Shri P. John S/o Pami of Phaibung Khullen, Senapati District (work agency).
- f) Shri Ng. Ngaoni S/o Ngaolu of Phaibung Khullen, Senapati District (work agency).
- g) Smt. Tionani Duo D/o Mercy of Phaibung Khullen, Senapati District (work agency).
- h) Shri D.D. Pearson Duo S/o Dalu of Phaibung Khullen, Senapati District (work agency).

The above work agencies submitted reports of the unexecuted works/uncompleted works as completed. They have violated their agreements with the office of ADC, Senapati to execute the works as per the specification. They have submitted fictitious completion reports by concealing the fact of non-execution of the works/non completion of works or not executing as per the given specification. They were taking the advantage of the nature of the Engineers in which they rarely visit the work sites and failure of the Hon'ble Chairman and the CEO of related periods to verify the claims of completion of the works made by them. Being the close ones of the members, they were taking the advantage behind the image of the members. The above mentioned agencies have influenced the Chairman as well as the officials of the ADC/Senapati through their elected members and have fraudulently withdrawn the amounts of money earmarked for the work under 14th FC and 3rd SFCA during the year 2015-20 through their fictitious reports either without execution of works/non completion of works or maintaining quality of the work.



- 35) From the letter no. SADC/RTI-2021 dated 21.12.2021 of the CEO, Senapati, and the written comment of Shri R. Rang Peter, IAS, it was ascertained that the construction of Teacher's Quarter Barrack Type at 17-Phaibung DCC is under the fundings of SPA and not under the 13th FC.
- 36) As the execution of works under 15th FC has not been completed and no payments have been made during the initiation of the inquiry, the examination of the implementation of works under 15th FC has been left out.
- 37) The work agencies as well as the beneficiaries of the agricultural schemes were informed through OC/Tadubi PS by WT.MSG to appear at the office of Manipur

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Lokayukta for examination in connection with case and record their statements. However, they failed to appear.

38) Written comments on the allegations made and the available documents were called from the competent authority and the respondents under Section 20(2) of Manipur Lokayukta Act. Shri R. Rang Peter, IAS only submitted his comment within the stipulated time. The ex-members and Shri Stiff Khapudang, MCS, submitted their comments after the stipulated time lapses. The competent authorities and other respondents failed to submit their comments. Instead the respondents requested for extension of the submission period. However, as the inquiry is time bound, the present inquiry report has been prepared without their comments.

39) The act of the following Ex-members, officials of ADC, Senapati and the work agencies namely:-

- 1) Shri M.L Markson S/o Late Lakho of Laii Village, Paomata Tadubi Block, Senapati District, the then Chairman for the period from 31.07.2015 to 06.03.2019 (Ex-member of 1-Laii DCC)
- 2) Shri A. Kapani S/o Th. Ashikho of Chakumai, Mao Maram Tadubi block, Senapati District, the Caretaker Chairman for the period from 07.03.2019 till date (Ex-member of 14-Tadubi DCC).
- 3) Shri P. Veini S/o (L) Pani of Phaibung Khullen, Senapati District, Ex-member of 17-Phaibung DCC, Senapati District.
- 4) Shri Rangnamei Rang Peter, IAS S/o Rangnamei Paoshiba of Katomei village, Senapati District, P.O. & P.S. Senapati a/p Luwangsangbam, Imphal East, the then CEO of ADC, Senapati for the period from September 2013 to July 2017 (now Deputy Commissioner, Kamjong District).
- 5) Shri Stiff Khapudang MCS S/o Aleng Khapudang of Konkan village, Kamjong District, Manipur, the then CEO of ADC, Senapati for the period from 13.07.2017 to 09.09.2019 and 11.10.2019 to 06.09.2021 (now Additional Deputy Commissioner, Noney District)
- 6) Smt. Regina Hongray, MCS, W/o George Kangung Moram of Mantripukhri, Imphal East, the then CEO of ADC, Senapati for the period from 10.09.2019 to 10.10.2019 (Now Joint Secretary, Works & Finance Deptt.)
- 7) Shri A. Theiba S/o (L) A. Ngaiyo of Yaikongpao village, Senapati District, in-charge Executive Engineer of ADC, Senapati.
- 8) Shri Mutum Shyamsunder Singh S/o (L) M. Jugindro Singh of Kwakeithel Konjeng Leikai, P.S Singjamei, Imphal West District, Section Officer of ADC, Senapati.
- 9) Shri Meivei Duo Kh. S/o Kushei of Phaibung Khullen, Senapati District (work agency).
- 10) Shri R.S. Luckyson S/o Seipaolu of Phaibung Khunou, Senapati District (work agency).



