



MIZORAM LOKAYUKTA

(Constituted under the Mizoram Lokayukta Act, 2014)

Case No. MLC- 35/2021

In the matter of:

1. **Pi J. Lalramchhani,**
Lenchim,
Saitual District., Mizoram : Petitioner/Complainant

Versus

1. **Pu C. Lalpeksanga,**
Mission Veng near Aizawl City Hospital,
Aizawl, Mizoram : Respondent/OP
2. **J.H. Lalhrezuali,**
Saitual Venglai, Saitual. : Respondent/OP
3. **C. Lianzama,**
Keifang Venghlui : Respondent/OP
4. **Malsawmkima.**
Saitual Dawrkawn. : Respondent/OP

ORDER

Date: 12.6.2023

1. A complaint dated 4th March, 2021 was submitted to the Mizoram Lokayukta by Mrs. J. Lalramchhani who stated that her house located at Lenchim village in Saitual District was damaged by a storm in the month of April, 2019. She stated that she was expecting a compensation amounting to Rs. 1,01,900/- from State Disaster Response Fund (SDRF) from DC Office Saitual as she came to know of the existence of such sanction in her name. However, the said award has been taken by some unknown person by forging her signature on 5th Dec., 2019. She further stated that despite her repeated attempts to get the award from DC Office Saitual, all her attempts were futile and being desperate, she approached the Mizoram Lokayukta.

2. On perusal of the complaint, the Lokayukta sought clarifications from the DC Office, Saitual vide letter No. C. 13019/1/2020-ML dt. 16th March, 2021 and Reminder was sent vide letter No.C.13019/1/2020-ML dt. 23rd Aug., 2021. The Deputy Commissioner, Saitual responded vide letter No.A.44015/2/2020-DC(STL) dt. 1st Sept., 2021 stating that the complainant Mrs. J. Lalramchhani was already compensated by the DC Office Aizawl and since double payment of compensation is against SDRF norms, he requested to dispose of the case. Further communication from DC Saitual was received vide letter No.A.44015/2/2020-DC(STL)/Vol-II/313 dt. 21st Jan., 2022 and comments was sought from the complainant which was received on 20th May, 2022. On scrutiny of all materials available on records, the Lokayukta decides to conduct Preliminary Enquiry by its Order dated 13th June, 2022 and directed the Anti Corruption Bureau, Mizoram, for the purpose. The ACB submitted report of Preliminary Enquiry on 27th Feb., 2023. The Lokayukta sought certain clarifications by its letter dated 6th March, 2023 which was responded by the Director ACB vide letter No.ACB/PE No.1/2022/305 dt. 27th March, 2023. The PE Report can be summed up as follows-

i) The Enquiry revealed that Pu C. Lalpeksanga, the then DC, Saitual District issued fictitious sanction order amounting to Rs. 5 lakhs as a calamity relief to 5(five) victims, but, in reality it was prepared and meant for renovation of DC Saitual Bungalow. The matter was not informed to the victims but it was later known by the complainant and the victims.

ii) Pu C. Lalpeksanga, during his tenure as DC, Saitual District, prepared fictitious calamity relief sanction order amounting to Rs. 5 lakhs for renovation of DC Saitual Bungalow. The amount was expected to be recovered / reimbursed from Rs. 15 (fifteen) lakhs which was sought from GAD, Mizoram Secretariat. But before receiving sanction from GAD, Mizoram, he was transferred to other post. Later, he came to know the matter from newspaper that the victim/complainant submitted a complaint and subsequently he deposited Rs. 5 lakhs to the SDRF account of DC Saitual Office from his private account through cheque probably to avoid unnecessary complication of the matter. According to Mrs. J.H. Lalhrezuali, UDC cum Cashier, an amount of Rs. 15 (Fifteen) lakhs as SDRF from the Government was not received by the DC Office, Saitual.

3. In compliance with the provision of Section 25(2) of the Mizoram Lokayukta Act, 2014, opportunity of being heard was afforded to the respondents on 19th April, 2023 at 11:00 a.m. From the DC Office, Saitual, Pi Margaret Lalrinawmi

Fanai, Addl. DC and Dr. Albert Vanlalruata, SDC were present. Inspr. Jerry Lalrinsanga, ACB, Mr.J.C.Lalnunsanga, Spl.PP, Mizoram Lokayukta and B. Lalramhnemi, Advocate, appeared on behalf of the respondents. As prayed by the respondents, a time for submission of written statements was given till 15th May, 2023. Accordingly, written statements were submitted by the respondents No. 1 to 4 on 15th May, 2023 by Mr. Victor L. Ralte, their Counsel. The respondents unequivocally admitted the malpractices as reported by the complainant and as revealed by the PE. In fact, the whole transaction clearly amounts to misappropriation of funds, abuse of power, cheating, forgery, etc. attracting various penal provisions of the Prevention of Corruption Act, 1988 and the Indian Penal Code, 1860. However, as fervently prayed by the respondents and as suggested by the ACB, the Lokayukta

ORDERED

that in consideration of the whole transaction which entails a technical lapse and that there appears no mens rea in the said sanction which was done towards renovation of the building of the DC Office, Saitual, which is not in the interest of a particular person and also purely in consideration on humanitarian grounds and that the respondents are now retired from service of the Government or on the verge of retirement, further proceeding of criminal nature is hereby closed with immediate effect. In the alternative, the Lokayukta recommends drawing Disciplinary Proceedings against the four respondents by the Competent Authority in the Government of Mizoram.

Sd/-C. LALSAWTA
Chairperson
Mizoram Lokayukta

Memo No. C.13017/35/2021-ML

:

Dated Aizawl, the 12th June, 2023

Copy for information to:

1. The PS to Chairperson, Mizoram Lokayukta
2. The Under Secretary, Vigilance Department, Aizawl, Mizoram
3. The Director, Anti Corruption Bureau, Aizawl
4. The Deputy Commissioner, Saitual District, Saitual
5. Pi J. Lalramchhani, Lenchim, Saitual District-796261 Ph: 8414959027
6. Pu C. Lalpeksanga, Mission Veng near Aizawl City Hospital, Aizawl. Ph:- 9436153867
7. J.H. Lalhrezuali, Saitual Venglai, Saitual. Ph :- 9862360595
8. C. Lianzama, Keifang Venghlui. Ph:-7629970811
9. Malsawmkima, Saitual Dawrkawn. Ph:- 9612514026
10. Guard File



(R. LALTHARLIANA)
Assistant Registrar
Mizoram Lokayukta