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WEST BENGAL
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Case Reference No. : LWB/72/2025

ORDER SHEET

Order Date	Order No.	Order
29.06.2026	04	Biswajit Nag, S/o – Late Uday Chandra Nag, Vill – Bhattacharyyapara, P.O. – Guptipara, P.S. – Balagarh, Dist. – Hooghly, PIN – 712512. ... Complainant -Vs - 1.Smt. Aloka Das, Pradhan, Guptipara No.1 Gram Panchayat, Vill – Mirdanga, No.1, Govt. Colony, P.O. – Guptipara, P.S. – Balagarh, Dist. – Hooghly, PIN – 712512. 2. Sri Arun Debnath, Upa-Pradhan, Guptipara No.1 Gram Panchayat, Vill – Mirdanga, No.1, Govt. Colony, P.O. – Guptipara, P.S. – Balagarh, Dist. – Hooghly, PIN – 712512. ... Respondents The report received from the District Magistrate, Hooghly and the report received from the Superintendent of Police, Hooghly be kept on record. This case has been registered on the basis of a complaint received from the complainant Biswajit Nag.

		As required u/s 9(2) of the West Bengal Lokayukta Act, 2003, the complaint is accompanied by an affidavit. After receiving the complaint a preliminary enquiry has been initiated by this Forum to find out whether a <i>prima facie</i> exists. During the preliminary enquiry, the complainant Biswajit Nag has been examined on oath and his statement has been recorded in separate sheets. Some photocopies of documents filed by the complainant have been marked as Exhibits 1 to 9. To put precisely, the complainant, in his complaint and deposition, alleges that the Respondent No. 1 Smt. Aloka Das, the Pradhan, Guptipara No. 1 Gram Panchayat illegally issued Tender for repair of thirteen (13) Solar System Drinking Water Treatment Plants situated at different places under the Gram Panchayat, though the Water Treatment Plants were already repaired by Public Health Engineering Department. Based on some fabricated bills submitted by an Agency/Contractor, the Pradhan misappropriated Rs.2,59,757/- (Rupees two lakh fifty-nine thousand seven hundred and fifty-seven). Besides, she misappropriated Rs.37,220/- (Rupees thirty-seven thousand two hundred and twenty) in the name of dumping rubbish on a road, though no rubbish was dumped on the road. He complains that the Respondent No. 2 Sri Arun Debnath, the Upa-Pradhan of the Gram Panchayat sold a mango tree by floating a Tender of Rs.60,000/- (Rupees sixty thousand), but, in fact, an amount of Rs.38,100/- (Rupees thirty-eight thousand and one hundred) was credited to the Account of the Gram Panchayat and the balance amount was misappropriated by him. He also alleges that the Pradhan misappropriated Rs.69,875/- (Rupees sixty-nine thousand eight hundred and seventy-five) using false bills in the name of replacement of
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	street lamps, but, in fact, street lamps were not replaced. Besides, he alleges of misappropriation of fund and irregularities in financial deal during some financial years against the Gram Panchayat as particularised/detailed in the written complaint. Under the aforesaid allegations, the complainant seeks appropriate punishment of the Pradhan and the Upa-Pradhan of the Gram Panchayat. On perusal of the deposition of the complainant Biswajit Nag and the documents on record, this Forum finds that on the allegations made by the complainant, the Block Development Officer, Balagarh Block Development Office, Jirat, Hooghly conducted an enquiry and prepared an Enquiry Report. During examination of the complainant, it appears that in compliance with an order of the Hon'ble High Court, Calcutta in a Writ Petition, the Officer-in-Charge of Balagarh Police Station, on the basis of the written complaint of the complainant, has started a Balagarh PS Case No. 581/2025 dated 21.11.2025 under sections 316(5), 318(4) and 61 of Bharatiya Nyaya Sanhita (BNS) against (i) Smt. Alok Das, the Pradhan, (ii) Sri Arun Debnath, the Upa-Pradhan, (iii) Sri Arunava Majumder, the Executive Assistant, (iv) Sri Amit Dutta, Nirman Sahayak, (v) Sri Arindam Nayak, Contractor and (vi) Sri Tanmoy Patra, Manager of Construction Power Engineering Company for investigation. In the aforesaid backdrop, this Forum by order dated 18.05.2026 and in exercise of power u/s 11(2) of the West Bengal Lokayukta Act, 2003, directed the District Magistrate, Hooghly to make an enquiry into the complaint of the complainant and submit a report in detail to this Forum. On the other hand, the Superintendent of Police was directed to submit a status report of the progress of the investigation in connection
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with Balagarh P.S. Case No. 581/2025 dated 21.11.2025 under sections 316(5), 318(4) and 61 of BNS against Smt. Aloka Das, the Pradhan and 5 others. In compliance thereof, the District Magistrate and the Superintendent of Police have submitted their reports in time.

