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**(2019) 09 MAN CK 0020**  
**In the Manipur High Court**  
**Case No : Review Petition. No.11 Of 2019**

Ramthang Hungyo

APPELLANT

Vs

State Of Manipur And Others

RESPONDENT

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**Date of Decision :** 09-09-2019

**Acts Referred:**

**Citation :** (2019) 09 MAN CK 0020

**Hon'ble Judges :** Ramalingam Sudhakar, CJ; Lanusungkum Jamir, J

**Bench :** Division Bench

**Advocate :** Khalter Khampa, Worthing Soro, N.Kumarjit, S.Suresh

**Final Decision :** Disposed Of

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## Judgement

R.S., CJ

[1] Heard Mr. Khalter Khampa, learned counsel for the petitioner. Heard also Mr. N.Kumarjit, learned Advocate General for the State respondents and also Mr. S.Suresh, learned CGC for the respondent No.2.

[2] The review petition has been filed seeking review of the order passed on 27.5.2019 in PIL No. 20 of 2019. The reason for filing review petition is at para No.19 of the review petition which is quoted as below:-

"19. That However, 3.3.1 of the guidelines on Members of Parliament Local Area Development Scheme (MPLADS) issued by the Government of India, Ministry of Statistics and Programme Implementation on May, 2014, states that the State Government is vested the responsibility to take necessary disciplinary action against the erring officials and also is responsible to complete any abandoned/ suspended MPLAD work. Hence the Union of India is not the responsible authority for the same."

[3] The relevant portion of the Guidelines on Members of Parliament Local Area Development Scheme (MPLADS) at para No.3.3.1 reads as follows:-

"3.3.1. Completion of abandoned/suspended works: In case, there is still any abandoned/suspended MPLAD work under the scheme, it shall be completed by the State Government from their own funds. The State Government will also fix responsibility and take necessary disciplinary action against the erring officials. The District Authority may ensure that the funds must have been utilized as sanctioned earlier so that duplication of allocation of funds does not take place."

[4] The petitioner's grievance is that this issue should have been considered and direction should have been issued in the Public Interest Litigation.

A reading of the above provision makes it clear that it is for the State Government to complete the scheme if it is not completed and take appropriate actions against the erring officials. We find that the direction given by this Court in its order dated 27.5.2019 at para Nos. 4 and 5 which we extract for better clarity answer this issue.

"[4] Since most of the officers to whom the representations have been made have not taken measures to implement the scheme i.e. MPLADS, the PIL has been filed. The Union of India is competent to take appropriate action as per law, if the allegation of breach is justified based on material. It is not for this Court to order an inquiry based merely on an affidavit. There is nothing on record to substantiate the allegation.

[5] In the above circumstances, we are not inclined to pass any order except giving liberty to the petitioner to make a detailed representation to the competent authority i.e. Union of India to deal with the matter in accordance with law."

[5] The issue raised by the petitioner has been answered in a very clear and very precise as above. The review petition has been filed on a mis-reading of the nature of the order. In the final order dated 27.5.2019, it has been specifically held that by this Court that appropriate action should be taken for breach based on materials for which the petitioner was directed to give a proper representation. If in the case of Members of Parliament Local Area Development Scheme (MPLADS) is not completed, its official have to be proceeded against. The representation can be given to the Government authority so as to enable the State Government to take appropriate action in terms of para No.3.3.1 of the Guidelines on Members of Parliament Local Area Development Scheme (MPLADS). There is no scope for review of the order dated 27.5.2019 which is comprehensive in nature.

[6] Accordingly, the review petition stands disposed of.