



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)

Case File No. NCST/ATY-104/JH/5/2021-RO-RNC

Dated: 10.04.2023

To,

1. **Shri Sushant Gaurav**
Deputy Commissioner,
District – Gumla,
Office Collectorate Building,
Gumla -835207 (Jharkhand)
Email: dc-gum@nic.in

2 **Dr. Ehtesham Waquarib ,**
Superintendent of Police,
District - Gumla
SP Office Collectorate Building,
Gumla
E.mail: sp-gum@nic.in

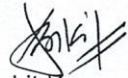
Subject A representation dated 17.06.2021 received from Mrs. Bhagwati Oraon, W/o Shri Subhash Oraon alleging committing the rape by the accused and action under Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 – reg.

Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 17.03.2023 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for information.

Encl: as above

Yours faithfully,


(अंकित कुमार सेन / Ankit Kumar Sen)
अनुसंधान अधिकारी /Research Officer

Copy to:

Smt. Bhagwati Oraon,
W/o – Shri Subhash Oraon,
Village + Police Station – Kurumgarh,
District – Gumla (Jharkhand)
Mo- 7903673069

After
Original

National Commission for Scheduled Tribes

No. NCST/ATY-104/JH/5/2021-RO-RNC

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, in the matter of Smt. Bhagwati Oraon, who alleged that she was raped and harassed by J.E. Sandeep Kumar Tiwari.

Date of the sitting: 17.03.2023

Officials present in the sitting: As per the Annexure

In the present matter, a representation dated 17-06-2021 was received on 21-06-2021 from Smt. Bhagwati Oraon in which she stated that on 17-03-2021, the accused, J.E. Sandeep Kumar Tiwari, Chainpur Block allegedly raped her. The case was registered at Women's Police Station vide Case No. -11/2021 dated 27-03-2021 U/S 376, Indian Penal Code Act, 1860. The petitioner stated that the accused's bail was not accepted in the appropriate court and directed to conduct an impartial investigation as per the relevant provisions of SC/ST (POA) Act, 1989. As per the petitioner, the accused is still free to move and the BDO of the district is involved in the matter who is protecting him. The case is not being investigated impartially as the concerned police officials are trying to fabricate the case as false. The victim made the request to the Commission to intervene and help in the insertion of the relevant provisions of SC/ST (PoA) Act, 1989 in the FIR and in the impartial investigation of the case.

Considering the gravity of the allegations, the Commission issued Notice to the Deputy Commissioner, Gumla, Jharkhand and the Superintendent of Police, Gumla, Jharkhand on 03.01.2022.

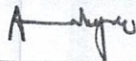
The Commission received the reply from the Office of Superintendent of Police, Gumla, Jharkhand that the evidence has not been found in the case which could prove the allegations the investigation is under progress.

A. Nayak

The Commission, thereafter, issued Summons to the Deputy Commissioner, Gumla, Jharkhand and the Superintendent of Police, Gumla, Jharkhand on 06.02.2023. The Sitting was held on 17.03.2023 under the Chairmanship of Hon'ble Member, NCST, Shri AnantaNayak and the Deputy Commissioner, Gumla, Jharkhand and the Superintendent of Police, Gumla, Jharkhand appeared before the Commission.

Responding to the question of the Commission, the oncerned officials provided a detailed report including the Medical Examination Report proving that the allegations made by the petitioner are false and baseless.

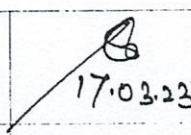
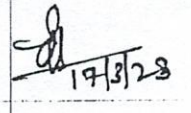
The Commission noted the statements and reports produced by the Deputy Commissioner, Gumla, Jharkhand and the Superintendent of Police, Gumla, Jharkhand and recommended that the matter to be closed by the Commission.


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

Attendance Sheet
National Commission for Scheduled Tribes

File No. NCST/ATY-104/JH/5/2021-RO-RNC

Sitting to be held on 17.03.2023 at 12.00 Noon in the case of Mrs. Bhagwati Oraon. W/o Shri Subhash Oraon alleging committing the rape by the accused and action under Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 – reg.

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	National Commission for Scheduled Tribes		
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
2.			
3.			
4.			
5.			
5.			
6.			
7.			
II	Officers from the District –Gumla, Jharkhand		
1.	Jushant Gaurav	Deoria 9431116003	 17.03.23
2.	Dr. Ekberham Wapureb	SP Gumla 9431706378	 17/3/23
3.			
4.			
5.			
III	Petitioner		
1.			
2.			
3.			