



MIZORAM LOKAYUKTA
(Constituted under the Mizoram Lokayukta Act, 2014)

Case No. MLC 23/2020

In the matter of:

Er. Rustom Chakma,
President,
United Chakma Alliance

: Petitioner/Complainant

Versus

Pu S. Kaptluanga,
SDO, Chawngte (C)

: Respondent/Opp. Party

ORDER

Date 24.3.2023

1. A brief summary of the case is that a complaint petition in re: Request to investigate on mass embezzlement of MGNREGA funds by SDO (C), Chawngte Sub-Division, Mr. S Kaptluanga was submitted by the petitioner/complainant to the Chief Vigilance Officer, Government of Mizoram on 21.10.2020.

2. The Under Secretary to the Government of Mizoram, Vigilance Department vide Memo No.C.31016/112/2020-VIG dt. 17.11.2020 convey Government approval to conduct Preliminary Enquiry as per section 17A (1) (b) of the Prevention of Corruption Act, 1988. Accordingly vide Order No.ACB/CON-22/2020/147 dt. 19th Nov. 2020 ACB Preliminary Enquiry No.8/2020 Dt. 19.11.2020 was registered and Inspector George Lalhmingzauva Chinzah, ACB was appointed as Enquiry Officer to conduct Preliminary Enquiry.

3. According to the Complaint, there were a high level of corruptions committed by Mr. S. Kaptluanga relating to works/projects executed under MGNREGA. These were projects executed in Borapansury-I and II villages such as (1) construction of WBM Bouldering at New Market area Borapansury-II amounting to Rs. 9.01 lakhs. **Allegation: Works for the same is not executed so far and material purchased shown on MGNREGA report were never received/Utilized for the said purpose.**

(2) Construction of side drain from Hema Ranjan residence to River Borapansury-II amounting to Rs. 4.48 lakhs. **Allegation: Side drain measuring approx. 5.0 metre was only constructed and doesn't commensurate with the work order and the amount sanctioned.** (3) Construction of link Road from BRTF road to Ganesh Chandra WRC Land, Borapansury-II amounting to Rs. 36.65 lakhs. **Allegation : Material Purchased shown in the MGNREGA report were neither received nor utilized for the specified purpose.** (4) Construction of PCC Pavement of internal Road Borapansury-II amounting to Rs. 0.96 lakhs. **Allegation : Work for the same is not executed & material purchased shown were neither received nor utilized for the determined work.** (5) Construction of R. Wall below Borapansury-I PHC amounting to Rs. 4.02 lakhs. **Allegation: Work for the same is not executed so far and material purchased shown on MGNREGA report were never received/Utilized for the said purpose.** (6) Construction of PCC pavement of internal road Borapansury-I amounting to Rs. 1.34 lakhs. **Allegation: Work for the same is not executed & material purchased shown were neither received nor utilized.** (7) Construction of PCC pavement Borapansury-I amounting to Rs. 3.50 lakhs. The complaint stated that these malpractices were detected by the Village Level Joint Spot Verification Committee of Borapansury –I and II. **Allegation: Work for the same is not executed & material purchased shown were neither received nor utilized.**

4. In the meantime the Mizoram Lokayukta in exercise of the powers conferred u/s 19 of the Mizoram Lokayukta Act, 2014 by its Order dated 6th Nov., 2020 directed the ACB to conduct Preliminary Enquiry and submitted its reports u/s 19 (2) of the Act. In the meantime Mr. Rustom Chakma, the complainant stated in his letter dt.25.1.2021 addressed to the CEO, Directorate of Election, Mizoram that due to his submission of complaint, Mr. S. Kaptluanga who is AERO of 36 Tuichawng constituency deleted his name from the Electoral Roll as vendetta and request to take action against him.

5. The Enquiry Officer visited the POs, examined the complainant and other individuals and also officials of the office of BDO Chawngte and recorded their statements. Documents pertaining to the complaints were also collected and clarifications was also sought from Secretary to the Government of Mizoram, Rural Development Department, Government of Mizoram. After examination of the said persons and documents as stated above and visit of the POs, the Enquiry Officer concluded that allegations levelled by Mr. Rustom Chakma against Mr. S. Kaptluanga then BDO Chawngte cannot be substantiated and there is no need for further investigation.

The Sr. SP, ACB submitted report of the said Preliminary Enquiry to the Hon'ble Chairperson, Mizoram Lokayukta vide letter No.ACB. PE.No.8/2020/252 dt. 17.1.2023 and on perusal, the Lokayukta sought certain clarification by its letter dt. 16th Feb., 2023 which was responded by the ACB vide their letter dated 9th March, 2023. Again the Lokayukta sought further clarification vide its letter dt. 13th March, 2023 which was responded vide letter dated 17th March, 2023.

The Lokayukta considers the report and perused materials available on record. Since the Enquiry Officer concluded that there is no merit in the allegations and need no further investigations and on further queries by the Lokayukta the ACB could not provide any iota of evidence pointing malpractices in the projects/works, the Lokayukta decided that further investigation may not be required in respect of this petition.

Accordingly, in terms of section 19(3) (c) of the Mizoram Lokayukta Act, I considered the facts and circumstances of the case and I hereby decided to close the case. Accordingly, the case stand closed.



(C. LALSAWTA)
Chairperson