



**THIRD
ANNUAL REPORT
OF THE
LOKAYUKTA,
ODISHA
YEAR-2021**



Presentation of " SECOND ANNUAL REPORT " of Lokayukta Odisha to His Excellency The Governor of Odisha by the Chairperson and Members of Lokayukta on 21.03.2021



LOKAYUKTA, ODISHA

B-2, Ground Floor, Toshali Bhawan, Satya Nagar
Bhubaneswar-751007

ANNUAL REPORT

This Annual Report is being presented
as required under Section 48 of the
Odisha Lokayukta Act., 2014.

Justice Ajit Singh, Chairperson
Lokayukta, Odisha, Bhubaneswar

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Ajit Singh
Chairperson, Lokayukta
Odisha

B-2 Ground Floor
Toshali Bhawan
Satya Nagar
Bhubaneswar-751007
Ph. No. 0674-2572610 (O)
Fax No. 0674-2572629 (O)
E-mail: lokayukta.odisha@gov.in

PREFACE

As my third year of being the Chairperson of Lokayukta is coming to an end, I am taking this opportunity to reflect back on the work that was done by the proficient members of the Lokayukta.

This has been a successful year as the office was able to dispose of 507 cases, out of the 790 that were registered. We as an institution are motivated to further the trust that the public has shown in us and reflect our intent through our work. However, due to the prolonged Covid 19 pandemic, the year 2021 saw the worst of the impacts. The second and the third waves that were experienced by the entire nation, also acted as an impediment to the efficient working of the institution. We saw a substantial decline in the number of registered complaints, with the numbers dropping to almost half of what they were in the previous two years. The extended lockdowns and their subsequent lack of mobility inhibited people from reaching out to the officials and registering their grievances. The closure of offices as per the government guidelines, was an additional setback in the functioning of the redressal process.

Upon pondering over this matter further, we also realized that the approach to the institution was not as people friendly as we hope. 'FORM-A', the Government prescribed form for filing a complaint under Odisha Lokayukta (Procedure of filing Complaint) Rules, 2020, is too cumbersome and is a deterrent for people. Thus, to rectify this issue, I have recommended the State Government to substitute the same with a more simpler one. This will encourage people to appeal to the Lokayukta against corruption.

Finally, to strengthen the roots of the Lokayukta and to maintain the integrity of the office, we have requested the State Government to consider empowering the institution by amending the Odisha Lokayukta Act 2014, with the powers of Contempt of Courts Act, 1971. This will allow the Lokayukta to exercise its jurisdiction, power and authority in cases of contempt against it.

I appreciate the encouragement and support that we have received from the State Government in the past three years. With continued dedication and hard work, we aspire to nurture the core of the institution and achieve the goal of providing the people with a corruption free government.

Chairperson
Lokayukta, Odisha

1. INSTITUTION OF LOKAYUKTA IN ODISHA

Maladministration is a disease which slowly erodes the foundation of a nation and prevents the administration from completing its goal as required to be performed by a welfare State. Corruption is the principal cause of this problem. With passage of time, it is found that most of the anti-corruption agencies are not truly independent. There is also the problem of internal transparency and accountability. In this context, an independent institution of Lokayukta has been a landmark move in the history of State administration which offered a solution to the never ending menace of corruption. Regard being had to the constitutional commitment to have a clean and responsive governance and for advancing fight against corruption, the State of Odisha has enacted The Odisha Lokayukta Act, 2014 and in their General Administration and Public Grievance Department vide Notification No. 6873/Gen., dated 01.03.2019 have established a body called the Lokayukta for the State of Odisha w.e.f. 28.02.2019. As per Section 3(2) of the Odisha Lokayukta Act, 2014, the body shall consist of a Chairperson and five Members. Further, Section 16 (1)(f) of the said Act states that the Benches of the Lokayukta shall ordinarily sit at Bhubaneswar and at such other places as the Lokayukta may, by regulations, specify.

At present the Lokayukta, Odisha is functioning at Bhubaneswar with the Chairperson and three Members (out of whom one is Member Judicial). The names and the dates of assumption of office by them are appended below: -

Sl. No.	Name	Date of assumption of office
1.	Shri Justice Ajit Singh, Chairperson	20.03.2019
2.	Shri Justice Bijaya Kumar Nayak, Member (Judicial)	31.03.2019
3.	Dr. Debabrata Swain, Member	04.04.2019
4.	Dr. Rajendra Prasad Sharma, Member	08.08.2019

The Lokayukta has two Benches. The Bench presided over by the Hon'ble Chairperson, Lokayukta is Bench No. I, and it functions in the Ground Floor of B-2, Toshali Bhawan. The other Bench i.e., Bench No. II, presided over by the Hon'ble Judicial Member functions in the 3rd floor of A-2, Toshali Bhawan, Satya Nagar, Bhubaneswar.

Bench No. I exercises its territorial jurisdiction over the following fifteen districts of Odisha.

01 Mayurbhanj	02 Balasore	03 Jajpur
04 Puri	05 Keonjhar	06 Bargarh
07 Khordha	08 Sundargarh	09 Jharsuguda
10 Subarnapur	11 Kandhamal	12 Nuapada
13 Koraput	14 Malkangiri	15 Gajapati

Similarly, Bench No. II exercises its territorial jurisdiction over the rest fifteen districts as indicated below:

01 Cuttack	02 Kendrapara	03 Jagatsinghpur
04 Ganjam	05 Dhenkanal	06 Nayagarh
07 Angul	08 Sambalpur	09 Bhadrak
10 Boudh	11 Bolangir	12 Kalahandi
13 Rayagada	14 Nabarangpur	15 Deogarh

ANNEXURE-I

Details of the post sanctioned and present incumbency of Secretary, Officials and Staff of Lokayukta.

Sl.No.	Name of Post	Cadre	Sanctioned Strength	In Position	Vacancy
1	Secretary	IAS/OSJS	1	1	0
2	Secretary (Judicial)	OSJS	1	0	1
3	Director Prosecution	OSJS/OAS	1	1	0
4	Director Inquiry	OSJS/ OAS	1	1	0
5	Additional Secretary	OAS	1	1	0
6	Deputy Director Prosecution	OJS	1	0	1
7	Finance Officer (Joint Secretary)	OFS	1	1	0
8	Deputy Director Inquiry	OAS(SB)	1	1	0
9	Deputy Director (Finance)	OFS(SB)	1	1	0
10	Deputy Director (Engineering)	In the rank of Executive Engineer (Works Department)	1	1	0
11	Deputy Director (Forest)	In the rank of Divisional Forest Officer	1	1	0
12	Public Prosecutor	DPP	5	2	3
13	Deputy Secretary	OAS	1	1	0
14	Deputy Superintendent Of Police	OPS	1	1	0

15	Under Secretary	OSS	1	0	1
16	Sr. Private Secretary	Steno Cadre of Secretariat	1	0	1
17	Private Secretary / Personal Assistant	Do	12	7 [2(regular)+ 5(reengaged)]	5
18	Court Master/ Section Officer	OSS	10	9 [1(reengaged)+ 6(Regular)+2(Deputed)]	1
19	Inspector of Police	OP	1	0	1
20	Assistant Section Officer	OSS	24	14 [9(Regular)+ 5(reengaged)]	10
21	Sub Inspector of Police	OP	1	1	0
22	Sr. Steno/ Jr. Steno	Steno Cadre of Secretariat	10	2 [1(deputed)+ 1(re engaged)]	8
23	Sr. Gr. Diarist	Odisha Lokayukta Cadre	1	1	0
24	Jr. Gr. Diarist	Do	1	1	0
25	Jr/Sr. Driver	Do	9	5 [1(Regular)+ 2(deputed)+1(Contractual) 1(out sourced)]	4
26	Librarian	Do	1	1 (reengaged)	0
27	Data Entry Operator (Issue & Dispatch)	Do	2	0	2
28	Data Entry Operator	Do	13	6 [1(contractual) +5(out sourced)]	7
29	Record Keeper	Do	1	1	0
30	Receptionist	Do	1	0	1
31	Zamadar	Do	10	0	10
32	Chaukidar-cum-Night Watchman	Do	1	1	0
33	Peon	Odisha Lokayukta Cadre	41	33 [3(OAT) +24(outsourced)+ 6(Regular)]	8
TOTAL			159	95	64

2. Annual Budget

The details of the allotment and expenditure of funds for FY-2021-22 up to 31.12.2021 is presented below:

Budget 2021-22 as on 31.12.2021 (Demand No.2-2062-Vigilance-Administrative Expenditure-Establishment, Operation and Maintenance Expenditure-00-103-Lokayukta/UP-Lokayukta-3353-Lokayukta Office Establishment (Charged))				
Sl. No.	Head/Unit	Total Allotment 2021-22	Expenditure up to 31.12.2021	Balance
1	Pay	3,58,09,000	2,50,09,654	1,07,99,346
2	Arr.Pay	11,69,000	0	11,69,000
3	D.A.	1,56,73,000	90,51,938	66,21,062
4	H.R.A.	24,02,000	12,28,786	11,73,214
5	R.C.M.	28,00,000	21,44,285	6,55,715
6	O.A. & S.A.	18,54,000	13,82,510	4,71,490
7	C.P. C.A.	53,76,000	34,29,050	19,46,950
8	T.E.	4,31,000	2,50,291	1,80,709
9	L.T.C.	7,01,000	3,15,209	3,85,791
10	Electricity Dues	10,50,000	8,10,308	2,39,692
11	Water Charges	1,000	0	1,000
12	Telephone Charges	9,80,000	6,70,389	3,09,611
13	Motor Vehicles (P.O.L., Maintenance)	20,22,000	14,86,117	5,35,883
14	Motor Vehicle Hiring Charges	32,22,000	25,25,561	6,96,439
15	Other Contingencies	67,00,000	44,86,259	22,13,741
16	Upgradation of Computer Facilities	8,50,000	87,276	7,62,724
17	Computer Consumables	1,50,000	55,964	94,036
18	Spares and Services	2,00,000	51,294	1,48,706
19	Consulting Charges	1,00,000	11,678	88,322
20	Advocates Fees	0	0	0
	TOTAL	8,14,90,000	5,29,96,569	2,84,93,431

3. STATISTICS OF WORK DONE

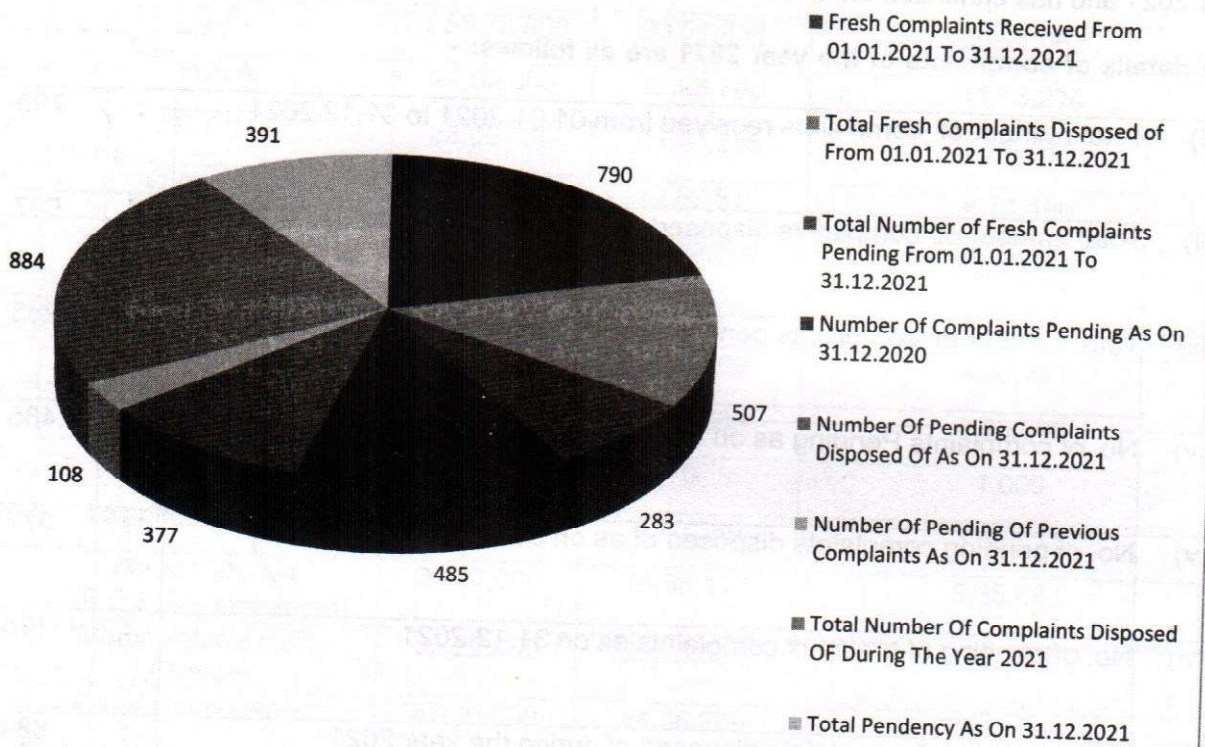
A. NUMBER OF COMPLAINTS RECEIVED, DISPOSED OF AND PENDING DURING THE YEAR, 2021:-

Due to the break-out of Novel COVID-19 pandemic not only individuals but also the Institutions have suffered a lot. The Lokayukta, Odisha is no exception to this. It has faced the biggest challenge during the pandemic as two of its Hon'ble members and more than thirty officers and staff were infected with the Covid-19. Due to shutdowns and lockdowns imposed by the Government, the total working days were also reduced substantially. Similarly, it was not possible to function both the benches of Lokayukta simultaneously during the pandemic due to Government notifications to function the office with the limit of 50% staff and officers. However, despite the above predicaments this institution has risen to the occasion and disposed of a record number of cases during this year, 2021 and has enhanced the trust of the common man on this Institution to a greater extent.

The details of complaints of the year 2021 are as follows: -

i)	Total number of complaints received from 01.01.2021 to 31.12.2021	:	790
ii)	Total number of complaints disposed of from 01.01.2021 to 31.12.2021	:	507
iii)	Total number of complaints pending from 01.01.2021 to 31.12.2021	:	283
iv)	No. of complaints Pending as on 31.12.2020	:	485
v)	No. of pending complaints disposed of as on 31.12.2021	:	377
vi)	No. of pending of previous complaints as on 31.12.2021	:	108
vii)	Total Number of complaints disposed of during the year 2021	:	884
viii)	Total Pendency as on 31.12.2021	:	391

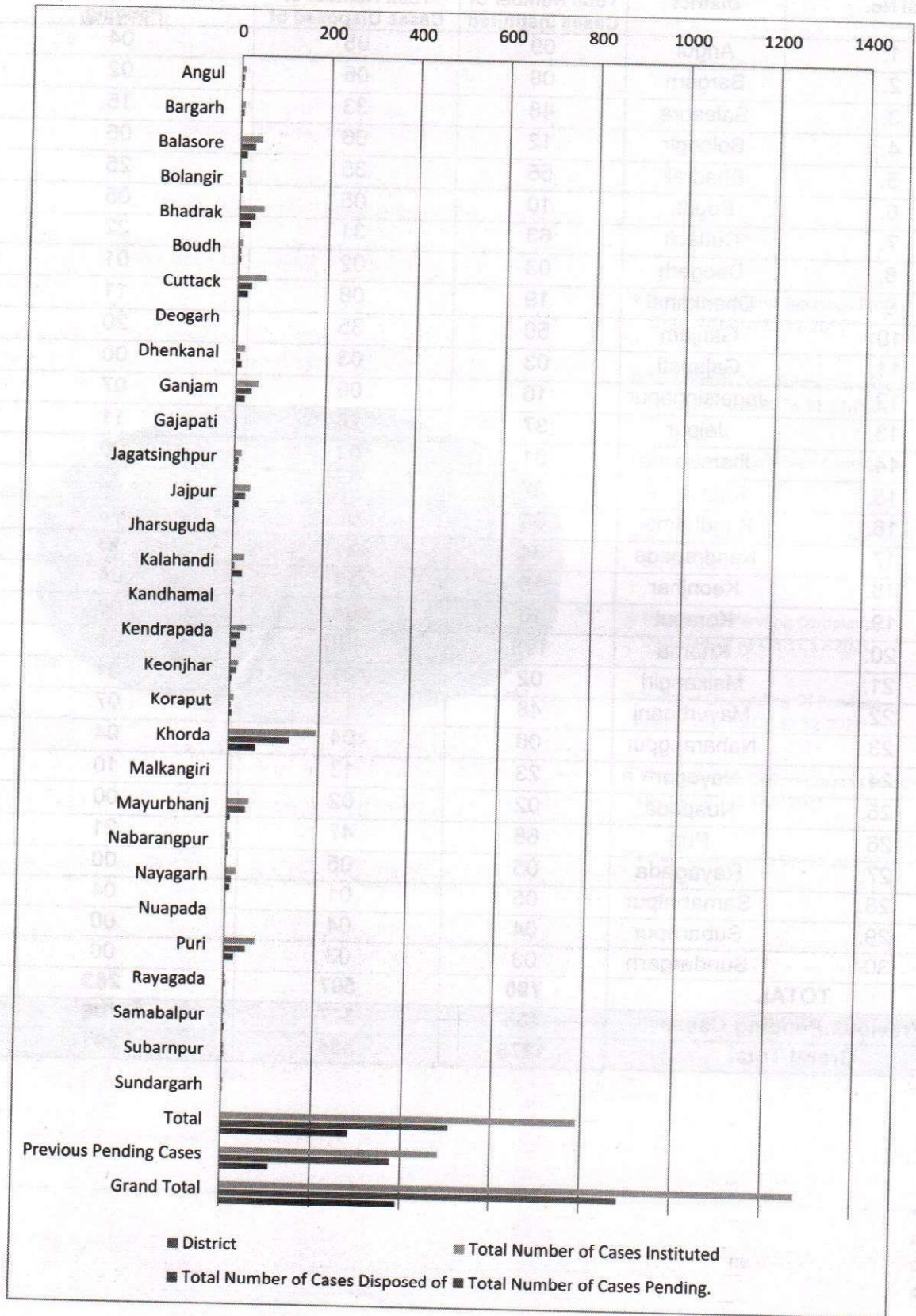
The Details Of Complaints Of The Year 2021 Are As Shown Below