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- 11) Shri D.H. Lao S/o Hralu Lao of Phaibung Khullen, Senapati District (work agency).
- 12) Shri Chisou S/o Dailu of Phaibung Khullen, Senapati District (work agency).
- 13) Shri P. John S/o Pami of Phaibung Khullen, Senapati District (work agency).
- 14) Shri Ng. Ngaoni S/o Ngaolu of Phaibung Khullen, Senapati District (work agency).
- 15) Smt. Tionani Duo D/o Mercy of Phaibung Khullen, Senapati District (work agency).
- 16) Shri D.D. Pearson Duo S/o Dalu of Phaibung Khullen, Senapati District (work agency).

have resulted in fraudulent withdrawal of the funds released for works under 14th Finance Commission and 3rd State Finance Commission Award during the year 2015-20 either without executing the works/partly executing the work/executing works not under the work programme or not maintaining the quality of the work i.e. not as per specification.

In addition to the above accused persons, as per the Manipur Lokayukta order dated 18/09/2023 passed in Complaint Case No. 5 of 2020 (Para 27),

- 1) Shri R.A Ransing, MSS, Under Secretary (TA&H), (now Deputy Secretary), Govt. of Manipur.
 - 2) Shri Letkhogin Haokip, IAS (now Rtd.) and the then ACS of the Department of Tribal affairs & Hills, Government of Manipur.
 - 3) Shri N. Kayisii (now MLA from Tadubi AC), the then Minister for Department of TA&H. Govt. of Manipur.
- are also charged under the same provisions of law.

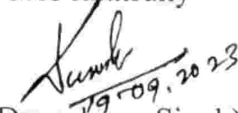
- 40) Thus, the above mentioned Chairman/Caretaker Chairman/Ex-Members/officials of the Autonomous District Council, Senapati and the work agencies were responsible for the misappropriation of the development funds released under the 14th Finance Commission and 3rd State Finance Commission Award in respect of 17-Phaibung DCC during the year 2015-20.
- 41) In view of the above facts and circumstances, a prima-facie evidence is well established against the above noted persons for committing offences punishable u/s 7(b)/13 PC (Amendment) Act, 2018 & 120-B/34 IPC.

It is, therefore, requested to register a regular case against the accused persons mentioned above for investigation.

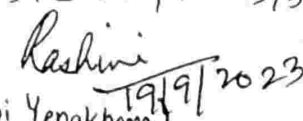
Enclosed:- Inquiry report of case no. 5 of 2020.

Dated:- 19th Sept. 2023.

Yours faithfully


(Kh. Duneswor Singh)
Inspector/Inquiry Wing
Manipur Lokayukta

This report along with Inquiry Case No. 5 of 2020 of Manipur Lokayukta in 2(two) spiral binding books/ Volume I & II are treated as an O.E of Case FIR No. 5(09)2023 CB-PS U/S 7(b)/13 PC Act & 120-B/34 IPC.


(Dr. Rashini Yengkhom)
Supdt. of Police/CID(CB), Manipur
(OC/CB PS, Manipur)

Superintendent of Police/CID(CB).
Manipur, Imphal

