

No. C.13017/4/2019-ML
MIZORAM LOKAYUKTA
Bungkawn, Aizawl
(Constituted under the Mizoram Lokayukta Act, 2014)

Dated Aizawl, the 9th July, 2019

ORDER

MLC-4/2019: A complaint petition dated 19.05.2019, was filed before the Chairman, Mizoram Lokayukta by Pu Lalnunmawia, House No. Y23, Armed Veng, Aizawl, Mizoram in respect of financial irregularities in the implementation of schemes under Boarder Areas Development Programme as highlighted in the Report No. 2 of 2018 of Comptroller & Auditor General of India on Social, General, Economic and Revenue Sectors for the year ended 31 March 2017.

The reports of irregularities are serious indeed and the Comptroller and Auditor General of India (CAG) recommends filing of FIR in some cases and referring the matter to the State's Vigilance Department in some other cases for further investigation so that responsibility can be fixed and the guilty are punished.

While considering the complaint for further necessary actions a question arose regarding the status of the CAG Reports which are submitted to Parliament or State Legislature as the case may be. The CAG Reports are the property of the House and it is left to the Public Accounts Committee of the House (PAC) to first examine and recommend suitable actions. In this particular case, I have no information that the PAC has completed its tasks. Till then, it would not be proper for the Lokayukta to take up the case in its present form.

Legal Opinion has been sought and is received now which suggests that the PAC should first perform its part and till then, no agency outside the House should take up the matter. I also have a glimpse of various Court rulings of the Hon'ble Supreme Court and various High Courts. Although some of the Judgments stand on different contextual footings, it can however be safely assumed that the House has priority over other outside agencies in considering and disposing of the findings and recommendations contained in the CAG Reports. Hence the present complaint petition, which is solely based on CAG Report is hereby disposed off as dropped.

However, by way of clarification, I may add that after the disposal of the present case by the House/PAC or if evidence of corruption is obtained directly from other sources outside the CAG Report in respect of irregularities in the implementation of schemes under the Border Areas Development Programme that had been implemented by the State Government, the present complainant or anybody else can bring fresh complaint petition.



(C. LALSAWTA)
Chairperson
Mizoram Lokayukta