B. District-wise Institution, Disposal and No. of Pending cases from 01/01/2021 to 31/12/2021:-

SI No.	District	Total Number of Cases Instituted	Total Number of Cases Disposed of	Total Number of Cases Pending.
1.	Angul	09	05	04
2.	Bargarh	08	06	02
3.	Balasore	48	33	15
4.	Bolangir	12	06	06
5.	Bhadrak	55	35	25
6.	Boudh	10	05	05
7.	Cuttack	63	31	22
8.	Deogarh	03	02	01
9.	Dhenkanal	19	08	11
10.	Ganjam	50	35	20
11.	Gajapati	03	03	00
12.	Jagatsinghpur	16	09	07
13.	Jajpur	37	26	11
14.	Jharsuguda	01	01	00
15.	Kalahandi	27	05	22
16.	Kandhamal	04	02	02
17.	Kendrapada	34	21	13
18.	Keonjhar	18	14	04
19.	Koraput	10	04	06
20.	Khorda	195	135	60
21.	Malkangiri	02	01	01
22.	Mayurbhanj	48	41	07
23.	Nabarangpur	08	04	04
24.	Nayagarh	23	13	10
25.	Nuapada	02	02	00
26.	Puri	68	47	21
27.	Rayagada	05	05	00
28.	Samabalpur	05	01	04
29.	Subarnpur	04	04	00
30.	Sundargarh	03	03	00
TOTAL		790	507	283
Previous Pending Cases		485	377	108
Grand Total		1275	884	391

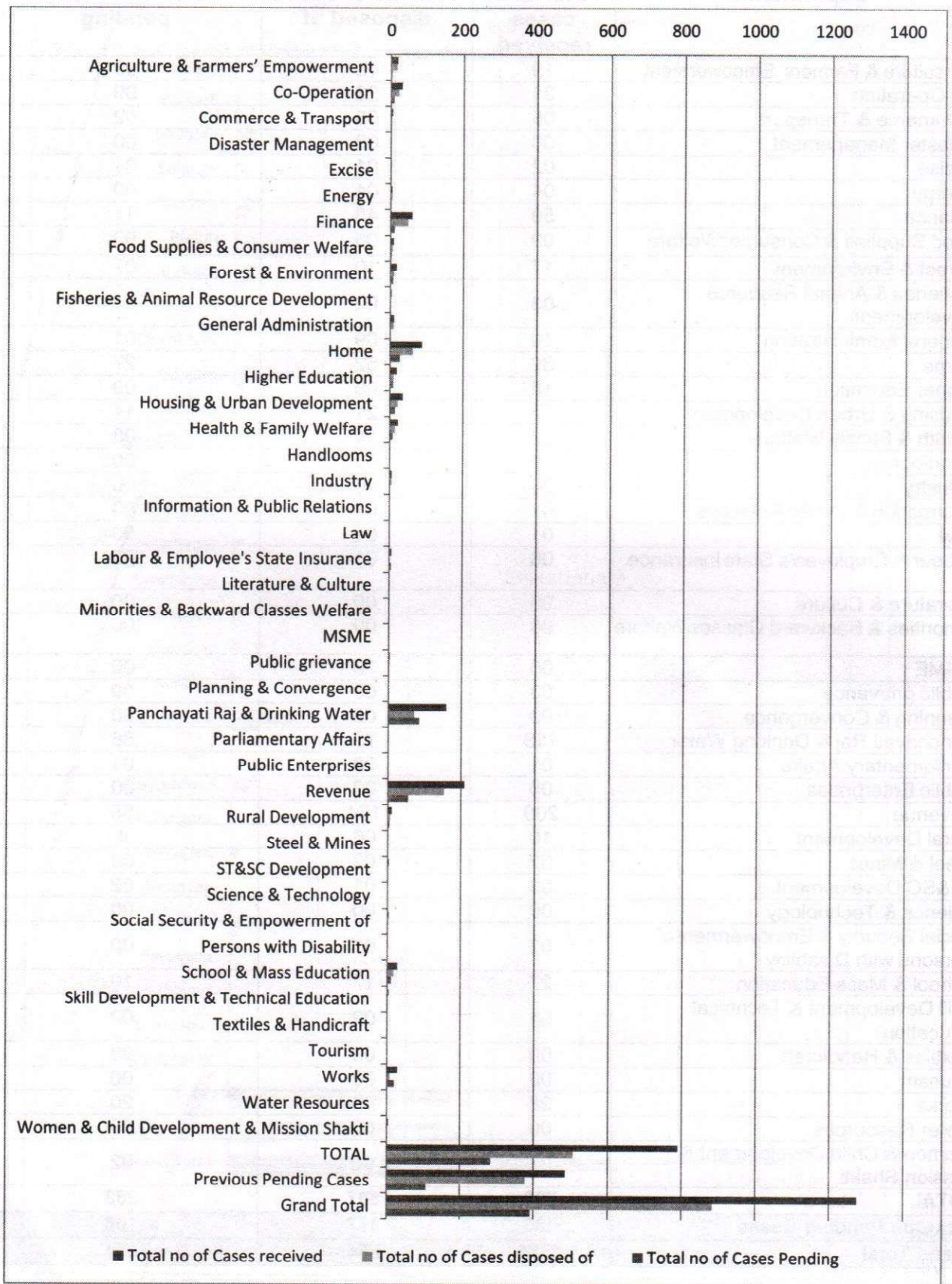
C. Histogram of District-wise institution, disposal and no. of pending cases during the year, 2021



D. Department-wise break-up of complaints received, disposed of and no. of complaints pending during the year, 2021

Departments	Total no of cases received	Total no of cases disposed of	Total No of cases pending
Agriculture & Farmers' Empowerment	19	16	03
Co-Operation	31	22	09
Commerce & Transport	05	03	02
Disaster Management	00	00	00
Excise	02	01	01
Energy	04	04	00
Finance	59	48	11
Food Supplies & ConsumerWelfare	09	06	03
Forest & Environment	17	10	07
Fisheries & Animal Resource Development	03	02	01
General Administration	10	09	01
Home	89	62	27
Higher Education	18	09	09
Housing & Urban Development	35	21	14
Health & Family Welfare	22	14	08
Handlooms	00	00	00
Industry	06	06	00
Information & Public Relations	01	01	00
Law	01	01	00
Labour & Employee's State Insurance	06	01	05
Literature & Culture	00	00	00
Minorities & Backward Classes Welfare	00	00	00
MSME	00	00	00
Public grievance	03	03	00
Planning & Convergence	00	00	00
Panchayati Raj & Drinking Water	159	73	86
Parliamentary Affairs	01	00	01
Public Enterprises	00	00	00
Revenue	209	154	55
Rural Development	10	06	4
Steel & Mines	02	02	00
ST&SC Development	03	01	02
Science & Technology	00	00	00
Social Security & Empowermentof Persons with Disability	03	03	00
School & Mass Education	27	17	10
Skill Development & Technical Education	04	02	02
Textiles & Handicraft	00	00	00
Tourism	00	00	00
Works	28	08	20
Water Resources	00	00	00
Women & Child Development & Mission Shakti	04	02	02
TOTAL	790	507	283
Previous Pending Cases	485	377	108
Grand Total	1275	884	391

E. Histogram of Department-wise institution, disposal and no. of complaints pending during the year, 2021



F. ORDERS PASSED BY THE LOKAYUKTA FOR CONDUCTING INQUIRY BY INQUIRY WING OF LOKAYUKTA IN THE YEAR 2021 UNDER SECTION 20 OF THE ODISHA LOKAYUKTA ACT, 2014.

Sl. No	Case No.	Date of Order of Lokayukta	Name of the Complainant	Name of the Respondent	Status of Preliminary Inquiry/ Submission of P.I.R.
1	110/2019	05.01.2021	Srikanta Kumar Pakal	Bishnupada Sethi, IAS, Ex- MIC, OSCB, Bhubaneswar	PIR Submitted
2	586/2020	07.01.2021	Kamini Mohanty	Tahasildar, Brahmagiri, Dist-Puri	PIR Submitted
3	119/2020	11.01.2021	Jayakrushna Behera	Arbinda Kanta Ray, Ex- Principal, Kamakshya Nagar College, Dist – Dhenkanal	PIR Submitted
4	1048/2020	19.01.2021	Kailash Naik	Sarapanch, Bahira, Dist – Boudh	PIR Submitted
5	738/2020	21.01.2021	Naba Kishore Rout	B.D.O., Hindol & others, Dist – Dhenkanal	PIR Submitted
6	494/2020	22.01.2021	Premalata Behera	Tahasildar, Nimapara, Dist - Puri	PIR Submitted
7	652/2020	28.01.2021	Sudipta Kumar Panda	Executive Engineer, RWD, Jajpur & Others, Dist - Jajpur	PIR Submitted
8	1152/2020	28.01.2021	Pradeep Kumar Prusty	CDVO, Dhenkanal	PIR Submitted
9	915/2019	01.02.2021	Santilata Bhoi	Tahasildar, Satyabadi, Dist- Puri	PIR Submitted
10	727/2020	03.02.2021	Dalilata Biswal	Tahasildar, Astaranga, Dist - Puri	PIR Submitted
11	289/2020	08.02.2021	Surendra Behera	Tahasildar, Pipili, Dist - Puri	PIR Submitted
12	688/2019	03.02.2021	Jata Kishore Das	Tahasildar, Nimapara, Dist - Puri	PIR Submitted
13	238/2020	23.02.2021	Bijay Kumar Nayak	Tahasildar, Nimapara, Dist – Puri	PIR Submitted
14	243/2020	23.02.2021	Prakash Nayak	Tahasildar, Nimapara, Dist – Puri	PIR Submitted
15	130/2021	24.02.2021	Sasi Bhusan Sarangi	Sarpanch, Ukundar G.P., Dist - Jagatsingpur	PIR Submitted
16	1228/2020	02.03.2021	Sukanta Kumar Sahoo	Tahasildar, Pipili, Dist - Puri	PIR Submitted
17	850/2020	03.03.2021	Anil Kumar Dash	Tahasildar, Astarang, Dist - Puri	PIR Submitted
18	1204/2020	01.03.2021	Ashok Kumar Parida	R.I., Jamalpur, Dist - Balasore	PIR Submitted
19	709/2020	08.03.2021	Sasmita Pradhan	Tahasildar, Kanas, Dist - Puri	PIR Submitted
20	413/2020	09.03.2021	Keshab Chandra Sahoo	BDO, Binjharpur, Dist - Jajpur	PIR Submitted
21	1091/2020	17.03.2021	Sulochana Dei	BDO, Ranpur, Dist - Nayagarh	PIR Submitted
22	1093/2020	17.03.2021	Prafulli Mohapatra	BDO, Ranpur, Dist - Nayagarh	PIR Submitted
23	858/2019	16.03.2021	Gangadhar Pradhan	Tahasildar, Gop, Dist - Puri	PIR Submitted
24	1101/2020	17.03.2021	Rajkishore Samantashinhar	Tahasildar, Bolagarh, Dist - Khurda	PIR Submitted

25	1374/2020	18.03.2021	Bidyutlata Mohapatra	Tahasildar, Pipili, Dist - Puri	PIR Submitted
26	1355/2020	17.03.2021	Sarbeswar Behura	Collector, Jajpur & others	PIR Submitted
27	47/2021	23.03.2021	Manmohan Mishra	MD, LAMPS, Kaptipada, Dist - Mayurbhanj	PIR Submitted
28	527/2020	24.03.2021	Om Kumar Baliyarasingh	Urbashi Pradhan & others, Dist - Nayagarh	PIR Submitted
29	81/2021	06.04.2021	Iftexhar Alam Khan	BDO, Jajpur, Dist - Jajpur	PIR Submitted
30	685/2020	06.04.2021	Binay Mallick	Marketing Inspector, Kanas, Dist - Puri	PIR Submitted
31	1235/2020	13.04.2021	Balakrushna Swain	Tahasildar, Brahmagiri, Dist- Puri	PIR Submitted
32	455/2019	12.04.2021	Pradeep Pradhan	PD, DRDA, Jajpur & others, Dist -Jajpur	PIR Submitted
33	1145/2020	26.04.2021	Sujit Kumar Sahu	IC, Chauliaganj PS, Dist-Cuttack	PIR Submitted
34	1194/2020	15.04.2021	Satish Kumar Biswal	BDO, Gondia, Dist - Dhenkanal	PIR Submitted
35	1260/2020	15.07.2021	Satish Kumar Biswal	Executive Engineer, RWSS, Jajpur, Dist - Jajpur	PIR Submitted
36	220/2021	22.07.2021	Prafulla Ku. Sethi	Sarpanch, Alisi Sasan, Dist - Khurda	PIR Submitted
37	803/2020	26.07.2021	Debaraj Swain	Tahasildar, Hatadihi, Dist - Keonjhar	PIR Submitted
38	1084/2020	02.08.2021	Butu Bhola	BDO, Gop, Dist - Jajpur	PIR Submitted
39	564/2020	12.08.2021	Sasmita Rout	Sardhananda Hota, Ex-HM, Shyamsundar Adarsha Vidyapitha, Dist - Khurda	PIR Submitted
40	1370/2020	16.08.2021	Bikash Mohanty	Junior Engineer, Uttara Section, TPCODL, Dist - Khurda	PIR Submitted
41	007/2021	23.08.2021	Subash Chandra Prusty	Director, Agriculture & Food Production, Bhubaneswar	PIR Submitted
42	151/2021	23.08.2021	Brundaban Behera	PD, DRDA, Boudh & others, Dist - Boudh	Preliminary Inquiry in Process
43	1230/2020	26.08.2021	Purna Chandra Nayak	Sri Purnananda Mishra, Gardner, SJTA, Dist - Puri	PIR Submitted
44	136/2021	25.08.2021	Somanath Senapati	Asst. Director, Soil Conservation, Dist - Puri	Preliminary Inquiry in Process
45	106/2021	06.09.2021	Narayan Pal	Sarpanch, Ukundara G.P., Dist - Jagatsingpur	PIR Submitted
46	1403/2020	07.09.2021	Brahmananda Behera	BDO, Jajpur, Dist - Jajpur	PIR Submitted
47	122/2020	07.09.2021	Bipin Bihari Mallick	Sarpanch, Kadua G.P., & others, Dist - Puri	Preliminary Inquiry in Process
48	122/2021	23.09.2021	Himanshu Sekhar Nayak	Srikant Jena, Sr. Clerk, Hatadihi Tahasil, Dist - Keonjhar	PIR Submitted
49	274/2021	20.09.2021	Rabindra Kishan	Sunakar Sharma, Ex- PA, ITDA, Karanjia, Ex-BDO, Daringbadi, Dist - Kandhamal	PIR Submitted
50	209/2021	20.09.2021	Raj Kishore Nayak	BDO, Kaptipada, Dist - Mayurbhanj	Preliminary Inquiry in Process
51	782/2020	04.10.2021	Kartik Sethy	BDO, Garadpur & others, Dist - Kendrapara	Preliminary Inquiry in Process

52	398/2021	11.10.2021	Dhaneswar Patra	BDO, Nimapara & others, Dist – Puri	PIR Submitted
53	1391/2020	11.10.2021	Soumya Ranjan Gochhayat	Bhaskar Ch. Sahoo, Ex- PEO, Rahadamalla, Dist - Puri	Preliminary Inquiry in Process
54	161/2021	01.11.2021	Ratnakar Jena	Secretary, Nahanga S.C.S., Dist – Kendrapara	PIR Submitted
55	674/2021	22.11.2021	Trilokyanath Panigrahi	Mithun Behera, M.I., Kokosara Block, Kalahandi & others, Dist - Kalahandi	Preliminary Inquiry in Process
56	325/2021	22.11.2021	Bipin Bihari Mohapatra	DFO, Jeypore, Dist – Koraput	Preliminary Inquiry in Process
57	1257/2020	22.11.2021	Himanshu Sekhar Nayak	Sarpanch, Khadalpokhari G.P., Dist- Bhadrak & others	Preliminary Inquiry in Process
58	681/2021	25.11.2021	Trilochan Rout	Pravas Naik, Sarpanch, Bhatapada GP, Dist – Bhadrak	Preliminary Inquiry in Process
59	324/2021	16.12.2021	Bibhuti Bhusan Dash	ARCS, Khurda Circle & others, Dist - Khurda	Preliminary Inquiry in Process
60	463/2021	23.12.2021	Rabindra Jena	District Labour Officer, Dist - Balasore	Preliminary Inquiry in Process
61	309/2021	27.12.2021	Satyabadi Sethi	Shyamaghana Pradhan, Asst. Engineer & others, Jagannathprasad Block Dist - Ganjam	Preliminary Inquiry in Process
62	153/2021	28.12.2021	Surendra Panigrahi	Subrat Ku. Sahu, Junior Engineer & others, Khandapada Block Dist - Nayagarh	Preliminary Inquiry in Process
63	467/2021	30.12.2021	Sarat Ku. Parida	BDO, Kantapada & others, Dist - Cuttack	Preliminary Inquiry in Process

G. ORDERS PASSED BY THE LOKAYUKTA FOR CONDUCTING INQUIRY BY VIGILANCE DEPARTMENT IN THE YEAR 2021 UNDER SECTION 20 OF THE ODISHA LOKAYUKTA ACT, 2014.

