



सत्यमेव जयते

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार

Government of India

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत दीवानी न्यायालय की शक्तियों का प्रयोग करने वाला एक संवैधानिक निकाय)
(A Constitutional body exercising powers of a Civil Court under Article 338A of the Constitution of India)

Case File No. NCST/ATY-244/DL/4/2022-APCR

Dated: 21.04.2022

The Commissioner of Police,
Delhi Police,
Police Headquarters,
Jai Singh Road,
New Delhi – 110 001.
E.mail: cp.rakeshasthana@delhipolice.gov.in

Subject: Representation dated 28.12.2021 of Shri Amit Kumar, Senior Social Security Assistant, EPFO, Dwarka, New Delhi, R/o A-171, Bhagwati Garden, Extn., Uttam Nagar, New Delhi regarding Atrocity, Caste abuse, Misbehaviour, physical assault and filing of false FIR by the lady EPFO employee at police station against ST person and not action by the police on the complaint of ST person.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 12.04.2022 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned matter for necessary action and submission of compliance report to this Commission within 15 days for placing the same before the Hon'ble Member, NCST.

Encl: as above

Yours faithfully,

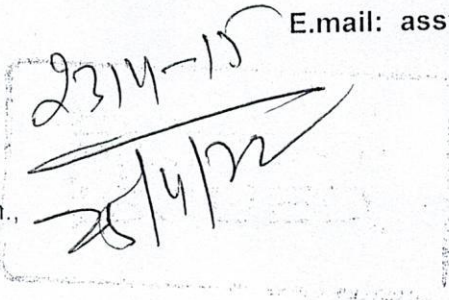
o/c

(S.P. Meena)
Deputy Director

E.mail: assttdir.ru2@ncst.nic.in

Copy to:

Shri Amit Kumar,
R/o A-171, Bhagwati Garden, Extn.,
Uttam Nagar, New Delhi -110059
Email: kumar.amitpf@gmail.com



Copy to
NIC, NCST for uploading on website

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. NCST/ATY-244/DL/4/2022-APCR

PROCEEDINGS OF SITTING HELD ON 12.04.2022 CHAIRED BY SHRI ANANTA NAYAK, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI AMIT KUMAR, UTTAM NAGAR, NEW DELHI REGARDING ATROCITY AGAINST ST BY THE NON ST AND FRAMING HIM IN FALSE CASES BY THE WOMAN EMPLOYEE OF EPFO, NEW DELHI. POLICE INACTION AGAINST ACCUSED.

Date of Sitting: 12.04.2022

List of officers present in sitting is Annexed.

Shri Amit Kumar had submitted representation before the Commission stating that he is working as Senior Social Security Assistant at EPFO, Dwarka, New Delhi since, 2010. He was harassed by the EPFO officials and higher officers for last 05-06 years. On 10.12.2021, a contract employee Ms. Tarvi Sharma had physically assaulted upon him without any reason and she abused him on caste ground. Immediately, a complaint was made to the higher officers of EPFO and there was no action taken. Thereafter, the said lady employee has filed false Police complaint against him about stalking. The Police without verifying the facts, arrested him and he was released on bail by the Hon'ble Court. Earlier he had filed a Police complaint against the said lady for physical assault at workplace and caste abuse. The Police did not register FIR and also did not take any action against her. The Police took action only against him. He had also given documentary evidence of atrocity committed by lady employee but Police did not take cognizance. He requested the Commission to intervene in the matter and action taken against the accused.

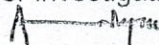
It is further submitted that the petitioner has submitted another representation dated 10.02.2022 alleging that the accused lady employee has again filed a Police complaint against him regarding woman harassment. The Police is harassing him. The Department is also threatening to remove his services.

2. The NCST vide notice dated 11.02.2022 sought a report from Commissioner of Police, Delhi Police. However, no report was received.

3. Accordingly a sitting was held on 12.04.2022. In Sitting, the Deputy Commissioner of Police, Delhi Police, Dwarka and Assistant Commissioner of Police, Dwarka were appeared on behalf of the Police Commissioner, Delhi Police. The petitioner was also present.

4. In the Sitting, the petitioner has submitted grievances of atrocity, manhandling, physical assault and caste abuse by the lady contractual employee of EPFO. In this regard, he has mentioned the incident occurred on 10.12.2021. He has also raised grievances of misbehaviour against him and his family members by the Police officials of Dwarka Police Station during the investigation. Further, he raised harassment and discrimination by the higher officers of EPFO and threaten of removal from service by instituting of false inquiry.

5. The DCP, Dwarka, Delhi Police has briefed about the case. He informed the Commission that on the complaint of the petitioner, a case vide FIR No. 130/2022 dated 04.03.2022 under relevant sections of SC/ST (PoA) Act, 1989 at PS Dwarka Sector – 23 was registered. Presently, the matter is under investigation. He also informed that the Police has



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जात/जाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भवन, संसदीय भवन, नया दिल्ली

नई दिल्ली/NEW DELHI

received a complaint of stalking against the petitioner from the alleged lady employee and the said matter is also under investigation. The Police has completed 80% of investigation in both cases and the cases will be decided with action taken based on findings of the Police inquiry. He has also sought apology on the behaviour of the Police officials for misbehave with the ST complainant. He assured that the inquiry will be conducted fair and action will be taken against the accused.

6. The case was discussed in detail. After hearing from both parties, the Commission decided that:

- The Delhi Police will complete the investigation in fair and unbiased manner of the atrocity case within 15 days and will take necessary action against the accused.
- The charge sheet will be submitted in time bound manner and it may be ensured that the accused be punished and also ensure speedy trial.
- The petitioner will submit a detailed representation about atrocity at workplace and harassment / discrimination during the service period separately to the Commission. So that his service related grievances could be taken up with the Department concerned.



(ANANTA NAYAK)
MEMBER

National Commission for Scheduled Tribes

अन्तर्गत आयोग/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय आयोग/संघर्ष/समिति
NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार, New Delhi

श्री दिल्ली/New Delhi

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No.- NCST/ATY-244/DL/4/2022-APCR

List of participants

Officers from Delhi Police, Delhi

1. Shri Shankar Choudhary Deputy Commissioner of Police, Dwarka
2. Shri Harish Chanda, Assistant Commissioner of Police, Dwarka

Petitioner

Shri Amit Kumar