



सत्यमेव जयते

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A constitutional body under Article 338A of the Constitution of India)

File No.- **NCST/ATY-475/OR/30/2022-RO-BHUV**

Date : 22.07.2022

To,

Shri Sandeep Sampat Madkar

Superintendent of Police,
At/P.O - Kendrapara,
Dist - Kendrapara - 754211
(Odisha)
Email: spkdp.odpol@nic.in

Sub: Representation of Smt Jamuna Dalai W/o- Babula Dalai, At/Po- Dangamala, PS-Talachua Marine, Dist-Kendrapada regarding allegations of Kidnap and Brutal Rape on her minor daughter Miss Banita Dalai.

Sir,

I am directed to enclose herewith a copy of Minutes of the Sitting held on 20.07.2022 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject, for necessary action. It is requested that compliance report may be submitted to this Commission within 15 days positively from receipt of the letter for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully,

(आर. एस. मिश्र / R.S. Misra)
अनुसंधान अधिकारी / Research Officer

Copy to:

Smt Jamuna Dalai
At/Po-Dangalamala,
Ps-Talachua Marine,
Dist- Kendrapada - 754248 (Odisha)
Mobile No. 9556047066, 9556047066

Copy for information to:

- (1) PS to Hon'ble Member, NCST
- (2) Assistant Director, RO-NCST (N-1-297, IRC Village, Bhubaneswar - 751015)
- (3) NIC, NCST for uploading on the website.

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22/7/22
जांच किया
ISSUED
O/C

National Commission for Scheduled Tribes


(F. No. NCST/ATY – 475/OR/30/2022-RO-BHUV)

Minutes of the hearing in the case of Smt. Jamuna Dalai who approached the Commission seeking justice for her kidnapped minor daughter on 19.01.2022 and subsequent threats by one Shri Simiran Behera.

Date of the sitting: 20.07.22, 12.00 Noon

Participants in the sitting: As per Annexure

- The Petitioner Smt. Jamuna Dalai, Kendrapada had submitted that her daughter named Ms. Banita Dalai, aged 15 years was kidnapped on 19th January 2022, from the market place at Chandikhole. The petitioner had lodged a complaint at Dharmasala. She had received threatening calls then after. She has been informed about the rape of her daughter but not the whereabouts. She had also been warned that they would kill all the family members of the petitioner if they disclosed the matter to the police. The petitioner further mentioned that she has suspicion over Shri Simiran Behera (Fakira) who had come to her house a few days ago and made derogatory marks on her daughter. No action had been taken by the police department even after filing written complaint.
- The Commission issued notice to the Director General of Police, District Collector, the Superintendent of Police of Kendrapada district on 14.06.2022 and sought a reply within 15 days of the receipt of the notice.
- Since, no reply was received from any of the authorities, the Commission issued summons to the District Collector and the Superintendent of Police on 12.07.2022 for the Sitting on 20th July at the NCST, Head Quarters.
- In response to the summons issued by the Commission, the Superintendent of Police, Kendrapada District appeared before the Commission on 20.07.2022. Smt Jamuna Dalai, the petitioner, joined through video conferencing.
- The Petitioner alleged that the accused had been roaming freely and also threatened them over the phone. The same has been informed to the concerned police. However till date, no action has been taken to protect the lives of the petitioner and her family. She requested the commission to ensure the arrest of the accused and full protection of the victim and her family members.
- The Superintendent of Police, Kendrapada, informed the commission that the daughter of the petitioner had been rescued on 30th May 2022 and handed over to the family on 2nd June 2022.
- He informed that criminal case under SCST Act and POCSO Act has been lodged against the accused in Dharmasala Police Station, Jajpur after taking statements under Section 161 of Cr.P.C..
- The Superintendent of Police, Kendrapada also informed the commission regarding the threatening calls to Smt Jamuna Dalai, a criminal case under the Indian Penal Code and SCST Act has been registered against Simiran Behera, the accused named in the complaint to NCST. Prompt action will be taken against him in the course of investigation.
- The Superintendent of Police, Kendrapada also assured all possible benefits or welfare measures will be provided to the victim and her family members.
- After hearing both the sides, the Commission recommends the followings: -



अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

- The Superintendent of Police shall arrest the accused immediately and status report be filed within 15 days.
- The Superintendent of Police to ensure that the victim be compensated and rehabilitated with proper counselling as soon as possible.
- The Superintendent of Police to ensure proper counselling and other welfare measures to the victim after consulting the Social Welfare Officer and district administration
- The economic well being of the victim and her family members also be taken care of by the District Administration

The Action Taken Report (ATR) be submitted within 15 days.

The Commission has scheduled the next date of sitting on 22.08.2022.



(Ananta Nayak)
Member

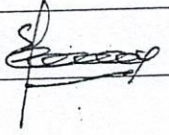
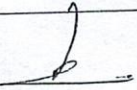
National Commission for Scheduled Tribes

अनंत नायक/ANANTA NAYAK
सदस्य/Member New Delhi

राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

File No - NCST/ATY-475/OR/30/2022 RO-BHUV

Sitting to be held on 20.07.2022 at 12.00 Noon in the case of Smt Jamuna Dalai W/o- Babula Dalai, At/Po- Dangamala, PS-Talachua Marine, Dist-Kendrapada regarding allegations of Kidnap and Brutal Rape on her minor daughter Miss Banita Dalai.

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	<u>National Commission for Scheduled Tribes</u>		
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
2.	S. P. Meena	Dy Director	
3.			
4.			
5.			
5.			
6.			
7.			
II	Officers from Distt. Kendrapara, Odisha		
1.	Sandeep maddka, IPS SP, Kendrapada	94380013 23	 20.7.22
2.			
3.			
4.			
5.			
III	Petitioner		
1.			
2.			