Sl No.	Case No.	Date of Order of Lokayukta	Name of the Complainant	Name of the Respondent	Status of Preliminary Inquiry/Submission of P.I.R.
1.	1027/2020	08.01.2021	Sarbeswar Behura	Chief Engineer, Works Department	P.I.R. Submitted
2.	120/2021	12.04.2021	Sarbeswar Behura	Ranjan Ku. Das, Ex-Collector	Preliminary Inquiry in Process
3.	1366/2020	15.04.2021	Soubhagyalaxmi Acharya	Laxminarayan Nayak, Principal, Women's Higher Secondary School, Kuchinda	P.I.R Submitted
4.	348/2021	05.07.2021	Tapan Kumar Sahu	Madhumita Prusty, P.P.D, Training	P.I.R. Submitted
5.	369/2021	14.07.2021	Bindu Mahananda	D.F.O., Kalahandi	Preliminary Inquiry in Process
6.	353/2020	22.07.2021	Boito Nayak	State of Odisha Commission H.U.D Department	Preliminary Inquiry in Process
7.	1280/2020	22.07.2021	Deepak Kumar Sahu	Collector, Khordha & Others	Preliminary Inquiry in Process
8.	183/2021	29.07.2021	Prahallad Padhi	Collector, Bolangir	Preliminary Inquiry in Process

9.	370/2021	04.08.2021	Bindu Mahananda	Madhusudan Sahu, SE Rural Works, Bhawanipatna	Preliminary Inquiry in Process
10.	543/2021	08.09.2021	Sushanta Kumar Jena	Sarapancha, Kuspandi G.P., Banki	Preliminary Inquiry in Process
11.	1389/2020	05.10.2021	Akhya Kumar Mahapatra & others	Secretary, S.C.S., Eram, Bhadrak	Preliminary Inquiry in Process
12.	267/2021	08.11.2021	Suresh Choudhary	Sushanta Parida, Sarapanch, Regada G.P., Kalahandi	Preliminary Inquiry in Process
13.	688/2021	29.11.2021	Dasarathi Padhiary	Sunil Kumar Sahoo, Sarapanch, Dompra G.P., Cuttack	Preliminary Inquiry in Process
14.	703/2021	30.11.2021	Bijoy Ketan Mahapatra	Sarapanch, Biruhan G.P. & Others	Preliminary Inquiry in Process
15.	720/2021	09.12.2021	Trailokyanath Panigrahi	Director, Agriculture, Odisha	Preliminary Inquiry in Process
16.	480/2021	16.12.2021	Deepak Kumar Nayak	Pranab Behera, B.D.O., Basudevapur	Preliminary Inquiry in Process
17.	764/2021	27.12.2021	Lochan Kumar Swain	Akhya Kumar Rout, Addl P.D., D.R.D.A, Nayagarh	Preliminary Inquiry in Process

**H. ORDERS PASSED BY LOKAYUKTA FOR CONDUCTING
INVESTIGATION BY VIGILANCE DEPARTMENT IN THE YEAR 2021
UNDER SECTION 20 OF THE ODISHA LOKAYUKTA ACT, 2014**

Sl.No	Case No.	Date of Order of Lokayukta	Name of the Agency to conduct Investigation	Date fixed for Submission of Investigation Report	Name of the Complainant	Name of the Respondent
1	LY-548/19	04.03.2021	Director, Vigilance	20.05.2022	Santosh Moahanty	Sarapanch, Chhaitan a G.P
2	LY-540/19	04.03.2021	Director, Vigilance	Submitted	Pradip ku. Sahoo	M .Stayanarayan, I.F.S Addl. PCCF, Odisha
3	LY-90/19	06.08.2021	Director, Vigilance	17.06.2022	Bamapada Tripathy	Collector, Nayagarh, P D ITDA, Karanjia
4.	883/2020	04.10.2021	Director, Vigilance	06.04.2022	Gangadhar Mallick	Babuli Sethi, Sarapanch, Guapur G.P., Khordha
5	LY-984/19 & 811/20	05.11.2021	Director, Vigilance	18.03.2022	Sarat Ku. Parida	Collector, Cuttack
6.	187/2021	11.11.2021	Director, Vigilance	09.05.2022	Sailabala Debata	Sarapanch, Guderipali G.P., Baragarh
7.	LY-167/20	26.11.2021	Director, Vigilance	13.05.2022	Bindu Nayak	D.F.O, Kalahandi

4. Gist of Important cases Disposed of by the Lokayukta

1. **LY CASE NO. 119/2020**
(Jaya Krushna Behera Vrs. Aravinda Ray, Ex. Principal, Kamakshyanagar College, Dhenkanal)

The complainant, Shri Jaya Krushna Behera in his complaint dated 10.01.2020 alleged that the respondent, Sri Aravinda Kanta Ray, Ex-Principal of Kamakshyanagar College has misappropriated RUSA (Rashtriya Uchchar Shiksha Abhiyan) Funds provided for the purchase of library books of the College. It was further alleged that class room No. 11 and 12 of Kamakshyanagar College were demolished by the Respondent without any unsafe or unfit certificate from the P.W.D Department and misappropriated building materials recovered after such demolition. The further allegation is that the Respondent has also made irregularities in the tender relating to construction of sports complex at a cost of Rs.70,00,000/- and misappropriated some money in respect thereof. It was also alleged that the Respondent's wife Smt. Madhusmita Sahoo was appointed in the year 1996, but the respondent, by practicing fraud, showed her to have been appointed in the year 1988 and accordingly, sent proposal for approval of such appointment.

The respondent filed his reply dated 12.06.2020 denying the allegations made in the complaint. Having regard to the allegations and the plea of denial taken by the respondent, the Lokayukta directed for an inquiry by Director of Inquiry, Lokayukta. The Director of Inquiry found some irregularities in the purchase of books as well as demolition of two class rooms and disposal of building materials recovered therefrom. With regard to construction of indoor sports complex, it was noticed that the tender notice was published in one English daily newspaper namely "SUNDAY PIONEER" though as per Rule, it was required to be published in one local English daily and in two daily Odia dailies. It was further noticed that the Contractor, after executing the work for an amount of Rs. 18,41,176/-, left the work by expressing inability to complete the same on the ground of sickness. As per Rule, 20% of the value of the leftover work should have been realized from him as penalty by the Executive Engineer, but the penalty was not realized from the Contractor. The other allegations made in the petition, were found on inquiry to have not been established.

Since misappropriation of funds by the respondent was not established, though some procedural irregularities in execution of some works was noticed and the respondent has already retired from service, the Lokayukta disposed of the proceeding with a direction to the College authorities and Government of Odisha in Higher Education Department to verify as to if Rs. 3,41,176/- has been withheld from the bill of the Contractor and if permissible, impose penalty @ 20% of the leftover work of the Contractor by rescinding his contract.

2. **LY CASE NO. 319/2019**
(Pramod Kumar Samantray Vrs. Executive Engineer, Drainage Division Penthakata, Puri)

One Sri Pramod Kumar Samantray and others filed the complaint alleging misappropriation of huge public funds by the Engineers and contractors of Puri Drainage Division in execution of renovation work of Dhanua Drain and its secondary drains for the year 2016-18. On 28.08.2018 the present complainant had lodged a similar complaint with the same allegations before the Director Vigilance, Odisha, Cuttack. Accordingly, comments were called for from Director Vigilance regarding status of inquiry or investigation if any, made on the basis of such complaint. On 06.07.2020 the AIG of Police Vigilance, Odisha, Cuttack submitted the Vigilance Enquiry Report in P.R No. 291/2019. The report revealed that for execution of work i.e Renovation of Dhanua Drainage System with structures under DIP (Part-I) (River Dhanua DC-1) from R.D

26.80 KM to 36.50 KM DC-21 21(B) 21(c), 22, 23, 31 and 32 an estimate of Rs. 3,99,63,549.00 was prepared by the Executive Engineer, Drainage Division, Puri which was technically sanctioned and administratively approved by competent Authority. Similarly, for execution of the work i.e Renovation of Dhanua Drainage System with structures under DIP (Part-II) (River Dhanua DC-1) from RD 36.50 KM to 41.50 an estimate of Rs.2,19,25,471.00 was sanctioned and approved by competent Authority.

One Sri Manoj Kumar Sahu, Contractor being the lowest bidder entered into an agreement vide Agreement No. OIP1/2016-17 for the Part-I of Dhanua Drainage and one Sri Debi Prasad Baral contractor entered into an agreement vide No. 23 PI/2016-17 for the Part-II of Dhanua Drainage. During the course of Vigilance Inquiry, the Inquiring Officer, Shri M.M. Pradhan, Inspector, Vigilance, Puri found that in both the works excess payment to the tune of Rs.3,43,309.00 (Rs.194 309/- + 1,49,000/-) has been made to the executants by ShriPrafulla Kumar Behera, Ex-Executive Engineer, Drainage Division, Puri and Shri Rakesh Kumar Sahu, Ex-Asst. Executive Engineer, Drainage Sub-Division-III, Nimapada, causing loss to the Government Exchequer. In their reply as well as submissions the respondents failed to outweigh the substance of allegations made against them in the Vigilance Report.

Accepting the Vigilance enquiry report and holding that there is a prima facie case, a recommendation was made by the Lokayukta to initiate departmental proceeding against the concerned public servants and recover the amount found to have been paid in excess to the Contractors.

**3. LY CASE NO. 320/2019
(Kanhu Charan Panda Vrs. Chita Ranjan Lenka, Head Clerk O/o the DEO, Mayurbhanj & Ors.)**

The complainant Sri Kanhu Charan Panda filed this complaint alleging that he was appointed as a Trained Graduate Teacher (PCM) (Physics, Chemistry and Mathematics) and one Prativa Rout was appointed as a Trained Graduate Teacher, CBZ (Chemistry, Botany and Zoology) by the Managing Committee of R.N. Girls High School, Nuagaon by Resolution No. 258 dated 25.09.2015 and both of them had joined the school on 30.09.2015. It is alleged that when the Government Notification was received showing that the school is eligible for Grant-in-Aid in the form of Block Grant, the respondent Smt. Pramila Sahoo, Headmistress I/c of that school in connivance with Shri Chitta Ranjan Lenka, Ex-Senior Clerk (retired as Head Clerk) of the office of District Education Officer, Mayurbhanja and Smt. Phulmani Murmu, OES (1) Ex-District Education Officer, Mayurbhanja at Baripada conspired and forged the records of the Managing Committee resolutions, deleted the name of the complainant and Prativa Rout and substituted in their places, the names of one Shri Sanjaya Kumar Rout and Shri Jatindra Nath Mohanta respectively as teachers in PCM and CBZ. It is alleged that the above forgery, fabrication and manipulation of records was done by the Senior Clerk of the Office of the D.E. O, Shri Chitta Ranjan Lenka and Headmistress I/c of R.N. Girls High School, Nuagaon and the then D.E.O, Smt. Phulamani Murmu for their personal financial gain.

The replies of the above persons having not been found satisfactory, the Lokayukta, Odisha directed the Director of Inquiry to make a preliminary inquiry into the allegations. After enquiry the Director concluded that there has been forgery and fabrication in some documents such as Managing Committee Resolution, Rubber seal and signature in the appointment letter and acceptance letter etc. of the complainant and list of teachers of the school. The Director of Inquiry further concluded that the matter can be better clarified by comparison and examination of seal, signature and hand writings on the documents by an expert. In the aforesaid scenario the Lokayukta, Odisha in exercise of power conferred on the Lokayukta Under Section 20 (6) of the Odisha Lokayukta Act 2014 directed the Director of Vigilance, Odisha, Cuttack to carry out an investigation against the above-named public servants.

On 09.08.2021 the Investigating Officer submitted the investigation report in connection with Balasore Vigilance P.S case No. 29 dated 28.10.2020. On the basis of the overwhelming materials collected during investigation the Investigating Officer concluded that (1) Smt. Pramila Sahoo, Headmistress of R.N. Girls High School, Nuagaon, District-Mayurabhanja, (2) Smt. Phulmani Murmu, Ex-D.E.O., Mayurabhanja, at Baripada Principal DIET, Mayurabhanja-Baripada, (3) Shri Chitta Ranjan Lenka, Ex- Head Clerk-Section Officer, Office of D.E.O, Mayurabhanaja, (4) Sanjaya Kumar Rout and Jatindra Nath Mohanta, Asst. teachers, R.N. Girls High School, Nuagaon have entered into a criminal conspiracy with each other and fabricated and forged the official documents in order to regularize the appointments of Shri Sanjay Kumar Rout and Shri Jatindra Nath Mohanta and thereby making illegal gain by cheating the Government attracting the penal offences U/S 13 (2) r/w 13 (1) (d) of the Prevention of Corruption Act 1988 and under Sections 471/477 (A)/120-B/201 of Indian Penal Code.

On a careful consideration of the investigation report and the materials on record, the Lokayukta was satisfied that it is a fit case for filing charge sheet against the above-named persons U/S 13 (2) read with 13 (1) (d) of Prevention of Corruption Act, 1988 and Under Sections 471/477(A)/468/120-B/201 of Indian Penal Code. Accordingly, the Investigating Officer was directed to file charge sheet against-

- (i) Smt. Pramila Sahoo, Headmistress of R.N. High School, Nuagaon, District-Mayurabhanj,
- (ii) Smt. Phulmani Murmu, Ex-D.E.O., Mayurabhanja, at Baripada Principal DIET, Mayurabhanja-Baripada,
- (iii) Shri Chitta Ranjan Lenka, Ex-Head Clerk-Section Officer, Office of D.E.O, Mayurabhanaj,
- (iv) Sanjaya Kumar Rout Asst. teacher, R.N. Girls High School, Nuagaon
- (v) Jatindra Nath Mohanta, Asst. teacher, R.N. Girls High School, Nuagaon

before the Special Court, Balasore. Further it has been observed that the acts which constitute the alleged offences also amounts to serious misconduct on the part of the above five (accused) persons touching upon their integrity and therefore, disciplinary proceedings for major penalty are required to be initiated against them.

4. **LY CASE NO. 439/2019** **(Secretary to Lokayukta Vrs. Executive Engineer (R&B), Jajpur)**

On 17.09.2019 a news report was published in Odia newspaper 'Sambad' under the caption "**MAHANG POORTA SECTION RE TENDER GHOTALA-2,3BARSSHARE 215 GUPTA TENDER.**" As per the news report in the year 2015-16 an amount of Rs.22,56,174/- was misappropriated without inviting tender by publication for construction of Balichandrapur-Lalitagiri Road (7 kms.) and again in the year 2016-17 an amount of Rs.1,14,12,704/- was misappropriated without inviting tender by publication. Likewise, in the year 2017-18, an amount of Rs.1,71,00,472/- was misappropriated without inviting tender. All these tenders were deliberately split up with the connivance of the concerned Engineers and Contractors for their wrongful gain. The news report further stated that an amount of Rs.33,05,528/- was misappropriated during the year 2016-17 and 2017-18 in respect of construction work of Pagga-Gopinathpur-Kuanpal road without inviting tender by publication. In the year 2016-17 and 2017-18 crores of rupees were misappropriated in respect of construction of Nischintakoilli-Lalitgiri road and Salipur-Chhatia road without inviting tender by publication.

The above news report was treated as a suo moto complaint by the Lokayukta, Odisha and notices were issued to the Executive Engineer (R&B) Division, Cuttack-II to explain the circumstances under which the contracts in respect of the road works were awarded. Likewise,

notice was also issued to the competent Authority i.e the hon'ble minister in charge of Works Department, Government of Odisha for his views in the matter.

The Executive Engineer, Cuttack Division-II explained in his reply that since the tenders floated were within Rs.5,00,000/- (Rupees five lakh) each, there was no necessity for publication of tender. He also denied the alleged report of misappropriation in connection with the road works. The Competent Authority got the matter inquired through some of his departmental officials and confirmed the allegations to be prima facie correct to certain extent.

Not being satisfied with the explanation given by the Executive Engineer, Cuttack Division-II in his reply and since the Competent Authority did not suggest for any criminal action against the erring officials/public servants and others, but only some departmental action to be taken as per O.C.S (C.C.A) Rules and some corrective measure, the Lokayukta by order dated 27.11.2019 directed the Director of Vigilance, Odisha, Cuttack to carry out an investigation.

On 15.03.2021 the Investigating Officer Mr. T. Swain after completion of investigation submitted the Investigation Report which was placed before a three Members Bench for consideration. During investigation the Investigating Officer examined the relevant documents, visited the spot, interrogated the concerned officials, took opinion of the Engineer in Chief (Civil), Odisha and also made technical verification of the road work through Vigilance technical Wing and the officials of the Technical Wing made technical inspection with reference to the running bills and the estimate.

After thorough investigation the Investigating Officer concluded that there is prima facie evidence under Section 13(2) read with 13 (1) (a) of the Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption Act, 2018 and Sections 409/420/120-B of I.P.C against (1) Shri Sudhira Kumar Panda, Executive Engineer, Cuttack (R&B) Division-II (now retired), (2) Shri Shyam Sundar Dash, at present Assistant Engineer, Salipur (R&B) Sub-Division under Cuttack (R&B) Division-II, (3) Shri Chittaranjan Jena, at present Assistant Engineer, Mahanga (R&B) Section, Mahanga under Cuttack (R&B) Division-II, (4) Shri Prafulla Kumar Behera, at present Assistant Engineer, Jagatpur (R&B) Section under Cuttack (R&B) Division-II and (5) Shri Bibhuti Bhushan Mohanty S/o late Bihari Mohanty, At Plot No. 604, Rasulgarh, Bhubaneswar, District-Khordha, the Managing Director of M/s. Kalinga Combines Pvt. Ltd. for misappropriation and of Government money amounting to Rs.11,93,396/-.

On consideration of the Prosecution Report the Lokayukta held that the Engineers at Serial No. 1 to 4 namely Sri Sudhir Kumar Panda, Shri Shyam Sundar Dash, Shri Chittaranjan Jena, and Shri Prafulla Kumar Behera being public servants, committed criminal misconduct by dishonestly and fraudulently allowing illegal pecuniary gain and advantage to the tune of Rs.11,93,396/- to the executant of the road work namely M/s Kalinga Combines Pvt. Ltd. of which Shri Bibhuti Bhushan Mohanty is the Managing Director.

Accordingly, the Lokayukta directed the Investigating Officer to file the charge sheet under Sec. 13(2) read with Sec. 13 (1) (a) of the Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption Act, 2018 and Sections 409/420/120-B of IPC, before the Special Court, Cuttack against all of them.

