



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

**Case No. MLC- 24/2020**

In the matter of:

1. Pu H.C. Lalthakima  
Chairman, All NGO- N. Vanlaiphai,  
N. Vanlaiphai, Serchhip District : Petitioner/Complainant
2. Pu K. Lalroluahpuia  
Secretary, All NGO- N. Vanlaiphai,  
N. Vanlaiphai, Serchhip District : Petitioner/Complainant

**Versus**

1. Pu T.C. Zoremawia  
Former VCP cum N.Vanlaiphai College Managing Board Chairman,  
N. Vanlaiphai, Serchhip District : Respondent/OP
2. Pu Lalhmingsanga  
Former VC Vice-President cum N.Vanlaiphai College Managing Board Treasurer,  
N. Vanlaiphai, Serchhip District : Respondent/OP

**ORDER**

Date: 4.8.2023

A brief history of the case is that a complaint petition dt.25.11.2020 regarding alleged misappropriation of fund for the establishment of N. Vanlaiphai College was lodged before the Mizoram Lokayukta by Pu H.C. Lalthakima, Chairman, All NGO, N. Vanlaiphai and Pu K. Lalroluahpuia, Secretary, All NGO, N. Vanlaiphai. After examining the complaint, the Lokayukta registered the case as MLC-24/2020 and directed Anti-Corruption Bureau (ACB), Mizoram to conduct Preliminary Enquiry (PE) by passing Order dt.18.12.2020. Thus, ACB

conducted PE and submitted the Report to the Lokayukta on 25.8.2021. The Mizoram Lokayukta, on scrutinizing the Report and documents, sent a letter dt.24.9.2021 to the Director, ACB seeking clarifications and more information. The required information was submitted to Mizoram Lokayukta vide Memo No. ACB/PE No.1/2021/57 dt. 11.4.2022.

2. The main points of findings based on the enquiries are as follows:
  - i. The Gram Shabha (public) meeting of N. Vanlaiphai decided to deduct certain amount of money since August, 2015 from MGNREGS sanction money. After the Village Council election in 2020, the former Village Council members handed over only ₹8,60,000/- to the new elected Village Council members. It was suspected that there might be embezzlement of public money in the N. Vanlaiphai College Managing Board Fund.
  - ii. The enquiry and scrutiny of bank account indicate that ₹24,92,969/- was credited in the N. Vanlaiphai College Managing Board bank account in which ₹8,27,000 was VC Fund which was credited by the Board Treasurer-cum-VC Vice President, while his VC colleagues were on tour. Hence, the total fund deposited for N. Vanlaiphai College Managing Board Fund was ₹16,65,969/-, out of which ₹7,80,000/- only was reportedly credited amount from VC Members who borrowed College Fund. The total Saving Bank Interest was ₹25,969/-. The remaining ₹8,60,000/- was reportedly the actual fund deposited in the account for N. Vanlaiphai College Managing Board Fund.
  - iii. N. Vanlaiphai College Managing Board Chairman and Treasurer managed the College Board fund without maintaining records. As per the College Board Bank Pass Book and as per statement of Pu Lalhmingsanga, the amount credited in the College Bank account was ₹8,60,000/- .
3. The information provided by the ACB based on clarifications sought by the Lokayukta are as follows:
  - i. MNREGA wage component work orders from 2015-2020 were collected from the concerned BDO. But the amount of donation made by each job card holder could not be ascertained as the College managing Board did not maintain any cash book.
  - ii. As per the statement provided by ACB, Pu TC Zoremawia had borrowed ₹2,00,000/- from the College fund by withdrawing ₹15,000/- using the account of T. Zairemmawii. He also transferred ₹50,000/- to T.C. Zosangliani's account, and the rest ₹1,35,000/- was borrowed in cash from the Board Treasurer. He further stated that he repaid his borrowings by transferring ₹1,50,000/- on 1.9.2020 and ₹50,000/- on 3.9.2020 to the College account.
  - iii. As per information provided by ACB, Pu Lalhmingsanga stated that on 15.9.2017, he borrowed ₹12,953/- of College Fund and transferred to his account for liquidation of his loan from N. Vanlaiphai College Management Board account.

- iv. As per the statement of Pu Lalhminganga, the College fund was borrowed by his VC colleagues. He also transferred ₹50,000/- on 25.9.2017 and ₹10,000/- on 23.3.2018 from the College Account to his personal account. In addition to this, he transferred ₹8,000/- on 25.6.2018 and ₹6,000/- on 20.8.2018 from the College Account to his son's account. He then withdrew ₹2,73,047/- from the College Account to borrow the sum. Pu Lalhminganga further stated that he repaid ₹3,12,576/- of his borrowings by transferring the amount to the College Account.
- v. According to ACB, the source of fund was only from MGNREGS and the account was mixed up with VC Fund.
- vi. As per information provided by ACB, Board Treasurer Pu Lalhminganga could not clarify the credit transaction of ₹8,60,000/- which they borrowed from College Fund as they did not maintain cash book.

4. As per the provision of Section 19(3) of the Mizoram Lokayukta Act, 2014, opportunities of being heard was afforded to the parties concerned on 7.6.2022 vide Order No. C/13017/24/2020-ML dated 13.5.2022 and hearing was held in Court Room No. 1 of Mizoram Lokayukta. The Enquiry Officer Pu R. Lalnunmawia, Deputy SP, ACB was present. All parties were present and heard.