I have perused the report submitted by the District Magistrate, Hooghly and all the annexures thereto. I have also perused the report of the Superintendent of Police, Hooghly.

As I find, the District Magistrate, in his report, deals with the allegations as raised in the complaint in detail and category-wise.

Perusal of the report of the Superintendent of Police shows that on a written complaint received from the complainant on 21.11.2025, a Balagarh P.S. Case No. 581/2025 dated 21.11.2025 under sections 316(5), 318(4) and 61 of BNS was registered against Smt. Aloka Das, the Pradhan, Guptipara No. 1 Gram Panchayat and 5 others for investigation. During the course of investigation, the Investigating Officer visited the place of occurrence and prepared a rough sketch map of the same with index on a separate sheet of paper. He examined the complainant and available witnesses u/s 180 of Bharatiya Nagarik Suraksha Sanhita (BNSS) and recorded their statement. According to the Investigating Officer, during investigation, incrementing evidence have been collected. The report also shows that the FIR named accused persons namely Arindom Nayak and Tanmoy Patra filed an application for anticipatory bail u/s 482, BNSS before the Learned Sessions Judge, Hooghly and the Learned Court was pleased to reject their prayer for anticipatory bail on 23.12.2025. On the other hand, FIR named accused persons Amit Dutta and Arunava Majumder also made application for anticipatory bail u/s 482,

		BNSS before the Learned Sessions Judge, Hooghly, but their prayer for bail was also rejected by the Learned Court on 24.12.2025. Later on, accused Arindom Nayak filed an application for anticipatory bail before the Hon'ble High Court, Calcutta and the Hon'ble High Court was pleased to allow his application for anticipatory bail on 06.03.2026. Subsequently, he surrendered before the Court of Learned Chief Judicial Magistrate, Hooghly on 20.03.2026 and was released on bail. The report also shows that the Investigating Officer has been conducting raids to arrest the other FIR named accused persons, but those accused persons are evading the arrest. A conjoint reading of the report of the District Magistrate and the report of the Superintendent of Police shows that the allegations as stated in the report and the allegations as made by the complainant in his complaint are now being investigated in connection with Balagarh P.S. Case No. 581/2025 dated 21.11.2025 under sections 316(5), 318(4) and 61 of BNS. One of the accused persons namely Arindom Nayak has already been granted regular bail by the Learned Chief Judicial Magistrate, Hooghly at Chinsurah on 20.03.2026 in compliance with the order dated 06.03.2026 passed by the Hon'ble High Court, Calcutta in an application for anticipatory bail. The Investigating Officer is conducting raids with continuity to arrest the rest accused persons and bring them to justice. All these show that the allegations as made in the complaint are now under adjudication before the competent Court of Law. Section 8(3) of the West Bengal Lokayukta Act, 2003, provides that the Lokayukta shall not, except on a reference by a Court of Law, investigate any matter which is under adjudication by such Court of Law. Since the matter involved in this proceeding is under
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adjudication by a competent Court of Law, it will be wise for this Forum not to proceed further with this proceeding.

Accordingly, the preliminary enquiry as initiated by this Forum is closed and this case arising out of the complaint is disposed of.

Before parting with, it is expected that the Superintendent of Police, Hooghly shall monitor the investigation in connection with Balagarh P.S. Case No. 581/2025 effectively so that the investigation comes to its logical end as expeditiously as possible.

Communicate this order to the complainant.

Let a copy of this order be sent to the District Magistrate, Hooghly and the Superintendent of Police, Hooghly for their information.

Sd/-
Justice Rabindranath Samanta
Hon'ble Lokayukta