**5. LY Case No. 527/2020
(Om Kumar Baliarsingh Vrs. Officer of Penderipada Cooperative Society)**

The present complaint was filed against Smt. Urbasi Pradhan W/o Rajanikanta Nayak serving as Additional ANM under NRHM scheme at Chhamunda sub-center of Jaganath Prasad CHC in the District of Ganjam. It is alleged that Smt. Pradhan does not own any landed property in Nayagarh

District. But she has falsely registered herself as a farmer in Panderipada Primary Agricultural Co-operative Society (PACS) and sold 137 quintals of paddy showing the same to have been harvested by her from three plots recorded under Khata No.120 of village Ambapada under Nuagaon Tahasil of Nayagarh District.

The replies of Smt. Urbasi Pradhan ANM not being found satisfactory, a Division Bench of the Lokayukta, Odisha by order dated 24.03.2021 directed the Director of Inquiry, Office of the Lokayukta to conduct a preliminary inquiry in the matter. The inquiry report of the Director revealed that the land in question under Khata No. 120 belong to late Biswanath Mohapatra. Of course, Smt. Urbasi Pradhan has not purchased the aforesaid land but she cultivated the same on share cropping basis with the consent of the land owner. The report further revealed that a public servant is not debarred under law from cultivating land on share cropping basis. During inquiry, it was found that Smt. Urbasi Pradhan applied for registration as a farmer for sale of paddy on 12.08.2019 claiming to be a 'Bhagachasi' in respect of the land in question. Along with her application, she had submitted the signed consent letter of the land owner. But during entry of the application form in the Government website, the concerned Data Entry Operator wrongly entered information indicating 'newly purchase' in place of "Bhagachasi". It is the then Secretary of the Co-operative Society namely Sri Prafulla Chandra Swain who is already under suspension, did not properly verify the Data wrongly entered by the Data Entry Operator. In view of the inquiry report of the Director of Inquiry and the comments of competent Authority, the Lokayukta took the view that Smt. Urbasi Pradhan ANM has not done any corruption by registering herself as a farmer in the Panderipada Co-operative Society for sale of paddy, which was with the consent of the land owner. However, since there are allegations of commissions and omissions before the Government against the then Secretary, who has already been put under suspension, the Lokayukta recommended that the Government in Co-operation Department shall ensure that the proceeding in contemplation of which the Secretary was put under suspension shall be brought to its logical conclusion expeditiously.

6. LY Case No. 208/2020

(Sri Jagannath Biswal, Secretary, Jay Jawan & Jay Kisan Farmers Club vrs. Collector, Mayurbhanja)

This complaint was filed by the Secretary of Jay Jawan and Jay Kisan Farmers Club alleging therein that despite the paddy crop of large number of farmers having been damaged by chakada insects during 2017-2018 in Kaptipada Tahasil, no financial assistance was provided to the suffering farmers. The complainant also alleged that a report of Tahasildar confirming damage of paddy crop was ignored by the Sub-Collector, Kaptipada and Collector, Mayurbhanja.

Surprisingly, the Sub-Collector in his reply made a wrong statement that no such report of crop damage from the Tahasildar had been received. Collector, Mayurbhanja was therefore directed to examine the report of Tahasildar and inform what action has been taken to meet the damage caused to the paddy crop of farmers. The Collector then in his written response admitted that a list of 736 farmers, who sustained crop loss due to pest attack, was received and it was also duly approved. By this time, almost a year elapsed and the Collector only after receiving notice from the Lokayukta requested the Special Relief Commissioner & Additional Chief Secretary to Government, Revenue and Disaster Management Department for placement of fund to the tune of Rs. 19,10,476/- for disbursement as financial assistance to the farmers. The Lokayukta having regard to the genuine grievance of the farmers, recommended the Special Relief Commissioner to immediately release the fund. Honouring the recommendation of the Lokayukta, the Special Relief Commissioner promptly released the fund as requested by the Collector. The complaint was then finally disposed of on the compliance report of the Collector regarding disbursement of amount to the distressed farmers. It be noted that had the complainant not approached the Lokayukta by filing a complaint, the farmers would have been deprived of their right to receive financial assistance due to lack of interest of concerned authorities in addressing their difficult situation.

**7. LY Case No. 412/2020
(Janaki Mallik vrs. Block Development Officer, Binjharpur, Jajpur)**

In this complaint, complainant Smt. Janaki Mallik was a divorcee who was facing financial problems. She was enlisted in the year 2011 Census in Socially and Economically Backward Class (SEBC) category. Her grievance was that despite she being entitled for a dwelling house under Pradhan Mantri Awas Yojana, the Block administration had denied the sanction of financial assistance for the house because she could not fulfil the demand of Rs. 20,000/- as bribe.

The Block Development Officer, Binjharpur in his reply submitted that since Janaki Mallik was found living with her brother who had already been sanctioned a house under Pradhan Mantri Awas Yojana, her name was delisted from the priority list.

Dissatisfied with the stand taken by the Block Development Officer for not extending a helping hand to a poor divorcee, Collector, Jajpur was recommended to hold an inquiry as to under what circumstances the name of the complainant was arbitrarily delisted from the priority list and take appropriate action against the officials responsible for such unjustified act. The Collector was also recommended to ensure that the name of the complainant is relisted in the priority list to its original position and she be provided financial assistance without any further delay. Later the Collector informed that the name of Smt. Janaki Mallik had been relisted and she had also been provided with financial assistance. The Lokayukta, thus, came to the aid of Smt. Janaki Mallik by ensuring that she is provided financial assistance which was arbitrarily denied to her.

**8. LY Case No. 1248/2020
(Sri Pradeep Pradhan vrs. Chief Secretary, Odisha)**

In this complaint it was alleged that there had been large scale corruption in the procurement of poly film pouch from the Indian Dairy Machinery Company Ltd.(IDMC Ltd.) through its redistribution agent M/S Kamala Agency, Cuttack during the period from August 2015 to June 2016 as a result of which Orissa State Cooperative Milk Producers Federation Ltd (OMFED) suffered a huge loss to the tune of Rupees six crores and thirty five lakhs. It was also alleged that Sri Bishnu Pada Sethi, IAS, the then Managing Director of OMFED, had resorted to corrupt practices in causing such huge loss to OMFED. It was further stated that on 01.12.2016, Sri Madhu Sudan Padhi, IAS, Managing Director of OMFED, had even written an official letter to the then Chief Secretary for an inquiry by an appropriate agency of the State Government so as to fix responsibility and to recover the loss caused to OMFED but no action was taken on the letter.

The Chief Secretary in his reply submitted that the complaint of Sri Madhu Sudan Padhi was duly placed before the Government where after, it was ordered that the Fisheries & Animal Resources Development Department shall inquire into the matter. As a result, a committee was constituted which after conducting an inquiry had also submitted its report. The Chief Secretary further stated that another complaint was made to the Hon'ble Governor, Odisha alleging similar financial irregularities in the OMFED and even that complaint was inquired by the Financial Advisor-cum-Additional Secretary. Both the inquiry reports were annexed by the Chief Secretary along with his reply for examination by the Lokayukta.

The two inquiry reports submitted by the two competent authorities clearly revealed that allegations of financial irregularities and large-scale corruption made in both the above-mentioned complaints were completely baseless and false. Not only this, according to one of the reports, the letter of allegation made by Sri Madhu Sudan Padhi was even reported to be ill intentioned. Accepting the two inquiry reports, the complaint against Sri Bishnu Pada Sethi was finally closed and filed.

**9. LY Case No. 14/2020
(Sri Nikhil Nayak and others vrs Block Development Officer, Balipatna)**

The residents of village Odakhanda falling within the jurisdiction of Kurunjipur Gram Panchayat filed a complaint dated 03.01.2020 alleging that under a welfare scheme of the State Government for electrification of village road, the Surpanch and Gram Panchayat Officers have resorted to huge corruption by fixing sub-standard lights/bulbs on the electric poles, as a result of which all the lights/bulbs got fused within two months.

Having regard to the allegations made in the complaint, Director of Inquiry, Lokayukta was directed to hold a preliminary inquiry and submit his report. The Director of Inquiry thereupon conducted a thorough inquiry and gave a specific finding in his report that officials named therein were responsible for improper execution of the street lighting works. Acting upon the report of Director of Inquiry, views of Hon'ble Minister, Panchayati Raj and Drinking Water in the matter were called for. Likewise, replies from the officials found guilty in the preliminary inquiry report were also called.

The Hon'ble Minister responded positively by admitting that the officials mentioned in the preliminary inquiry report were in fact responsible for improper execution of the street lighting works and therefore Collector, Khordha has been ordered for initiating disciplinary proceedings against them. The Hon'ble Minister also informed that steps were being taken for an action against the Surpanch and Ex- Surpanch of Kurunjipur Gram Panchayat under section 115 of the Odisha Gram Panchayat Act, 1964. Accordingly, information was sought from Collector, Khordha who in his response dated 10.08.2021 confirmed that proceedings for taking effective action against the wrongdoers have already been commenced. As the State Government in right earnest decided to take effective action against the wrongdoers by initiating proceedings, the complaint was finally disposed of.

**10. LY Case No. 110 of 2019
(Srikanta Pakal, Cuttack VS Bishnupada Sethi, IAS)**

This complaint was filed by Sri Srikanta Pakal against Sri Bishnupada Sethi, IAS, alleging illegal drawal of lakhs of rupees from Odisha State Co-operative Bank Ltd. (in short OSCB), Bhubaneswar during his tenure as its Management-in-charge in the shape of incentives/ honorarium/reimbursement of medical bill/orderly allowances and book grant etc. from the period 06.02.2013 to 28.07.2015.

The Lokayukta after considering the allegation and explanation submitted by Sri Bishnupada Sethi, vide order dated 11.11.2020 confined the dispute for inquiry only in respect of payments received by him on the following two relevant heads:-

- (1) Payment of honorarium out of the net profit of the Bank to the Management-in-Charge and his legal entitlement to the same in addition to his salary as received in respect of his substantive post Commissioner-cum-Secretary, Cooperation Department, Govt. Of Odisha.
- (2) Whether Sri Sethi being the Management-in-Charge of OSCB is entitled to reimburse the medical bill in respect of expenses incurred for treatment of his father and wife.

The complainant alleged that Sri Sethi, by misusing his power and position while working as Commissioner-cum-Secretary to Government, Cooperation Department, issued a letter to the Managing Director, OSCB Ltd., Bhubaneswar for reimbursement of medical bills to the tune of Rs.1,50,000/-. He further alleged that Sri Sethi also withdrew other medical bills on different dates amounting to Rs.9,46,273/- without the approval of Board. According to him, despite the fact that Sri Sethi was holding a substantive post at that time, he wrongfully reimbursed the medical bills from the fund of OSCB. The complainant also submitted that Sri Sethi not being a regular employee of the SCB was not entitled to receive any incentive from the profit of OSCB, as the same is only meant for

its employees. According to him, the materials available against Sri Sethi clearly showed that he being a civil servant of superior cadre deliberately committed gross misconduct which attracted a penal offence under the Prevention of Corruption Act. In reply, Sri Sethi admitted that he was Management in-charge of the OSCB from 06.02.2013 to 28.07.2015. He also admitted to have reimbursed a sum of Rs.3,27,000/- on three occasions towards medical expenses for the treatment of his father, Sri Bhagirathi Sethi and wife Mrs. Vaisali Sethi. He categorically denied availing medical expenses amounting to Rs.9,46,071. According to him, the medical bills were in fact reimbursed to him from the fund of the bank after taking permission from the State Government. He also filed certain documents in support of his this stand. In regard to allegation of receiving bonus from the OSCB, Sri Sethi stated that he is entitled for the same because he as a Government servant was engaged with the affairs of the OSCB for the entire duration and Section 56(2) of the Odisha State Cooperative Bank Act, 1962 permits such payment of bonus. After giving thoughtful consideration to the contentions and rival contentions made by the complainant as well as by Sri Sethi, the Director of Inquiry, Lokayukta was directed to make a preliminary inquiry on the following three references and submit his report: -

Whether respondent Sri Bishnupada Sethi while in additional charge as the Management-in-Charge of OSCB, is legally entitled to reimburse the medical bills from the Bank in respect of the expenses incurred by him towards the medical treatment of his father and wife.

- (a) Whether Sri Bishnupada Sethi is entitled for honorarium out of net profit of the Bank as Management-in-Charge in addition to his substantive post as Commissioner-cum-Secretary, Department of Co-operation, Government of Odisha.
- (b) Whether Sri Bishnupada Sethi by misutilising his power/authority has reimbursed the medical bills and drawn the honorarium from OSCB for his wrongful gain.

The Director of Inquiry in compliance of our order submitted his preliminary inquiry report on 09.04.2021 wherein he gave findings in all the references in favour of Sri Sethi. According to the preliminary inquiry report, since Sri Sethi as a Government servant was engaged the whole time with the affairs of OSCB, he was entitled to receive the payment of bonus under Rule 54 (a) of the Staff Service Rules, 1980. The Director of Inquiry relied upon the comments of Minister, Cooperation (competent authority) in giving findings that Sri Sethi was engaged with the affairs of the Bank for the entire duration. The Director of Inquiry also gave a finding that allegation of complainant that Sri Sethi reimbursed Rs.9,46,071/- was factually incorrect. According to him, Sri Sethi actually reimbursed total amount of Rs.3,27,000/- for the treatment of his father and wife which he was legally entitled for and he did so only after he received permission from the State Government for the reimbursement from the fund of OSCB.

The Lokayukta, after examining the entire record, concluded that since Sri Sethi was engaged whole time in connection with the affairs of OSCB, he became entitled to receive bonus under Section 56(2)(f) of the Odisha Cooperative Societies Act and the allegation that he is not entitled to receive the same was without foundation.

In regards to the reimbursement of medical bills amounting to Rs.3,27,000/- by Sri Sethi on different occasions from the fund of the Bank, the Director of Inquiry gave a finding that he was lawfully entitled for such reimbursement. But despite this finding of the Director of Inquiry in his favour, Sri Sethi as a good will gesture returned the entire amount of Rs.3,27,000/- to the Bank on 25.06.2021 by making payment through three cheques of the same date. The Lokayukta after appreciating such a conduct of Sri Sethi finally closed the complaint.

11. **LY-583/2020**
(Susanta Kumar Padhi vrs: Sri Hemanta Sharma and others)
LY-601/2020
(Sudarsan Das vrs: Sri Hemanta Sharma and others)
(Order dated 26.03.2021)

In these complaints it was alleged by the complainants that there have been wide scale corruption in the procurement of masks, testing kits, Real Time Polymerase, Chain Reaction (PCR) machines, Personal Protection Equipment (PPE) kits, Bi-level Positive Airway Pressure (BiPAP) machines, nebulisers, etc. during the Corona pandemic by Odisha State Medical Corporation Ltd. (in short OSMC Ltd.) and Sri Hemanta Sharma, IAS who was especially entrusted by the Government of Odisha to supervise the process of procurement.

The genesis of the allegations was that on 06.04.2020 O.S.M.C. issued a public notice seeking an open tender for the purchase of triple layer face mask at Rs. 10/- per piece but curiously, on 17.04.2020 it purchased 30 lakh face masks from one M/s Vishnu Disposable Pvt. Ltd., Tamil Nadu at Rs. 16/- per piece in gross violation of the modalities for procurement by resorting to corrupt practice with an ulterior motive for wrongful personal gain of the officials involved in the purchase.

According to the complainants, Sri Hemanta Sharma was the chief architect of the said purchase and his complicity is well made out when he publicly made statement before media that blank cheques have been issued for the purchase of the above mentioned essential pharmaceutical goods and critical care equipment. The complainants further alleged that the same quality of masks was purchased by different States at much lower prices. The complainants had also alleged that even other essential pharmaceutical goods and critical care equipment were purchased on much higher rates by the officials with an ulterior motive of wrongful gain.

Both Sri Hemanta Sharma and OSMC in their separate replies denied the allegations of corruption and wrongful gains. Sri Sharma categorically stated that the procurement of medical equipment was made as per price fixed by the Government of India after due deliberation by the Emergency Procurement Committee followed with a further approval by the Empowered Group of Ministers. According to him, the procurement was absolutely transparent with no preferential treatment to any supplier. He also submitted that both the complaints were ill conceived and baseless having unsubstantiated allegations and therefore be dismissed.

Having regard to the allegations made in the complaints and also the averments made by the respondents in their separate replies, as well as considering the fact that the people who elect their Government have a right to know whether the response of the Government to a given situation, like the present pandemic, had been an honest one, the Directorate of Vigilance, Odisha was directed to conduct a preliminary enquiry on the following reference:-

"Whether to combat pandemic covid -19, essential pharmaceutical good and critical equipment including 3 layer masks were purchased on higher rates by respondent No. 1 and other public servants with an ulterior motive for their wrongful gain?"

In compliance to the direction, the Director of Vigilance authorised Sri M. Radhakrishna, Superintendent of Police, Vigilance Cell to conduct the inquiry on the above mentioned reference who after conducting a thorough inquiry and complying with the provisions of section-20 (2) of the Odisha Lokayukta Act 2014 submitted a detailed preliminary inquiry report.