5. During hearing, the complainants stated the main reason for lodging the complaint. They further stated that without maintaining separate records for Village Council Fund and College Fund, the respondents lent money to individuals. And that the money/funds collected for construction of College could have been mismanaged and misappropriated by the respondents. The respondents stated that they have submitted their deposition to the Enquiry Officer which is available on record. The respondents in their defense stated that they did not misappropriate any money and have no monetary benefits and all the transaction could be seen in the passbook. They stated that it was a genuine mistake on their part for not maintaining separate accounts and that there was no ill intention for any misappropriation of money. The transactions of VC fund to individual account have already been repaid. It was also pointed out that if there is a dereliction of duty, the people and the whole village will suffer such consequences. The Enquiry Officer stated that if VC fund and MGNREGS fund was maintained separately, any mismanagement or misappropriation could have been easily traced.

6. Therefore, the Lokayukta directed the Anti-Corruption Bureau (ACB) to conduct Full Investigation by passing Order dt.7.6.2022. In pursuance of the said Order, the ACB conducted Full Investigation and submitted the Report to the Lokayukta on 21.7.2023.

7. During the course of investigation, the Investigating Officer visited the PO i.e. North Vanlaiphai and East Lungdar and seized relevant documents. He also seized relevant Documents from the office of the Block Development Officer Office (BDO) East Lungdar.

8. During the course of investigation, requisition letter to the Chief Manager, Mizoram Rural Bank for the statement of North Vanlaiphai College Managing Board bank account was sent and the statement sought by IO was also received during the stipulated time, the analysis of the fund credited and withdrawn into the bank account of North Vanlaiphai College Managing Board as per the statement of alleged accused, witnesses, Bank Pass book and statement of Bank account are as follows:-

SUMMARY OF NORTH VANLAI PHAI COLLEGE BANK ACCOUNT Vide NO.

A/C No.97005269490

Dr			Cr		
Sl. No.	Particulars	Amount	Sl. No.	Particulars	Amount
1	Opening balance	Nil	1	Opening balance	Nil
2	VC Fund deposited	8,27,000	2	Withdrawn from bank ( VC fund deposited into the College bank Account being withdrawn)	8,27,000
3	Aggregated college fund deposited	8,60,000	3	Withdrawn from bank ( college fund borrowed by VC member N. Vanlaiphai	7,80,000
4	Interest credited	25,969	4		
5	Deposited By VCs (being repayment of borrowed money)	7,80,000	5	<b>(closing balance (to be handed over to new VCs)</b>	<b>8,85,969</b>
	<b>Total</b>	<b>24,92,969</b>			<b>24,92,969</b>

From the analysis of above summary of the North Vanlaiphai College Managing Board Bank account, it is clear that

- (1) VC Fund of ₹8,27,000/- (Rupees Eight Lakhs, twenty seven thousand) only was wrongly credited into the account College Managing Board account.
- (2) Total fund deposited for the College Managing Board was ₹8,60,000/- (Rupees Eight Lakhs, sixty thousand) only.
- (3) Total interest credited into the account of College Managing Board account was ₹ 25,969/-.
- (4) Total repayment of fund/money and deposited into the account of College Managing Board account which they borrowed from College Managing Board fund/Money was ₹7,80,000/-.

(5) After deducting the Village Council Fund, borrowed money from college fund, the remaining balance which is to be handed to the new Village Council (2020-2025) was ₹ 8,85,969/- (Rupees eight lakhs eighty five thousand nine hundred and sixty nine) only.

9. During the course of investigation, the IO visited the Place of occurrence (i.e. North Vanlaiphai and East Lungdar) and inspected the work constructed by the North Vanlaiphai Village Council from the MGNREGS wages component fund, took the photographs. Examined and recorded the statement of the alleged accused and witnesses. From the statement of accused persons and the witnesses, the fund which they received from MGNREGS wages component was used for construction of works by the Village Council members in the following manner. Gram Shabha meeting decided and approve deduction of ₹100 on every working days from each persons (supposed the fund is for 10 days at the rate of ₹194 per day, the total money which they have to pay to the job card holder is ₹100x10= ₹1000 and the remaining balance i.e. ₹94 (194-100) x 10 days = ₹940 was used for the construction of that particulars works). The works commensurate with the actual fund of the works as almost half of the funds only were used for the construction of works. Here, it is pertinent to mention that after deducting ₹100 on each man day, the remaining balance was used for the construction of that particulars works and if there is any balance, the remaining balance was kept for the College Managing Board fund. Therefore, the College fund collected so far is quite acceptable.

10. On further questioning of the alleged accused persons on the management of the college fund, they all accepted that they did not keep proper records of fund and they also accepted that they did not maintain proper record of expenditure.

Hence, the investigation reveals that though both the alleged accused had managed the North Vanlaiphai College fund improperly with improper records yet criminal misconduct and undue advantage without considerations was not found against Pu TC Zoremawia, Ex-VCP and Pu Lalhminganga, Ex-Treasurer, Village Council, N. Vanlaiphai College as alleged in the FIR submitted by Pu HC Lalthakima, Chairman, All NGO, N. Vanlaiphai and Pu K. Lalroluahpuia, Secretary, All NGO, N. Vanlaiphai.

Accordingly, in terms of Section 19(3)(c) of the Mizoram Lokayukta Act, 2014, after considering all the facts and circumstances of the case and materials available on record, I hereby decided to close the case. Accordingly, the case stands closed.



**(C. LALSAWTA)**  
Chairperson  
Mizoram Lokayukta