



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-114/ATY-31/205/2021-RU-4

Date : 23.01.2024

To,

Shri Anupam Agrawal
Commissioner of Police
Mangaluru,
Near Police Training School,
Pandeshwar, Mangaluru,
Karnataka -575001
Email: compolmgc@ksp.gov.in

Sub: Online representation of Shri Umesha Naik, Mangaluru (Karnataka) regarding atrocity against ST and not filing of FIR and action against accused under SC/ST (PoA) Act, 1989 by Konaje Police Station officials, Magaluru Distt.

Sir,

I am directed to enclose herewith a copy of the Minutes of the Meeting held on 02.01.2024 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,

(एच.आर मीना /H.R. Meena)
अनुसंधान अधिकारी/ Research Officer
Email ID : hari.rammeena@ncst.nic.in

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Copy to:-

Shri Umesha Naik,
1-132/2, Srujan Nailaya,
Pulinchadi Road,
Konaje Post,
Mangaluru – 574199 (Karnataka)
E.mail: umeshanaik@gmail.com

(A copy of report dated 31.12.2023 of the Commissioner of Police, Mangalore City is also enclosed for your information).

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. NCST-114/ATY-31/205/2021-RU-4

Minutes of Meeting chaired By Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 02.01.2024 in the case of Shri Umesha Naik, Mangaluru regarding atrocity against ST, non- filing of FIR and action against accused under SC/ST (PoA) Act, 1989 by Konaje Police Station officials, Magaluru Distt.

Date of Meeting: 02.01.2024

List of Participants is Annexed.

The Commission received an online representation dated 11.07.2021 from Shri Umesha Naik, Mangaluru (Karnataka). In his complaint, he has alleged that Konaje Panchayat Officers (PDO & Members) are supporting his neighbours Sridhar K, Smt. Padmavathi and Shri Harish Poojary who are allegedly creating Air Pollution, damaging his property(tree, compound, illegal building, illegal factory), Blocking Road, verbally abusing , insulting in public places and forcing him to leave his residence place. He registered a complaint against the accused in the concerned Police Station, but no action was taken by the Police.

2. A notice dated 26.07.2021 seeking facts was issued to the Commissioner of Police, Mangaluru and DGP, Karnataka.

3. In response to NCST letter dated 26.07.2021, Commissioner of Police, Mangaluru submitted a reply dated 15.09.2021 wherein it was stated that as per the report and opinion of the Assistant Commissioner of Police Office, Mangaluru South Sub-Division, Mangaluru City, the petitioner Shri Umesh Naik is a habitual complainant who gives complaints under SC/ST Atrocity Act over disputes he has with his neighbours. He makes the same complaints repeatedly even though they were enquired and closed as per procedure.

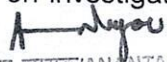
He has a tendency to complain to several Institutions at the same time. This behaviour of Shri Umesh Naik not only costs huge resources for Government but also causes interference in smooth disposal of those complaints.

4. Reply of the Commissioner of Police, Mangaluru was forwarded to the petitioner on 18.11.2021. A rejoinder dated 28.11.2021 was received from the petitioner (In Regional language)

5. On examination of rejoinder of petitioner, the Commission fixed a Meeting on 02.01.2024 with the Commissioner of Police, Mangaluru.

6. On behalf of the Commissioner of Police, Assistant Commissioner of Police, South Managalore appeared before the Commission. Petitioner was not present in the Meeting.

7. The matter was discussed in detail. The ACP, South Mangalore submitted a report dated 31.12.2023 of Commissioner of Police, Mangaluru City and submitted that the petitioner Shri Umesh Naik and his wife Smt. Sumitra are resident of Konaje. Since the past 14 years, the couple have been visiting the Konaje Police Station, lodging complaints against their neighbours on trivial matters which on investigation has turned up to be false


अनंत नायक/ANANTA NAYAK

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

and baseless. The petitioner and his wife have filed more than 69 NCs at Konaje Police Station. On the basis of the complaints filed by the petitioner 03 criminal cases have been registered against others, all of which have turned up to be false. There are 03 cases registered against the petitioner Shri Umesh Naik all of which have been charge sheeted and found to be true. Sri Umesh Naik has also been booked under Sec 107 CrPC to maintain peace and tranquillity. Sri Umesh Naik has cultivated a habit of blaming others without any reasonable grounds. He is also known to create ruckus during meeting held for the benefit of the members of Scheduled Castes and Scheduled Tribes held every month by the Police Department. He is habitually levelling baseless allegations against sincere and honest Government Officials. All the allegations levelled against the Police department are baseless and far from the truth. There have been no cases reported in the City wherein, a complainant has been discriminated on the basis of his caste. All the petitions given by Sri Umesh Naik were received and action as per law was taken.

8. The petitioner was not present in the meeting despite receiving the communication from the NCST. Instead, he demanded for appearance through VC which was not possible.

9. After hearing the matter, the Commission observed and decided as under:

- It seems that the petitioner is habitual complainant.
- In all the complaints filed by the petitioner, the Police has taken action as per Law. Cases have also been filed by the Police against the petitioner on the complaints filed by his neighbours. There seems no discrimination with him inaction taken by the police authorities.
- A copy of report dated 31.12.2023 of the Commissioner of Police, Managalore City may be forwarded to the petitioner for information.
- No further action is required on the part of NCST in the matter.



(ANANTA NAYAK)
MEMBER

National Commission for Scheduled Tribes

अनंत नायक/ANANTA NAYAK
सदस्य/Member
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NATIONAL COMMISSION FOR SCHEDULED TRIBES
Case File No.- NCST-114/ATY-31/205/2021-RU-4

List of participants

National Commission for Scheduled Tribes

Shri Ananta Nayak
Hon'ble Member

Shri R.K. Dubey
Deputy Director

Shri H.R. Meena
Research Officer

Shri Radhakanta Tripathy
Spl. Rapporteur.

Officers from O/o Commissioner of Police, Mangaluru

Smt. Dhanya N. Nayak
ACP, South Mangalore.

Petitioner

Not present