The conclusion arrived at in the preliminary inquiry report was enumerated as under: "**Conclusion**"

Thus, based on the materials, information, documents and comments of the public servants and competent authority collected/obtained during the course of preliminary inquiry, my findings are as under: -

- A. Covid-19 Pandemic caused by the novel Corona virus was the gravest public health emergency since the Spanish Flu of 1918-1920. It was an unprecedented disaster, the like of which has not been encountered during the last 100 years. More than 100 million people worldwide have been affected by the virus and the pandemic is still an ongoing one.
- B. The first case of Covid-19 was detected in 'Wuhan city of China' in December, 2019. It was declared as 'a public health emergency of international concern' by the World Health Organization (WHO) in January, 2020. However, in view of the widespread outbreaks of the disease in many countries worldwide, WHO declared it as a 'pandemic' in March, 2020.
- C. Since Covid-19 virus had no known cure or treatment, the entire world went into a panic mode as to how to counter the deadly virus. There was a worldwide global shortfall in diagnostic supplies and as countries competed with each other to procure and stock Masks, PPEs (Personal Protection Equipment) and other medical equipment, surgical and consumable items etc., there was a disruption in the global supply chain of the critical care equipment and other essential medical items. India and other countries with manufacturing capacity of such equipment also put bans on import and export of such items as well as raw materials and components used for the manufacturing. As such, India had a very limited manufacturing capacity of Masks, PPEs, Test Kits and critical care equipment to meet the huge requirements of the country. The entire country including Odisha was put under prolonged lockdown and shutdown. The factories and godowns were closed and migrant labourers went back home. There were bans on travel and transport, which created problem of acute shortage of critical care equipment and health accessories needed to fight Covid-19 and various states competed with each other for purchase of stocks of the available supplies. All this led to a 'Sellers' Market'. The price was determined by the suppliers and there were rapid market fluctuations in pricing of medical items, depending upon their availability and demand.
- D. There was a countrywide huge mismatch between the demand and the supply of Masks, PPEs, RTPCR and True Nat machines, testing kits, oxygen cylinders, nebulizers etc. It was also urgently necessary to ramp up the health care facilities and health infrastructure of the state in Odisha to meet the huge requirement of testing and Hospital and ICU based treatment for the Covid patients.
- E. COVID- 19 was a pandemic of unprecedented scale and the situation was rapidly evolving. Its contagiousity, infectiousness and mortality potential, as seen in countries like Italy and Spain created great anxieties and panic in the society. Hence, it was incumbent on the part of the State Government to initiate all possible measures to create a sense of assurance in the society that the State was fully prepared to save the precious lives of its citizens.
- F. In the month of March itself, after assessment of prevailing and likely scenario and detailed deliberations, Covid-19 was declared as a 'Disaster' by the Government of Odisha on 13th March, 2020 and by the Government of India on 14th March, 2020. In Odisha, the first case of Covid-19 was detected in March, 2020.
- G. In furtherance to its preparation for facing the challenges of corona pandemic, the Department of Expenditure, Ministry of Finance, Government of India issued Office Memorandum No. F6/18/2019-PPD dated March 27, 2020 relaxing financial norms to expedite procurement of pharmaceutical goods, critical care equipment and other consumables by making provisions for procurement through single bid and on nomination basis and dispensing with the requirement of procurement through GeM i.e. E-marketplace of the Government. Furthermore, provisions were made to purchase pharmaceutical goods, critical care equipment and other consumables from multiple sources and at different rates in case of emergency situations. Thus, in the month of March, 2020 itself, considering the huge demand world-wide, it was considered prudent and essential to ensure an expeditious procurement process by way of dispensing with the normal mode of procurement and adopting multiple modes of procurement from multiple sources and at different rates with a view to save the precious human lives.
- H. In line with the aforementioned measures and in order to deal with the prevailing emergent situation, Odisha Government declared Covid-19 as a "Disaster" on 13.03.2020 and by invoking statutory provisions of the Disaster Management Act, 2005 and Covid Regulations, 2020 issued under Epidemic Diseases Act, 1897, relaxed financial norms for procurement vide (1) R & DM Department Order No.2003/R&DM (DM) dated 24.03.2020, (2) Finance Department Office Order

No.10525/F dated 26.03.2020 and (3) Health & Family Welfare Department Order No.HFW-SCH-EMER-000-2020-9570/H dated 03.04.2020. The relaxations allowed to go for single tender process, dispensing with the need to take approval from the next higher authority and for adopting overarching measures without any financial limit to procure goods, services and equipment necessary for prevention and control of the epidemic disease. The normal rules, regulations, orders or notifications in force regulating procurement were dispensed with, with the sole purpose to contain the spread of Corona and save the precious human lives.

- I. Furthermore, in order to have a comprehensive strategy with an appropriate institutional structure for quickly assessing the requirements and taking decisions for expeditious procurement of the required pharmaceutical goods, critical care equipment and other consumables, a State Level Emergency Procurement Committee (EPC) was constituted vide Notification No.8735/H dt.21.03.2020 headed by the Principal Secretary, Health & FW Department and consisting of the technical experts like DHS, DPH & DME&T. The EPC was constituted in accordance with the statutory provisions under Section 50 of the Disaster Management Act-2005, which enabled it to take decisions on Covid related requirement and procurement without any financial limit. The EPC had 9 members including of 3 technical heads i.e. DME&T, DPH & DHS of the Health Department. This multi-departmental and multidisciplinary Committee, in its meetings held on different dates continuously evaluated the dynamic situation of COVID-19 in the State, deliberated on the requirements and took decisions on the various aspects of the procurements and procurement was made by the OSMCL accordingly. The quality specifications of the procured items were determined by the technical experts and on their assessment and indent, procurement planning and decision making was made.
- J. The preliminary inquiry has brought out clearly that all the decisions relating to the procurement by OSMCL were taken /ratified/approved by institutional decisions of the Emergency Procurement Committee after detailed deliberations. Since EPC had 3 members i.e. DHS, DME&T & DPH heading the three verticals of the State Health Department and having the requisite technical expertise, it facilitated meaningful deliberations and timely decisions for the procurement of the essential pharmaceutical goods, critical care equipment and other consumables. The presence of Principal Secretary, Finance as a member and the Financial Advisor cum Additional Secretary to Government, Health and Family Welfare Department as member convener of the EPC was intended to ensure that all procurements were done in strict accordance with the extant financial norms.
- K. Thus, the elaborate procurement architecture designed to deal with Covid-19 effectively had the backing of statutes, regulations, orders and executive instructions.
- L. In order to meet the extraordinary public health challenges posed by the Covid-19 pandemic, Government of Odisha took proactive steps to set up Quarantine centers and Temporary Medical Camps (TMC) to upgrade the testing, isolation and treating capacity. Government also took emergent steps to increase availability of hospital beds and ICUs, Covid-19 Hospitals etc. for treatment of Corona patients. As such the need of the health care community and the frontline workers to have masks, PPEs etc. rose tremendously. Odisha also had set up an online portal for registration of all the migrants coming from abroad and from various parts of the country and especially from countries/states severely affected by the Covid-19. Effective and efficient testing to detect Covid-19 cases at the earliest was considered the most effective instrument in the fight against the disease. 'Isolation, Testing, Treating was the strategy adopted to contain the spread of the virus which was growing exponentially.
- M. It was the duty of the State Government to protect the life of its people and ensure the safety of the health care workers and other frontline workers. It was essential to provide life saving equipments to the health care workers in order to protect them from infection as well as to keep up their morale. To do this, there was a need for procurement of masks, PPEs and other critical equipment on a war footing and maintain their uninterrupted supply as well as build up /adequate stocks, as the fight against Covid-19 was going to be a long drawn battle. Therefore, procurement from multiple sources at multiple rates through multiple procurement methods was needed, as time was of critical importance and saving of human life was the prime concern.

- N. During inquiry, it has also come to the fore that in view of manifold increase in the demands for the pharmaceutical goods, critical care equipment and other consumables worldwide and across the country, the market was in a 'Sellers' Market' mode and hence, rates of these goods and equipment remained dynamic throughout the period. However, all the purchases were made by OSMCL based on existing Rate contract, Old rate contract, within rates fixed by Government of India (like 3 layers' face masks and sanitizers by the Government of India), single tender basis or at the rates on which supplies were made to other buyers as approved by the EPC in its meeting dt.21.03.2020. The necessity of the procurement was continuously assessed, reviewed and revised and sometimes procurement orders were also cancelled, when there was no further need for an item.
- O. The Empowered Group of Ministers (EGoM), headed by Minister of Finance & Excise with Minister of Health and Family Welfare Department as a member was constituted vide Government of Odisha Notification No.7852/H dated 13.03.2020 to evaluate the emerging situation, take all necessary decisions for prevention and containment of Covid-19 and approve all emergent procurements after due examination of the necessity, urgency and justification of such procurement. In accordance with the said mandate, the EGoM deliberated on all the procurements related to COVID-19 management done by OSMCL with due approval by the EPC and approved the procurements.
- P. Finally, all the decisions of procurements related to Covid-19 management were placed before the Cabinet, the highest executive body of the State and were duly approved.
- Q. Finally, after taking into account all the above facts and the various materials, documents, information etc., collected during the preliminary inquiry, it was found that all the decisions for procurement were taken by the multidisciplinary and interdepartmental Emergency Procurement Committee unanimously in public interest and in good faith and no malafide can be attributed to any individual officer engaged in the procurement process as part of the Emergency Procurement Committee. In fact, the policy, procedures and institutional framework put in place by the State Government governing the functioning of the Emergency Procurement Committee ensured collective decision making by consensus and there was no scope for any individual member to take any decision in his/her personal capacity to procure any item at a higher price with an ulterior motive for wrongful gain. Thus, the allegations raised by both the complainants in their respective complaint petitions were not substantiated during the preliminary inquiry.

The above quoted conclusion of the preliminary inquiry report completely negated the allegation that to combat pandemic Covid-19, essential pharmaceutical goods and critical equipment including 3 layer masks were purchased on higher rates by Sri Sharma and other public servants with an ulterior motive for their wrongful gain. The conclusion of the report was fully accepted as the same was well founded and supported by cogent reasons. As a result, the complaint was closed and filed.

**12. LY Case No. 1027 of 2020
(Sarbeswar Behura, Jajpur VS Chief Engineer, Department of Works nirman Soudh & Others)**

There is an Irrigation Embankment Road from National Highway-5 (Gokarneswar) to Majhipada, Dist. Jajpur on Kelua river. Although this embankment road is in the ownership of the Water Resources Department, it was transferred to the control of Works Department for future improvement and maintenance vide order No.FC-II-04/2014/2027 dated 05.02.2014 of the Water Resource Department. After the said transfer, the surface of road was widened and improved to intermediate lane at a cost of Rs.21.99 crore through a private contractor. On the night of 28.08.2020, substantial portion of the embankment was washed away due to breaches. As a result, several hectares of paddy was reported to have been destroyed.

Complainant Sri Sarbeswar Behura, therefore, filed a complaint alleging that during the construction work of the embankment road after its transfer to the Works Department, Sri Pranab Kumar Balabantaray, Member of Legislative Assembly for Dharmasala Constituency in connivance with Junior Engineer Sri Naren Kumar Jena took huge amount of money from the Contractor for their wrongful gain, as a result of which the contractor used sub-standard material in the construction work. The complainant also alleged that to cover this up, both of them hired miscreants and caused breaches in the embankment road by using dynamites and tried to create an impression that the embankment was washed away because of strong current of flood water.

Although these allegations were denied by Sri Pranab Kumar Balabantaray and Sri Naren Kumar Jena, the Lokayukta in public interest directed the Director, Vigilance, Odisha, Cuttack for conducting a preliminary inquiry on the following three references:

1. Whether breaches occurred in the road embankment due to substandard construction work resulting into washing away of the substantial portion of road embankment?
2. Whether breaches were created in the road embankment at the instance of respondent Nos. 5 and 6 to cover up corruption?
3. Whether in the construction work of road embankment, corrupt practice was resorted to by any public servant or person other than public servant?

The Director of Vigilance in compliance to the direction conducted a thorough enquiry and submitted his report on 07.07.2021 with a finding that the allegation of corruption made in the complaint regarding the use of substandard material in the construction work of embankment was not established. The conclusion part of the inquiry report stated as under:

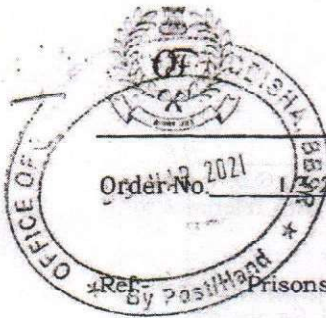
"In view of the aforesaid facts and circumstances, as mentioned in the foregoing paragraphs, allegation regarding substandard construction work in the road embankment resulting in washing away of the substantial portion of the road embankment could not be substantiated as test results of the collected samples by the R & B Quality Control Division, Cuttack were found more or less satisfying the required parameter/ standard to the MoRTH (Ministry of Road Transport & Highways) Specification (5th Revision). Besides, during Technical Inspection, the test check measurements by Vigilance Technical Wing tallied more or less with the measurement recorded in Measurement Books except an overlapping measurement in Granular Sub-Base Item. Thus, allegations that the breach occurred in the road embankment due to substandard construction work resulting in washing away of the substantial portion of the road embankment could not be substantiated. Besides, neither the local enquiry nor the Chemical Examination report of State Forensic Science Laboratory, Resulgarh, Bhubaneswar has revealed anything to substantiate the allegation that breach had occurred due to use of any explosive substances. Moreover, Engineer-In-Chief, Water Resources after conducting an enquiry has concluded that breaches have occurred due to piping.

Further, during the preliminary inquiry, no material evidence surfaced to substantiate the allegation that breach was created in the road embankment at the instance of respondent no.5 Shri Pranab Kumar Balabantaray, Member of Legislative Assembly from Dharmasala Assembly Constituency and Respondent No.6 Shri Naren Kumar Jena, Ex-Junior Engineer, R & B Section, Dharmasala (now working as Asst. Engineer, O/o the Executive Engineer, Panikoili R & B Division, Dist. Jajpur) to cover up corruption. No oral or documentary evidence could be found to establish the allegation that they were responsible for the occurrence of the breach. However, Dharmasala P.S. Case No.337 dated 29.08.2020 U/s. 427/431 IPC has been registered on the allegation of creation of breaches by some miscreants unauthorisedly at Kelua left Embankment near Niraghat and Kelua Right Embankment near Ramapur on 28.08.2020 and the case is under investigation. Thus, in view of the absence of any material to establish the substandard construction work in the road embankment, allegations of resorting to the corrupt practices by any public servant or person other than public servant in the construction work of said road embankment, also could not be established."

On minutely examining the preliminary inquiry report it was found that the conclusion arrived at by the Inquiring Officer was not only well reasoned but also well founded by the supporting documents. Therefore, the report was accepted and the complaint was closed.

- 13. LY Case No. 1187 of 2020
(Trayambaka Barik Vrs. Principal Secretary Home Deptt. & others).
LY Case No. 209 of 2019
(Sri Trayambaka Barik Vrs. Supdt. of Police, Vigilance, Sambalpur)**

In these cases, the complainant had alleged that candidates having obtained less marks than her, were appointed to the post of Jail Warder in the year 2012-2013 and despite her written complaint to the Superintendent of Police, Sambalpur against the Officers resorting to corrupt practice in the recruitment of Jail Warder, no action was being taken. In response to the notice, Superintendent of Police Sambalpur informed that on the basis of inquiry in the matter, case of corruption against the examiners of recruitment test namely (1) Sri Gopabandhu Mallick, Ex-D.I.G. (Prison), Berhampur Range, (2) Dr. Birakishore Dash, Lecturer in Sociology, Odisha Jail Training School, Berhampur and (3) Sri Gagan Bihari Sahoo, Jailor, Circle Jail, Koraput has been registered. The Superintendent of Police also produced a copy of the Inquiry Report and the First Information Report. The Superintendent of Police further fairly admitted that the complainant was deliberately given less marks than what she was entitled for in the written examination, as a result of which she had been unjustfully declared disqualified by the Selection Board of the aforesaid recruitment test. The Lokayukta acting upon the reply of Superintendent of Police, apart from directing prompt investigation against the wrongdoers, also recommended the State Government to consider giving appointment to the complainant as Jail Warder. Thereafter, the State Government accepted the recommendation and vide order dated 13.03.2021 appointed the complainant as Female Warder under Sambalpur Prisons Circle on contractual basis on monthly consolidated remuneration of Rs.8,880/- in accordance with the Odisha Group-C & Group-D posts (Contractual Appointment) Rules, 2013. The State Government also took the incident very seriously and compulsorily retired Sri Gopabandhu Mallick, the then D.I.G. (Prison), posted at Berhampur Range.



OFFICE OF THE SENIOR SUPERINTENDENT
CIRCLE JAIL, SAMBALPUR.

ବରିଷ୍ଠ ଅଧ୍ୟକ୍ଷକଙ୍କ ବାସ୍ତବ୍ୟାବଳୀ, ମଞ୍ଜୁର କାରାଗାର ସମ୍ବଲପୁର

Order No. 1/329/2021

Dated. 13/03/2021//

OFFICE ORDER

*Ref. Prisons Directorate Letter No.4356 dated 01.03.2021.
By Post/Mand FE(B)-LM-1/2021

In pursuance of the above cited letter and in recommendation of the committee dated 08.03.2021, **Smt. Champakalata Pradhan, W/o- Trayambaka Barik, At- Puturapali, P.S- Ulunda, Dist-Subarnapur** is hereby appointed temporarily as Female Warder under Sambalpur Prisons Circle on contractual basis on monthly consolidated remuneration of **Rs.8,880/-** in accordance with the Odisha Group-C & Group-D posts (Contractual Appointment) Rules-2013. The appointment shall be on contractual basis for a period of six years from the date of Joining and appointment shall be governed by Odisha Group-C & Group-D posts (Contractual Appointment) Rules-2013 and orders/ instructions of the Government issued in this connection from time to time.

During the period of contractual appointment, he / she shall draw monthly remuneration as per G.A Department Notification No. GAD-SC-RULES-0037-2017-19569/Gen Dated.12.09.2017 read with Finance Department Notification No.28090-Fin-PCC-Pay-0006-2017 Dated.22.09.2017.

He / She is directed to report before the undersigned within 15 days on the date of receipt of this letter, failing which your appointment letter for the post of Female Warder will be cancelled.

The appointment is purely temporary and subject to verification of character and antecedents of appointee. The appointment can be terminated at any time without notice or assigning any reason thereof.

Candidates are required to produce the following documents at the time of joining

1. Original HSC Certificate and certificates regarding educational qualification (+2 qualification) / Caste Certificate in case of ST /SC/ SEBC (in case of SEBC the certificate in original should have been issued within one year) / Residence or Nativity Certificate/Employment Registration Certificate / Two Character Certificates from two Gazette Officer / Two passport size photograph/ Oath of Allegiance to the constitution of India / Declaration of single spouse living Certificate / Attestation form in duplicate , duly filled in.
2. No. T.A shall be allowed to join in the present place of posting.
3. The appointee is required to submit medical certificate from a Medical Officer not below the rank of Chief District Medical Officer at the time of his/her joining.

R. C. Laksh
Senior Superintendent
Circle Jail, Sambalpur
13-3-21

//Page-2//

Memo No. _____// Dated. _____//
 Copy submitted to the Director General of Prisons and D.C.S, Odisha,
 Bhubaneswar for favour of kind information and necessary action with reference to
 his Letter No. 4356 Dated.01.03.2021.

Senior Superintendent
 Circle Jail, Sambalpur

Memo No. _____// Dated. _____//
 Copy submitted to the Government Advocate, O/o the Advocate
 General, Odisha, Cuttack for favour of kind information with reference to Prisons
 Directorate Memo No. 4357 Dated.01.03.2021 to his address.

Senior Superintendent
 Circle Jail, Sambalpur

Memo No. 1332 // Dated. 13/03/2021 //
 Copy submitted to the Addl. Secretary to the Hon'ble Lokayukta,
 Odisha, Bhubaneswar for favour of kind information with reference to Prisons
 Directorate Memo No. 4358 Dated.01.03.2021 to his address.

N. Laloo
 Senior Superintendent
 Circle Jail, Sambalpur
 13-3-21 92.3.2

Memo No. _____// Dated. _____//
 Copy submitted to the Joint Secretary to Government of Odisha,
 Home (Jails)Department, Odisha, Bhubaneswar favour of kind information with
 reference to Prisons Directorate Memo No. 4359 Dated.01.03.2021 to his address.

Senior Superintendent
 Circle Jail, Sambalpur

Memo No. _____// Dated. _____//
 Copy submitted to the D.I.G of Prisons, Sambalpur Range, Sambalpur
 for favour of kind information.

Senior Superintendent
 Circle Jail, Sambalpur

Memo No. _____// Dated. _____//
 Copy to Smt. Champaklata Pradhan, W/o- Trayambaka Barik, At-
 Puturupali, P.S- Ulunda, Dist- Subarnapur for information with reference to
 Prisons Directorate Memo No. 4361 Dated.01.03.2021 to her address.

Senior Superintendent
 Circle Jail, Sambalpur

Circle Jail, Sambalpur,
 At/P.O.-Sambalpur, Odisha, PIN-768001,
 e-mail-sambalpurjail.od@nic.in Phone No.0663-2411968

Sl. No.	Date	Order (LY- 1187/2020)	Action Taken
	26.03.2021	<p>The following order is passed by the Chairperson:</p> <p>The complainant is present in person.</p> <p>By our order dated 25.11.2019 passed in LY Case No. 209 of 2019, we had made the following observation:</p> <p>"While the Vigilance Department is investigating the case against the examiners of the recruitment test, since injustice has been caused to Smt. Champakalata Pradhan (based on the findings of the Vigilance Inquiry report) we recommend that Government may consider giving appointment to her as Jail Warder under SEBC (Female Home Guard category), if she is otherwise found to be qualified and suitable.</p> <p>With the above observation and recommendation, the complaint stands finally disposed of."</p> <p>It is heartening to learn that the Senior Superintendent, Circle Jail, Sambalpur vide order dated 13.03.2021 has appointed Smt. Champakalata Pradhan temporarily as Female Warder under Sambalpur Prisons Circle on contractual basis on monthly consolidated remuneration of Rs.8,880/- in accordance with the Odisha Group-C and Group-D posts (Contractual Appointment) Rules, 2013. We hope and trust that Smt. Champakalata Pradhan will now join her appointed post and will work sincerely to the satisfaction of her superior officials.</p> <p>As the grievance of the complainant has now been fully addressed, we find no justification to proceed further with the present complaint. It is accordingly closed and filed.</p> <p style="text-align: right;">CHAIRPERSON</p> <p style="text-align: right;">MEMBER</p>	

14. LY CASE NO. 187/2021
(Sailabala Debata vs Surpanch, Guderipali Gram panchayat, Bargarh)

The following order is passed by the Chairperson: -None for the parties.

Vide communication dated 10.11.2021, Special Secretary to Government, Panchayati Raj & Drinking Water Department has forwarded the views of Hon'ble Minister which are taken on record.

According to complainant Smt. Sailabala Debta an amount of Rs.15,13,566/- has been misappropriated by Smt. Udian Luha, Sarpanch and Sri Bhaktaram Bariha, Ex- Panchayat Executive Officer of Guderipali Gram Panchayat.

Having regard to the allegations made in the complaint we issued notices to 1) Collector, Bargarh; 2) District Panchayat Officer, Bargarh; 3) Block Development Officer, Gaisilet; 4) Smt. Udian Luha and 5) Sri Bhaktaram Bariha requiring them to file their reply. Smt. Udian Luha in her brief reply has denied the allegations whereas Sri Bhaktaram Bariha has not filed any reply.

The Collector, Bargarh along with his reply has also submitted the inquiry report. The relevant concluding paragraphs of the inquiry report read as under: -

"In view of the above facts, it has been established that Smt. Udian Luha, Surpanch, Guderipali G.P. and Sri Bhaktaram Bariha have misappropriated (CFC+SFC fund) an amount of Rs. 16,37,197.00 and have violated the statutory provisions of Odisha Gram Panchayat Act, 1964; the Odisha Gram Panchayat Rules, 2014 and the Guidelines of CFC/ SFC fund. There is gross irregularities and mismanagement which has affected proper functioning of the Gram Panchayat. Sri Bhaktaram Bariha had misappropriated Rs. 3,54,900.00 of the Pension funds by himself for which Sri Bariha is also responsible only.

It is relevant to mention that necessary action under Section-115 of the OGP Act, 1964 has already been initiated against Sri Bhaktaram Bariha, Ex-PEO and he has been placed under suspension vide this office order No. 608/ dt. 30.07.2020. The proposal for suspension of Smt. Udian Luha, Surpanch, Guderipali Gram Panchayat has also been submitted to the Director, Panchayati Raj & Drinking Water Department, Odisha, Bhubaneswar vide this office letter No. 282/ dt. 24.03.2021."

From the above quoted extract of the inquiry report it is clear that both Smt. Udian Luha and Sri Bhaktaram Bariha are found to have misappropriated Rs. 16,37,197.00. Not only this, Sri Bhaktaram Bariha is further found to have misappropriated Rs. 3,54,900.00 of the Pension fund. It is also now reported that Smt. Udian Luha and Sri Bhaktaram Bariha have been placed under suspension.

However, since despite the finding of misappropriation of Government money in an inquiry no action under the Prevention of Corruption Act, 1988 has been proposed against Smt. Udian Luha and Sri Bhaktaram Bariha we called for the views of the competent authority i.e., Hon'ble Minister, Panchayati Raj & Drinking Water in the matter.

The hon'ble minister in his views has admitted that Smt. Udian Luha has been placed under suspension under section 115 (2) of the Odisha Gram Panchayat Act for misappropriation of Government money and disciplinary proceedings have been initiated under section 115 (1) of the same Act. The hon'ble minister has also stated that even Sri Bhaktaram Bariha has been placed under suspension for misappropriation of Government money. According to the Hon'ble Minister, District Audit Officer has been requested to conduct special audit to ascertain the amount of misappropriation where after needful action as deemed proper shall be taken.

Be that as it may, from the views of Hon'ble Minister it is clear that both Smt. Udian Luha and Sri Bhaktaram Bariha are found to have misappropriated huge amount of Government money and they are being subjected to disciplinary proceedings. Thus, apima facie case exists against Smt. Udian Luha and Sri Bhaktaram Bariha for investigation. We accordingly direct the Director of Vigilance to carry out the investigation and submit the report within a period of three months from today. We have given this direction of investigation in exercise of powers conferred on us under section 20 (1) (b) of the Odisha Lokayukta Act, 2014. All the relevant record of the case be immediately handed over to the Directorate of Vigilance for information and compliance. List the matter for submission of the investigation report on 07.02.2022.

**15. LY CASE NO. 509/2020
(SUO MOTO vs Executive Engineer, Rural Works Division, Bolangir)**

The following order is passed by the Chairperson: -

1. During financial year 2013-2014, the State Government approved construction of one high level bridge over river Suktel on Tamia-Mudalsar Road in Bolangir district under Biju Setu Yojana. Thereafter an e-tender was invited and one M/s Ram Kumar Agarwal Engineers Pvt. Ltd. was selected for the construction work of the bridge. Finally, M/s Ram Kumar Agarwal Engineers Pvt. Ltd. signed an agreement with the Executive Engineer, R W Division, Patnagarh with an estimated value of Rs. 6,99,97,278.00. The construction work commenced on 26.02.2014 and was completed on 08.09.2015. Also a net amount of Rs. 6,62,80,861.00 was paid to M/s Ram Kumar Agarwal Engineers Pvt. Ltd. after deduction of statutory taxes against the gross amount of Rs. 7,58,02,028.00.
2. In February 2020, the bridge was deflected at span No. 4 due to cracks on the surface of the bottom slab and the outer webs of the girder. Sri Antuni Kishan, Executive Engineer immediately reported the matter to the Engineer-in-Chief, Rural Works who instructed the dismantling of the existing deflected span and also for its reconstruction by M/s Ram Kumar Agarwal Engineers Pvt. Ltd. On 29.04.2020, when the dismantling was in process by the labourers, the deflected span collapsed. As a result of this, two labourers died on the spot and two were seriously injured. This incident was widely reported in prestigious newspapers and we by our order dated 30.04.2020 took cognizance of the same and suo motu registered the press reporting as complaint. On the same date we also issued notices to the Executive Engineer, Rural Works Division, Bolangir and the Managing Director of M/s Ram Kumar Agarwal Engineers Pvt. Ltd. to explain the circumstances which led to the collapse of bridge. We even called for the views of the competent authority, i.e., Hon'ble Minister, Rural Development, Odisha in the matter.
3. As the collapse of recently constructed bridge resulting into death of two labourers was not denied by the Executive Engineer, Managing Director of M/s Ram Kumar Agarwal Engineers Pvt. Ltd. and the hon'ble minister, we were of the view that there exists a prima facie case for investigation into corruption in the sub-standard construction of the bridge. We therefore vide order dated 12.08.2020 in exercise of the powers conferred under section 20 (6) of the Odisha Lokayukta Act directed the Director, Vigilance, Odisha to carry out the investigation and submit the report. It is in this background and after thorough investigation that the Director, Vigilance has submitted the investigation report under section 20 (7) of the same Act with a finding that on the basis of evidence collected 1) Sri Sudhansu Sekhar Mohapatra, 2) Sri Tapan Kumar Behera, 3) Sri Ranjit Kumar Bag, 4) Sri Braj Bhusan Kumar, 5) Sri Sanjay Kumar Agarwal and 6) Ginish Param Banattu Balarajan Nair@ Ginish Nair are liable to be prosecuted under section 13 (2) read with section 13 (1) (c) (d) of the Prevention of Corruption Act, 1988 and section 120-B of the Indian Penal Code. The investigation report now requires our consideration under section 20 (8) of the Odisha Lokayukta Act for which we have carefully perused the same.

4. According to the investigation report 1) Sri Bibhudendra Meher, Executive Engineer; 2) Antuni Kishan, Executive Engineer; 3) Sri Sudhansu Sekhar Mohapatra, Executive Engineer; 4) Sri Tapan Kumar Behera, Asst. Executive Engineer; 5) Sri Ranjit Kumar Bag, Junior Engineer; 6) Sri Braj Bhusan Kumar, Divisional Accounts Officer; 7) Sri Sanjaya Kumar Agarwal, Director of the Agency namely M/s Ram Kumar Agarwal Engineers Pvt. Ltd. and 8) Ginesh Param Banattu Balarajan Nair @ Ginesh Nair, Project Manager of the Agency were directly responsible in the construction of the bridge. And in the month of February 2020, when a deflection at span No. 4 of the bridge was noticed, a request was made by the Engineer-in-Chief, Rural Works to Dr. V. K. Raina, Sr. Consultant & Expert, Bridge Work, New Delhi to inspect the bridge. Dr. V. K. Raina inspected the bridge in the presence of officials and the representative of executant agency. He in his report dated 04.03.2020 made the following remarks: -
- (i) Upon light hammering and breaking upon the plaster in the distressed portion of the culprit span, the unacceptable porous and very poor nature of concrete was clearly visible in the distressed portion of the culprit span (span: S4) which indicates defective construction.
 - (ii) The porous and poor concrete shows itself at a number of locations along the length of the junction between soffit slab and webs which has been hidden by subsequent plastering.
 - (iii) The portion of the reinforced concrete deck section below natural axis falls in tension, the soffit slab being almost non-contiguous with the rest of the section, the actual section really taking transverse shear is therefore much reduced. This reduced section that is actually withstanding the transverse shear, is therefore unable to take the shear tolerably. This has resulted in dangerous shear distress, culminating in clearly visible classical inclined shear cracks in the high shear zones. The shear cracks, accentuated by the live load, have clearly occurred almost when the bridge was put to service 4.5 years ago. These cracks should have been noticed in the 2-year defects liability period itself.
 - (iv) The zones that have cracked in classical shear, are (as they should be) close to the supports where shear is high. Flexure there being low, Mohr's principle planes of rupture, split by principle tensile stress, must therefore be inclined at about 45 degrees where shear is high and flexure is low as in the present case.
 - (v) It must be brought out that Rebound Hammer tests were conducted at a number of points in the body of this deck, away from the visibly poorly concreted areas in the two external webs and the average concrete strength was found to be well above the required strength M30. But, this cannot be said of the porous and poor concrete in the culprits areas here.

Dr. V. K. Raina also advised to demolish the distressed superstructure (Span No. 4) and reconstruct it since the concrete in Span No. 4 had developed shear cracks due to poor workability and porous nature of the concrete. He even pointed out presence of some poor concrete plastering along the junction of the soffit slab and webs of other spans.

5. During investigation, the Technical team of Vigilance also found that non-branded cement and steel were used in the construction of the bridge and that too without following the operating procedure for execution of work. The technical team even discovered that plastering had been done at a number of places along the length of the junction between soffit slabs and webs on both sides of all slabs in order to hide the poor and porous nature of concrete. The technical team further found that the Government Exchequer suffered a loss of Rs. 41,64,968.00 due to collapse of Span No.4 and an amount of Rs. 90,62,084.00 has been misappropriated in the construction work.
6. Thus, from the report of Dr. V. K. Raina and the technical team of Vigilance, it is as clear as daylight that substandard work was done in the construction of the bridge by the executant agency in collusion with the officials of Rural Works Department for its wrongful pecuniary gain and causing wrongful loss to the State Government. We also find that the

- Director of Vigilance has conducted the investigation fairly and properly because officials namely Sri Bibhudendra Meher, Markanda Joshi (Junior Engineer) and Kishore Kumar Patra, (Assistant Engineer) who had supervised the construction work only up to well foundation have not been made accused because no fault was found in the foundation work. Likewise, Sri Antuni Kishan who was posted as the Executive Engineer after the construction work of bridge has also not been accused.
7. The investigation report reveals that although, the material used in the construction of the bridge was substandard, Sudhansu Sekhar Mohapatra passed the bills in favour of the executant agency without any verification and proper check measurement of work. Similarly, Tapan Kumar Behera and Ranjit Kumar Bag did not object to the use of substandard materials such as cement, rod etc in the construction work. They did not even ensure cube testing as per the guidelines because the test reports were obtained from a private laboratory and they lacked credibility. And against Braj Bhusan Kumar, the investigation report states that he as an Accounts Officer failed in his duty to point out the non-recovery of differential costs due to price variation and non-production of purchase vouchers of cement and steel in the construction work. The report also states that he failed to point out excess payment made towards less consumption of cement due to mix design in comparison to the provision in the sanctioned estimate. All these officials are admittedly public servants and we find that findings against them in the investigation report are well founded and supported by cogent reasons. As already seen above, substandard building materials i.e., cement, rod etc were used by the executant agency in the construction of bridge. Proper procedure of cube testing was also not followed as a result of which cracks developed in the bridge. Sri Sanjaya Kumar Agarwal, and Ginesh Param Banattu Balarajan Nair @ Ginesh Nair were the Managing Director and Project Manager of the executant agency during the construction of bridge. They were thus under an obligation to strictly follow the terms and conditions of the agreement but they grossly failed to do so. One Ram Kumar Agarwala was the proprietor of the executant agency and passed away on 03.08.2020. Hence, he has not been cited as an accused.
 8. Having considered the investigation report, we find ourselves in complete agreement with the findings that Sudhansu Sekhar Mohapatra, Tapan Kumar Behera, Ranjit Kumar Bag and Braj Bhusan Kumar have shown criminal misconduct and failed to discharge their duty properly. They have also allowed illegal pecuniary gain to the executant agency M/s Ram Kumar Agarwal Engineers Pvt. Ltd. through Sanjay Kumar Agarwal and Ginesh Param Banattu Balarajan Nair @ Ginesh Nair. We are also in complete agreement with the finding that 1) Sudhansu Sekhar Mohapatra, 2) Tapan Kumar Behera, 3) Ranjit Kumar Bag and 4) Braja Bhusan Kumar as public servants have criminally misconducted themselves by showing undue official favour and criminally conspired with Sanjay Kumar Agarwal and Ginesh Param Banattu Balarajan Nair @ Ginesh Nair thereby causing pecuniary loss to the Government exchequer by execution of substandard work and for their such action they are liable to be prosecuted under section 13 (2) read with 13 (1) (c) (d) of the Prevention of Corruption Act and under section 120 (B) of the Indian penal Code.
 9. We accordingly grant permission to the Director, Vigilance, Odisha to file the charge sheet against 1) Sudhansu Sekhar Mohapatra, 2) Tapan Kumar Behera, 3) Ranjit Kumar Bag 4) Braja Bhusan Kumar, 5) Sanjay Kumar Agarwal and 6) Ginesh Param Banattu Balarajan Nair @ Ginesh Nair before the Special Court. We also direct the Prosecution Wing, Lokayukta to initiate prosecution against these named accused in a Special Court.

**16. LY CASE NO. 850/2020
(Anil Kumar Dash - vrs - Tahasildar, Astaranga)**

The following order is passed by the Chairperson: -

The grievance of complainant Anil Kumar Dash is that soon after the alleged severe damage caused to his household during Fani cyclone, the District Authorities deposited Rs. 95,100/- in his Bank Account as financial assistance but later Tahasildar, Astaranga for extraneous reasons has blocked the operation of account as a result of which he is unable to utilise the amount of financial assistance.

In reply to the notice received, Tahasildar, Astaranga has denied the claim and allegation of the complainant. According to the Tahasildar the financial assistance of Rs. 95,100/- which was already credited to the bank account of complainant has been blocked as he was found ineligible in second inquiry because his mother Smt. Sukumari Dash had already been provided financial assistance for the same damaged house and both son and mother are living jointly sharing single kitchen.

Having regard to the nature of claim and dispute over assessment of damage caused to the household of complainant, we directed the Deputy Director of Inquiry wing of Lokayukta to conduct a preliminary inquiry on the following references: -

1. What was the nature of house of the complainant existing on the eve of cyclone Fani”?
2. What is the extent of damage caused to the house of the complainant and whether he has been paid due House Building Assistance as fixed by the Government, if not who is responsible to the same?

In compliance of our order, the Deputy Director of Inquiry after conducting an inquiry by even visiting the household of the complainant in his presence as well as in the presence of Revenue Authorities has submitted the preliminary enquiry report with a specific finding which reads as under: -

“It is submitted that the complainant is not entitled to get financial benefit under any category of house damage assistance. The complainant had both kutcha and pucca houses. The kutcha house with mud wall and straw and bamboo covered roof was severely damaged in the cyclone Fani whereas the three roomed pucca house with brick wall and asbestos covered roof remained unaffected. Smt. Sukumari Dash, the mother of the complainant has already availed the financial benefit of Rs. 95,100/- under severe damage house category for damage caused to the same house. Smt. Sukumari Dash and the family members of her two sons namely, Sri Anil Kumar Dash and Sri Purna Chandra Dash live jointly and share the same kitchen. Sri Anil Kumar Dash is not entitled to avail financial benefit under any category of house damage assistance.”

After going through the preliminary inquiry report which is well reasoned, we also find ourselves in complete agreement with the finding arrived at by the Deputy Director of Inquiry. This being the position, we find no merit in the complaint. It is accordingly closed and filed.

17. LY CASE NO. 1228/2020
(Sukanta Kumar Sahu -vrs - Tahasildar, Pipili)

The following order is passed by the Chairperson: -

The grievance of complainant Sukanta Kumar Sahoo is that his dwelling house was "severely damaged" during Fani cyclone and financial assistance of Rs. 10,000/- was credited to his Bank account but its withdrawal has been blocked by the Tahasildar, Pipili for extraneous reasons.

In reply to the notice received, Tahasildar, Pipili has denied the claim and allegation of the complainant. According to the Tahasildar on inquiry it was ascertained that the house damage of complainant was kutcha severe category for which he has been paid Rs. 10,000/-. But later as per the direction of District Office, on re-inquiry it was revealed that the complainant's kutcha house was partially damaged during Fani therefore he is entitled for financial assistance of Rs. 3,200/-.

Having regard to the nature of claim and dispute over assessment of damage caused to the household of complainant, we directed the Deputy Director of Inquiry wing of Lokayukta to conduct a preliminary inquiry on the following references:-

1. Whether the complainant is entitled for the benefit of financial assistance under the category of "severely damage house"?
2. Whether the complainant has been denied the actual financial assistance due to extraneous reasons by the revenue authorities, and if, yes, who are such officials/ authorities ?

In compliance of our order, the Deputy Director of Inquiry after conducting an inquiry by even visiting the household of the complainant in his presence as well as in the presence of Revenue Authorities has submitted the preliminary enquiry report with a specific finding which reads as under:-

"It is submitted that the complainant had a two roomed kutcha house with mud wall and thatched roof consisting of bamboo and straw at the time of cyclone Fani, i.e., on 3rd May, 2019. The complainant, Sri Sukanta Kumar Sahoo is entitled for the benefit of financial assistance of Rs. 95,100/- under the category of **severely damage to kutcha house** as prescribed under SDRF norms, as his mud wall and thatched roof was severely damaged during cyclone Fani-2019. In fact, Sri Sukanta Kumar Sahoo has not been paid as due to him by the Tahasildar, Pipili. As disclosed by the complainant prior to holding up his Bank account by the Tahasildar, Pipili he has withdrawn a sum of Rs. 7,000/- out of the amount Rs. 10,000/- released in favour of him towards house building assistance."

After going through the preliminary inquiry report, we find ourselves in complete agreement with the finding arrived at by the Deputy Director of Inquiry. The above mentioned finding of the Deputy Director of Inquiry is well-founded and unassailable. This being the position, we strongly recommend the Collector, Puri and Tahasildar, Pipili to immediately provide financial assistance to the complainant under "severely damage house" category as per the State Disaster Relief Fund norms, which is Rs.95,100/- after deducting the amount if, any, paid earlier. The Tahasildar shall also unblock the bank account of the complainant.

Since there is no material to show that proper financial assistance has been denied to the complainant for extraneous reasons by the Revenue Authorities, we find no justification to proceed further on this issue/reference No.2. With the above conclusion and recommendation, the complaint is allowed to the extent of reference No. 1 only.

**18. LY CASE NO. 1348/2020
(Ranjan Kumar Dash, Deputy Superintendent of Police, Vigilance - vrs - Pradeep Kumar Panigrahi, M.L.A.)**

The following order is passed by the Chairperson: -

Taking cognizance of the complaint dated 09.12.2020 received from Sri Ranjan Kumar Dash, Deputy Superintendent of Police, Vigilance Cell Unit, Bhubaneswar wherein serious allegation of corruption has been made against Dr. Pradeep Kumar Panigrahi, Member of Odisha Legislative Assembly, Gopalapur Constituency, we by our order dated 11.12.2020 directed the Directorate of Vigilance, Odisha, Cuttack to conduct a preliminary inquiry against Dr. Pradeep Kumar Panigrahi and submit report within two months. This direction was passed by us in exercise of powers conferred under section 20 (1) of the Odisha Lokayukta Act, 2014. It is relevant to mention that we had also directed the Director of Vigilance to ensure that during preliminary inquiry provisions of section 20 (2) of the same Act are duly complied with.

Aggrieved with the aforesaid order dated 11.12.2020, Dr. Pradeep Kumar Panigrahi filed W. P. (C) No. 3488 of 2021 before the Hon'ble High Court and the same was disposed of vide order dated 03.02.2021 on the following terms:-

"Consequently, this Court sets aside the direction issued in the impugned order by the Lokayukta to the Director of Vigilance to conduct the PE against the Petitioner. Instead, it is directed that the PE against the Petitioner will be conducted by the Inquiry Wing of the Lokayukta.

The other direction in the impugned order that such PE shall be strictly in conformity with the requirement of Section 20 (2) of the Act is left undisturbed. Needless to say, the Lokayukta will further proceed in the matter, after it receives the report of PE from its Inquiry Wing, strictly in accordance with Section 20 (3) of the Act.

As regards the second paragraph of the impugned order, there was no serious dispute even by Mr. Parija that such a prima facie view could not have been expressed by the Lokayukta at this stage i.e., even before a report of PE is submitted to it. Consequently, this Court has no hesitation in setting aside the entire paragraph 2 of the impugned order, which expresses the prima facie view of the Lokayukta. It is specifically directed that the Inquiry Wing of the Lokayukta shall proceed to hold the PE uninfluenced in any manner by the above observation made by the Lokayukta in paragraph 2 of the impugned order.

At the same time, we hasten to add that this order of ours should not be construed as expression of any view on the merits of the complaint against the Petitioner one way or the other."

Thereafter, Review petition No. 45 of 2021 was filed by the Secretary, Odisha Lokayukta against order dated 03.02.2021 and it too was dismissed by the Hon'ble High Court vide order dated 05.04.2021.

Both orders dated 03.02.2021 and 05.04.2021 passed in W. P. (C) No. 3488 of 2021 and Review petition No. 45 of 2021 respectively by the Hon'ble High Court have been challenged by the Office of the Odisha Lokayukta in the Supreme Court of India through Special Leave to Appeal (C) No.62616262/2021 and vide order dated 23.04.2021 the Hon'ble Supreme Court has stayed their operation. In the result our order dated 11.12.2020 has revived and the Directorate of Vigilance, Odisha, Cuttack is now under an obligation to proceed with the preliminary inquiry and submit the report on or before the next date of hearing.

Here, we must clarify that the expression "prima facie" mentioned by us in paragraph 2 of our order dated 11.12.2020 was merely to indicate that there has been an application of mind on the allegations made in the complaint and direction for conducting preliminary inquiry was not given mechanically. We also deem it proper to clarify that preliminary inquiry is ordered to actually ascertain whether there exists a prima facie case for proceeding in the matter.

List the matter on 28.05.2021 for submission of preliminary inquiry report by the Directorate of Vigilance.

5. (i) **Demi Official Letter No. 14 Dated August 13, 2021**



Ajit Singh
Chairperson, Lokayukta
Odisha

D.O.No. 14

B-2, Ground Floor
Toshali Bhawan
Satya Nagar,
Bhubaneswar-751007

Ph. No. 0674-2572610(O)

Fax No. 0674-2572629(O)

E-Mail :

lokayukta.odisha@gov.in

Dated, August 13, 2021.

Dear **Chief Minister**,

I hope that this letter finds you in best of your health.

With my experience as Chairperson, Lokayukta, I am of the view that for strengthening the Institution of Lokayukta, the State Government may consider empowering it with the powers of Contempt of Courts Act, 1971 by making suitable amendment in the Odisha Lokayukta Act, 2014.

The Madhya Pradesh Lokayukta Evam Up-Lokayukta Adhiniyam, 1981 vide section 11 (3) has clarified that the Lokayukta shall be deemed to be court within the meaning of Contempt of Courts Act, 1971. Likewise, Karnataka Lokayukta Act, 1984 vide section 17 A has conferred Lokayukta with the jurisdiction, powers and authority in respect of contempt of itself as a High Court has.

I am sure that your goodself will do the needful to strengthen the Institution of Lokayukta in larger public interest.

Thanking you.

Yours Sincerely,

Ajit Singh
(Ajit Singh)

Enclosures

1. The Madhya Pradesh Lokayukta Evam Up-Lokayukta Adhiniyam, 1981.
2. Karnataka Lokayukta Act, 1984.
3. Second Annual Report of the Lokayukta, Odisha.

(ii) Demi Official Letter No. 17 Dated November 11, 2021

Ajit Singh
Chairperson, Lokayukta
Odisha

B-2, Ground Floor
Toshali Bhawan
Satya Nagar,
Bhubaneswar-751007
Ph. No. 0674-2572610(O)
Fax No. 0674-2572629(O)
E-Mail :
lokayukta.odisha@gov.in

D.O.No. 17 /LY
Date: 11.11.2021

Dear *Chief Minister,*

I hope that this letter finds you in best of spirits.

The Lokayukta has been established to inquire into allegations of corruption against certain public functionaries and for matters connected therewith or incidental thereto. The purpose is mainly to ensure that the people of Odisha do not become victims of corruption. And for this, process of approaching Lokayukta should be truly people friendly. But unfortunately, the "FORM-A" prescribed for filing a complaint under Odisha Lokayukta (Procedure of filing of complaint) Rules, 2020 vide Gazette notification dated 1st October, 2020 is too cumbersome for the common people to understand and deal with. The experience is that prescribed "FORM-A" is becoming a deterrent for people to approach the Lokayukta against corruption, which is not an appreciable trend. I, therefore, request that the present form "FORM-A" be substituted with a more people-friendly and simpler one. I am sure that an early decision will be taken on my request in larger public interest.

With warm regards,

Yours' sincerely,

Ajit Singh
(Ajit Singh)

Encl:- (i) Present "FORM-A"
(ii) Proposed simpler "FORM-A"

To
Shri Naveen Patnaik,
Hon'ble Chief Minister,
Odisha

- (iii) **The Format for filing of complaint i.e., Form-A of the Odisha Lokayukta was felt to be cumbersome. To make it simpler and people friendly, a proposal has been sent to the State Government to modify the form, so that it will be easy for the people to approach the Lokayukta against corrupt public servant.**

Form-A (EXISTING)

FORM-A

FORM OF COMPLAINT

[See rule 3]

PART- A

DETAILS TO BE FURNISHED BY THE COMPLAINANT/SIGNATORY TO THE COMPLAINT

1.	Specify if the complaint is made by		
	Individual <input type="checkbox"/>	Society <input type="checkbox"/>	Association of Person <input type="checkbox"/>
	Trust <input type="checkbox"/>	Company <input type="checkbox"/>	Limited Liability Partnership <input type="checkbox"/>
	Board <input type="checkbox"/>	Body <input type="checkbox"/>	Corporation <input type="checkbox"/>
	Authority <input type="checkbox"/>	Other <input type="checkbox"/>	
2.	Name of the complainant (in block letters) @@ attach an Identity proof.		
	NOTE: Any of the following documents will be considered as a valid proof of identity - Driving License, Service Identity Cards with photograph issued to employees by Central / State Government / Public Sector Undertaking / Public Limited Company, Passbook with photograph issued by a Bank/Post Office, PAN Card, Smart Card issued by Registrar General of India under National Population Register, MNREGA Job Card, Health Insurance Smart Card issued under the scheme of Ministry of Labour, Pension document with photograph, Official identity cards issued to MPs/MLAs and Aadhaar Card.		
	Title (Shri/smt./Kum./Dr.etc)		
	Surname		
	Middle Name		
	First Name		

3.	Gender	Male	Female	Transgender		
4.	Age [in complete years]					
5.	Nationality* (in case the complainant is not a citizen of India, only a copy of the Passport will be accepted as a proof of identity)					
6	Details of identity/residence proof to be enclosed with the complaint					
	Document attached (Tick the appropriate box)	Driving License / PAN card	Passbooks with photographs issued by Bank/Post office Service Identity Card with photograph issued by Central /State govt./P SUs/Public Limited Companies to its employees	Smart Card issued by Registrar General of India under National Population Register Health Insurance Smart Card issued under the scheme of Ministry of Labour	MNERGA Job Card Official identity cards issued to MPs/MLAs	Aadhaar Card Pension document with photograph
	(a) Number					
	(b) Date of issue					
	(c) Validity up to					
	(d) Issuing Authority					
7	Permanent Address					
	House/Property Number/Locality					
	Village/District/City					
	State					
	Country					
	Pin code/Postal or Zonal Code					

8	Address for correspondence		
	House/Property Number/Locality		
	Village/District/City		
	State		
	Country		
	Pin code/Postal or Zonal Code		
9	Occupation/ Designation/ Avocation:		
10	(a) Telephone Number (with ISD/STD Codes)	(b) Mobile Number (with country code)	
11	e-mail id		
12	Mode of presentation of the Complaint (Tick the appropriate column) [see sub-rule (2) of rule 3]	(a) In person	
		(b) By post	
		(c) Electronically <i>Note: A physical copy is to be provided to the Lokayukta within a period of fifteen days.</i>	
13	Whether a duly notarized affidavit as annexed to this form has been enclosed?	YES	NO
14	Whether the complainant is the victim?	YES	NO

It is certified that to the best of my knowledge, belief and information:

- (i) the alleged offence in respect of which present complaint is being made is within the period of seven years [limitation as laid down under section 52 of the Odisha Lokayukta Act, 2014];
- (ii) no matter or proceeding related to allegation of corruption under the Prevention of Corruption Act, 1988 (49 of 1988) being made under this complaint is pending before any Court or Committee of the Legislative Assembly of the State or before any other authority and the complaint is not barred from being made before the Lokayukta under section 15 of the Odisha Lokayukta Act, 2014.

Place :

Date :

Signature of the complaint/

authorized signatory

PART- B

ADDITIONAL DETAILS TO BE FURNISHED BY THE SIGNATORY TO THE COMPLAINT IF THE COMPLAINT IS BEING FILED ON BEHALF OF A BODY OR BOARD OR CORPORATION OR AUTHORITY OR COMPANY, SOCIETY OR ASSOCIATION OF PERSONS OR TRUST OR LIMITED LIABILITY PARTNERSHIP

	In case the complaint is made by a body or board or corporation or authority or company, society or association of persons or trust or limited liability partnership, then please indicate:	
(a)	Whether such organisation as referred to above is based in India? (Tick the appropriate column)	YES NO
(b)	If the answer to (a) above is "YES" then whether the certificate of registration/incorporation [as issued by the authority competent to issue such certificate in India or by authority competent to issue such certificate as per the regulating law of the Foreign State, as the case may be], in respect of such organisation has been enclosed? (Tick the appropriate column)	YES NO
(c)	Indicate the name of the Competent Authority which has issued the certificate of registration/incorporation of the organisation	
(d)	Address for correspondence with the Organisation	
	House/Property Number/Locality	
	Village/District/City	
	State	
	Country	
	Pin code/Postal or Zonal Code	
(e)	Telephone Number (with ISD/STD Codes)	Mobile Number (with country code)

(f)	e-mail id	
2.	Personal details of office bearers and head of the organisation	Furnish details in respect of each Office Bearer and Head of Organisation in the format as contained in Part A of this form. [please see Section 47]

Attach separate sheets in respect of each individual

3.	Details of the person who has authorised the signatory to file the complaint on behalf of the organisation		
4.	Name of the person authorising the signatory to file the complaint (in blockletters) @ @ attach an identity proof. NOTE: Any of the following documents will be considered as a valid proof of identity - Driving License, Service Identity Cards with photograph issued to employees by Central/State Government/Public Sector Undertaking/Public Limited Company, Passbooks with photograph issued by a Bank/Post Office, PAN Card, Smart Card issued by Registrar General of India under National Population Register, MNREGA Job Card, Health Insurance Smart Card issued under the scheme of Ministry of Labour, Pension document with photograph, Official identity cards issued to MPs/MLAs and Aadhaar Card.		
	Title (Shri/Smt./Kum. /Dr. etc)		
	Surname		
	Middle Name		
	First Name		
5.	Gender	MALE	FEMALE
			TRANSGENDER
6.	Age		

7. Nationality					
(in case the person authorizing the signatory is not a citizen of India, only a copy of the Passport will be accepted as a proof of identity)					
8. Details of identity/residence proof of the person authorising the signatory enclosed with the complaint					
Document attached (Tick the appropriate box)	Driving License	Passbook with photograph issued by Bank/Post office	PAN Card	MNERGA Job Card	Aadhaar Card
	Smart Card Issued by Registrar General of India under National Population Register	Service Identity Card with photograph issued by Central / State Government/ Public Sector Undertaking/ Public Limited Company to its employees	Health Insurance Smart Card issued under the scheme of Ministry of Labour	Official identity cards issued to MPs/ MLAs	Pension document with photograph
(a) Number					
(b) Date of issue					
(c) Validity upto					
(d) Issuing Authority					
9. Permanent Address of person authorising the signatory					
House/Property Number/Locality					
Village/District/City					
State					
Country					
Pin code/Postal or Zonal Code					
10 Address for correspondence					
House/Property Number/Locality					
Village/District/City					

	State			
	Country			
	Pin code/Postal or Zonal Code			
11	Occupation/Designation/Avocation:			
12	(a) Telephone Number(with ISD/STD Codes)	(b) Mobile Number (with country code)		
13	e-mail id			
14	Whether an authorisation document has been enclosed? (Please tick the appropriate box)	YES	NO	
15	Details of third party, if any, likely to be affected by the complaint			
(a)	Name			
(b)	Gender	MALE	FEMALE	TRANSGENDER
(c)	Age			
(d)	Full Address			
(e)	Telephone Number (with ISD/STD Codes)	(b) Mobile Number (with country code)		
(f)	e-mail id			

PART - C

DETAILS AS REGARDS THE PUBLIC SERVANT AGAINST WHOM THE COMPLAINT IS BEING MADE

1.	<p>Name of the public servant(s) against whom complaint is being made (in block letters) *</p> <p>* Attach a separate sheet in respect of each public servant against whom a complaint is being made.</p> <p>Note: Details of third party/ parties, if aware, whose interests are likely to be prejudicially affected by the said complaint as contemplated under Section 21 may also be separately furnished</p>		
2.	Present designation/status of the public servant(s) against whom complaint is being made		
3.	<p>Whether the complaint is against any officer or employee or agency, under or associated with the Lokayukta?</p> <p>(Tick the appropriate box)</p> <p>[see Section 38]</p>	YES	NO
4.	With Respect of Serial No. 2 above, indicate	Designation of the officer/employee	Organisation/Agency having administrative control over the said officer/employee
5(a)	<p>Category of public servant against whom the complaint is being made</p> <p>(tick the appropriate box)</p> <p>[See Section 14]</p>	The Chief Minister	
		A Minister of the State	
		A Member of the Odisha Legislative Assembly	
		Chairperson or Member by whatever name called, of a Panchayat or a Municipality	

	An officer or employee of the State	
	A Chairperson or a Member of a Body	
	A Chairperson or a Member of a Board	
	A Chairperson or a Member of a Corporation	
	A Chairperson or a Member of an Authority	
	A Chairperson or a Member of a Company	
	A Chairperson or a Member of a Society	
	A Chairperson or a Member of an Autonomous body	
	A Chairperson or a Member of a Trust	
	An officer or employee of a Body	
	An officer or employee of a Board	
	An officer or employee of a corporation	
	An officer or employee of an Authority	
	An officer or employee of a Company	
	An officer or employee of a Society	
	An officer or employee of an Autonomous body	
	An officer or employee of a Trust	
	A Director, Manager, Secretary or other officer of association of persons, society or trust referred to in clauses (g) and (h)	
	Any other Category	

5(b)	In case the complaint is made against any other category of public servants, specify		
6.	In case the complaint is against any Chairperson/Member/Officer/Employee of a Trust or An Association of Persons or Society, indicate:		
(a)	Whether the organisation is wholly or partly financed by the Government. (Tick the appropriate box)	YES	NO
(b)	Whether the annual income of the organization exceeds as specified by the State Government by notification. (tick the appropriate box) [see clause (g) or clause (h) of sub-section (1) of Section 14] *Strike out which is not applicable*	YES	NO
(c)	Whether the Organization is in receipt of any donation from any foreign source under the Foreign Contribution (Regulation) Act., 2010 in excess of ten lakh rupees in a year? (tick the appropriate box) [see clause (h) of sub-section (1) of Section 14]	YES	NO
7.	Please state, if aware, as to whether the public servant is presently serving the affairs of the State or in any body or Board or Corporation or Authority, etc. established by an Act of the State Legislature or wholly or partly financed by the State Government or controlled by it? (tick the appropriate box) [see proviso to clause (f) of sub-section (1) of Section 14 and proviso to sub-section (3) of Section 14]	YES	NO
8.	Post held by the public servant at the time of commission of alleged offence under the Prevention of Corruption Act., 1988. [see Explanation to Section 14]		

9.	Details of the Cause of Action/offence under the Prevention of corruption Act., 1988.					
	(i) Period during which alleged misconduct was committed. [see Explanation to Section 14]	from	to			
	(ii) Place of occurrence :					
	(iii) District:					
	(iv) State:					
10.	Summary of facts/allegation of corruption: [Detailed complaint duly signed to be enclosed]	Facts and Circumstances:				
	Details of the offences alleged under the Prevention of Corruption Act. (Briefly indicate the facts and consequential allegation against the public servant which constitute offence(s) under the Prevention of Corruption Act., 1988)	Allegations [^] [^] if possible, indicate the statutory provision alleged to have been violated by a particular act of commission or omission				
11.	Name of Witnesses in support of allegations, if any :					
	(a) Number of Witnesses :					
	(b) Name (s) :	1.	2.	3.	4.	5.
	(c) Gender :					
	(d) Age :					
	(e) Full Address :					
	(f) Mobile No :					
	(g) E-mail Id :					

12.	Particulars/List of the documents relied upon by the Complainant in support of allegation.		
13.	Any other information, the complainant desires to furnish/disclose which may be relevant to the inquiry/investigation into the allegation of corruption.		
14.	Whether copies of the documents and other material evidence (including electronic evidence, if any) relied upon by the complainant and referred to in the complaint have been submitted?	YES	NO
15.	If the complaint is being filed electronically whether pdf formats of the documents and other material relied upon has been attached to the electronic format of the complaint (tick the appropriate box) [see sub-rule (2) of rule 3]	YES	NO

Signature of the complainant/
Authorised person

Place			
Date	Day	Month	Year

PART-D

AFFIDAVIT

(To be sworn on a non-judicial stamp paper)

I.....aged.....years,
s/o.....r/o.....do hereby solemnly affirm
and declare on oath as under-

That I am filing this complaint on my own behalf
OR

That I am filing this complaint on behalf of body/Board/ Corporation/ Authority/ Company/
society/trust/association of persons/Non-Governmental Organisation/ Limited Liability Partnership
(give its name and registration number, if. any) having their office at (give contact
address/email/phone/fax of the organization) and that I am authorized to sign and make this
complaint vide its resolution dated

That I have filed the present complaint under the provisions of the Odisha Lokayukta Act, 2014
(Odisha Act 12 of 2018) and the rules made thereunder.

That I have gone through the provisions of the Odisha Lokayukta Act, 2014 and do hereby affirm
that the present complaint is in conformity therewith and I am fully aware that under the provisions
of Sections 46 and 47 of the said Act making any false and frivolous or vexatious complaint is
punishable with imprisonment for a term which may extend to one year and with fine which may
extend to one lakh rupees.

That neither I nor any other person in the organisation / institution / body that I represent in this
complaint has filed any complaint in this matter before any Court or Committee of the Legislative
Assembly of the State or before any other Authority and this complaint does not attract the
provisions Of Section 15 of the said Act.

I state that before filing this complaint I have collected and presented the information and
supporting evidence to the best of my knowledge, ability and capacity which are relevant in
support of the allegations of corruption against the concerned public servant and I further confirm
that I have not concealed any data/material/information in this complaint.

Solemnly affirmed at.....this.....day of.....20.....

DEPONENT

Verification

I..... the above-named deponent do hereby verify that the
contents of the aforesaid paragraphs 1 to 5 are true and correct to the best of my knowledge and
belief and nothing is concealed therefrom.

Verified at.....thisday of.....20.....

DEPONENT

*** PROPOSED FORM OF COMPLAINT PENDING BEFORE THE STATE GOVERNMENT FOR MODIFICATION.**

FORM-A
FORM OF COMPLAINT
[see rule-3]
PART-A

IF THE COMPLAINT IS FILED IN INDIVIDUAL CAPACITY

1. Name of the complainant (in block letters):
2. Age:
3. Gender: Male Female Transgender
4. Permanent Address :
5. Present Address :
6. Identity Proof must be enclosed:
(Nature of Identity Document attached)
7. Occupation :
8. (a) Telephone No.: (b) Mobile No.:
(With ISD/STD Codes) (With Country Code)
9. E-mail id:
10. Mode of presentation of the Complaint (Tick the box) [see sub-Rule (2) of Rule 3]
In person (b) By Post (c) Electronically

(In case the complaint is made electronically, a physical copy is to be provided to the Lokayukta within a period of fifteen days)

11. Whether a duly notarized affidavit as annexed to this form has been enclosed?
Yes No

It is certified that to the best of my knowledge, belief and information:

- i. the alleged offence in respect of which present complaint is being made is within the period of seven years [limitation as laid down under Section 52 of the Odisha Lokayukta Act, 2014];
- ii. no matter or proceeding related to allegation of corruption under the Prevention of Corruption Act, 1988 (49 of 1988) being made under this complaint is pending before any Court or Committee of the Legislative Assembly of the State or before any other authority and the complaint is not barred from being made before the Lokayukta under Section 15 of the Odisha Lokayukta Act, 2014.

Place :

Signature of the Complainant/

Date :

authorized signatory

PART-B**NOT APPLICABLE TO INDIVIDUAL**

1. (a) Whether such organisation as referred to above is based in India? (Tick the appropriate column)

Yes No

- (b) If the answer to (a) above is "YES" then whether the certificate of registration/ incorporation [as issued by the authority competent to issue such certificate in India or by authority competent to issue such certificate as per the regulating law of the Foreign State, as the case may be], in respect of such organisation has been enclosed? (Tick the appropriate column)

Yes No

- (c) Indicate the name of the Competent Authority which has issued the certificate of registration/ incorporation of the organisation:

- (d) Address for Correspondence with the Organisation: -

(e) Telephone No.:

(f) Mobile No.:

(With ISD/STD Codes)

(With Country Code)

(g) E-mail id:

2. Personal details of office bearers and head of the Organisation

Furnish details in respect of each Office Bearer and Head of Organisation in the format as contained in Part A of this form. [please see Section 47]

(Attach separate sheets in respect of each individual)

3. Details of the person who has authorised the signatory to file the complaint on behalf of the organisation:

4. Details of the person authorising the signatory to file the complaint)

(a) Name (in blockletters):

(b) Gender: Male Female Transgender

(c) Age:

(d) Identity Proof must be enclosed:

(Nature of Identity document attached)

(e) Permanent Address of person authorizing the Signatory:

(f) Address for correspondence:

(g) Occupation/Designation/Avocation:

(h) (a) Telephone No.:

(With ISD/STD Codes)

(b) Mobile No.:

(With Country Code)

(i) E-mail id:

(j) Whether an authorization document has been enclosed?

(Please tick the appropriate box)

Yes

No

1. Details of third party, if any, likely to be affected by the complaint:

(a) Name:

(b) Gender: Male Female Transgender (c) Age:

(d) Full Address:

(e) Telephone No.:
(With ISD/STD Codes)

(f) Mobile No.:
(With Country Code)

(g) E-mail id:

PART- C

DETAILS AS REGARDS THE PUBLIC SERVANT AGAINST WHOM THE COMPLAINT IS BEING MADE

1. Name of the public servant(s)
against whom complaint is being made:
(In block letters) *

* Attach a separate sheet in respect of each public servant against whom a complaint is being made [Note: Details of third party/ parties, if aware, whose interests are likely to be prejudicially affected by the said complaint as contemplated under Section 21 may also be separately furnished.]

2. Occupation of public servant against whom the complaint is being made (see Section 14) along with present place of posting

3. In case the complaint is made against any Chairperson/Member/Officer/Employee of a Trust or An Association of Persons or Society, indicate: Whether the organisation is wholly or partly financed by the Government.

(Tick the appropriate box)

Yes No

4. Details of the Cause of Action/offence under the Prevention of corruption Act., 1988.

i. Period during which alleged misconduct was committed. [see Explanation to Section 14] From..... To.....

ii. Place of Occurrence :

iii. District :

iv. State :

5. Summary of facts/allegation of corruption: (Detailed complaint duly signed to be enclosed in separate sheet)

6. Particulars/List of the documents relied upon by the Complainant in support of allegation.

7. Any other information, the complainant desires to furnish/disclose which may be relevant to the inquiry/investigation into the allegation of corruption.

8. Whether copies of the documents and other material evidence (including electronic evidence, if any) relied upon by the complainant and referred to in the complaint have been submitted?

Yes No

9. If the complaint is being filed electronically whether pdf formats of the documents and other material relied upon has been attached to the electronic format of the complaint (tick the appropriate box) [See sub-rule (2) of rule 3]

Yes No

Place :

Date :

Signature of the Complainant/ authorized Person

**PART-D
AFFIDAVIT**

(To be sworn on a non-judicial stamp paper)

I.....aged.....years,s/o.....
.....r/o.....do hereby solemnly affirm and declare on oath as under-

1. That I am filing this complaint on my own behalf
OR
on behalf of body/Board/ Corporation/ Authority/ Company/ society/trust/association of persons/Non- Governmental Organisation/ Limited Liability Partnership (give its name and registration number, if. any) having their office at (give contact address/email/phone/fax of the organization) and that I am authorized to sign and make this complaint vide its resolution dated
2. That neither I nor any other person in the organisation / institution / body that I represent in this complaint has filed any complaint in this matter before any Court or Committee of the Legislative Assembly of the State or before any other Authority and this complaint does not attract the provisions Of Section 15 of the said Act.
3. I state that before filing this complaint I have collected and presented the information and supporting evidence to the best of my knowledge, ability and capacity which are relevant in support of the allegations of corruption against the concerned public servant and I further confirm that I have not concealed any data/material/information in this complaint.
4. That the facts stated in the complaint are true to the best of my knowledge and belief.

Solemnly affirmed at..... this.....day of.....20.....

DEPONENT

Verification

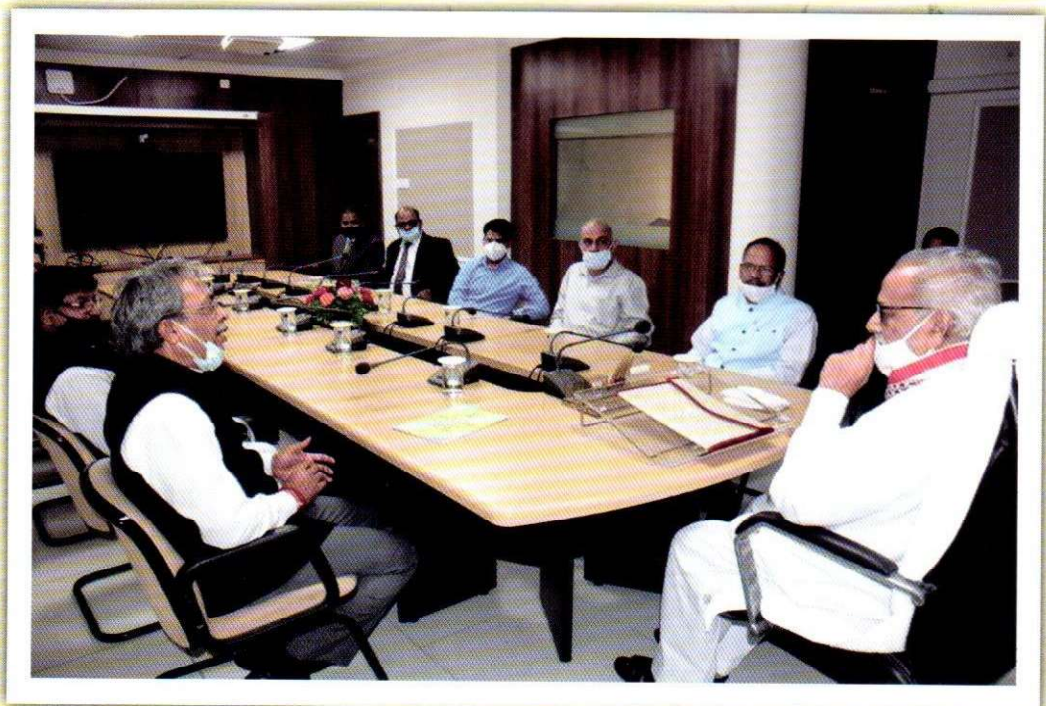
I..... the above-named deponent do hereby verify that the contents of the aforesaid paragraphs 1 to 4 are true and correct to the best of my knowledge and belief and nothing is concealed therefrom.

Verified at..... this day of.....20.....

DEPONENT



Presentation of " SECOND ANNUAL REPORT " of Lokayukta Odisha to His Excellency The Governor of Odisha by the Chairperson and Members of Lokayukta on 21.03.2021



LOKAYUKTA, ODISHA

Website : www.lokayuktaodisha.gov.in

Mail : lokayukta.odisha@gov.in