



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

(A Constitutional body set up under Article 338A of the Constitution of India)

6th floor, 'B' Wing, Loknayak Bhawan
Khan Market, New Delhi-110 003

Dated: 13/12/2019

Case No. AA/1/2017/STGDD/ATOTH/RU-I

To,

The Secretary,
Ministry of Home Affairs,
North Block,
New Delhi – 110001

Sub: Representation dated 19/07/2017 received from Shri Ashish Anan, Dy. SP(u/s), UT of Daman & Diu, R/o E-Type Quarter, Near Collectorate, Dholar, Moti Daman - 396220 regarding complaint against Mrs. Meghna Yadav, IPS, SP/Daman and other Police Officials of DD&DNH Police under the PoA Act, 1989.

Sir,

I am directed to forward herewith copy of the minutes of Sitting held in the Headquarters of National Commission for Scheduled Tribes on 13/11/2019 at 03:00 P.M. under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes in the matter.

It is, requested that action taken on the suggestions / recommendations of the sitting may please be sent to the Commission at the earliest for appraisal of Hon'ble Chairperson..

Encl: As above.

Yours faithfully,

(S.P. Meena/एस.पी.मीना)

Assistant Director/सहायकनिदेशक

Tel: 011-24641640.

Copy for information and necessary action to:

1. Shri David Lalrinsanga
Joint Commissioner of Police,
Police Headquarters,
Vikas Marg, ITO,
New Delhi-110002
2. The Deputy Inspector General of Police,
Daman & Diu and D&NH,
Police Headquarters,
Dunetha,
Daman-396210
3. Shri Ravinder Sharma,
Deputy Superintendent of Police,
Daman & Diu,
Daman-396210
4. Shri Pragnesh Ishwar Patel,
Police Constable,
Belt No. 399,
Daman Police.
Daman-396210

Copy to:

Shri Ashish Anan,
C-9 / 623, Chitrakoot Scheme,
Vaishali Nagar,
Jaipur – 302024.
(Rajasthan)

Copy for information to:

1. PS to Hon'ble Chairperson, NCST
2. NIC (please upload on the Commission's website)

Government of India
National Commission for Scheduled Tribes

MINUTES OF SITTING HELD IN THE COMMISSION ON 13/11/2019 AT 3:00 PM UNDER THE CHAIRMANSHIP OF SHRI NAND KUMAR SAI, HON'BLE CHAIRPERSON, NCST IN THE CASE OF SHRI ASHISH ANAN, DY. SP(U/S), UT OF DAMAN & DIU, R/O E-TYPE QUARTER, NEAR COLLECTORATE, DHOLAR, MOTI DAMAN-396220 REGARDING COMPLAINT AGAINST MRS. MEGHNA YADAV, IPS, SP/DAMAN AND OTHER POLICE OFFICIALS OF DD&DNH POLICE UNDER THE POA ACT, 1989.


(F. No. AA/1/2017/STGDD/ATOTH/RU-I)

List of participants is annexed.

Representation dated 19/07/2017 received from Shri Ashish Anan, Dy. SP(u/s), UT of Daman & Diu, R/o E-Type Quarter, Near Collectorate, Dholar, Moti Daman-396220 regarding complaint against Mrs. Meghna Yadav, IPS, SP/Daman and other Police Officials of DD&DNH under the PoA Act, 1989.

The matter was taken up with the Administrator, UT of Daman & Diu for facts and comments on 23.10.2017. Response was not received from the Administrator, UT of Daman & Diu. A sitting was convened on 01.2.2018 under the Chairmanship of Hon'ble Chairperson, NCST with the officer of Daman Diu Police and petitioner to resolve the issue. After detailed discussion, the Commission decided to refer the matter to the M/o Home Affairs with the request to conduct an independent inquiry on the allegations made by Shri Ashish Anan in his complaint dated 04.11.2016 by any IPS officer of the rank of Inspector General of Police or above and submit the report to the National Commission for Scheduled Tribes along with considered view of the M/o Home Affairs with in a period of three months. The minutes of sitting were sent to MHA, Administrator, UT of Daman & Diu and DIG Police, Daman & Diu on 21.2.2018.

The Ministry of Home Affairs vide letter dated No. U-13034/10/2017-DD/DNH dated 15.5.2019 had forwarded the Inquiry report conducted by Shri David Lalrinsanga, IPS, Joint Commissioner of Police, HQ Delhi. The petitioner vide rejoinder dated 10.6.2019 had refuted the facts. The Hon'ble Chairperson decided to discuss the issue with the Secretary, Ministry of Home Affairs and officials of Daman & Diu Police and petitioner in a sitting on 08.8.2019. But the sitting could not chaired by Hon'ble Chairperson due to unavoidable reasons and the sitting was Chaired by Shri H.K Damor, Hon'ble Member, NCST. In sitting, Hon'ble Member observed that the "matter is very sensitive and important and decided that another hearing will be held under the Chairmanship of Hon'ble Chairperson and he himself will be present in that sitting. He assured Ms Kirti Sharma and Mr. Mahipal Singh Rawat that their


डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
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नई दिल्ली/New Delhi

statements have been placed on record. He also assured the petitioner that Jt. CP, Delhi Police (Enquiry Officer), Dy. SP Ravinder Sharma and Constable. Pragnesh Patel will also be called in the next sitting. For detailed investigation in this matter, MHA requested to provide a copy of the report sent by Mrs. Meghna Yadav IPS to MHA (clarification on the points raised by MHA on the arrest of Ashish Anan, DANIPS) vide letter No. SP/DMN/FIR-169/Ashish Anan/20161826, dated 31.10.2016 within 15 days to the NCST.

The minutes of sitting was sent to Ministry of Home Affairs on 22.8.2019. The MHA vide letter No. 14036/92/2016/UTS1 dated 09.9.2019 had furnished the report dated 29.10.2016 of Ms. Meghna Yadav, IPS, SP, Daman. Annexures of the report were not found enclosed. Accordingly, the MHA was asked to send copy of the annexures of the report. The Ministry of Home Affairs vide letter No. 14036/92/2016.UTS dated 11.10.2019 had furnished the copy of the annexures. As per decision of the sitting held on 08.8.2019, the Hon'ble Chairperson fixed the sitting on 13.11.2019 to discuss the issue with Secretary, Ministry of Home Affairs, Shri David Lalrinsanga, Joint Commissioner of Police, Delhi, DIG, Daman & Diu and the by Shri Ravinder Sharma, Dy. Suptd. of Police and Constable (Shri Pragnesh Patel) and the petitioner. The notice was issued on 05.11.2019 to all concerned.

In the sitting, the Joint Secretary, MHA appeared on behalf of Secretary, MHA, Shri Pardeep Kumar, Assistant Commissioner of Police, Delhi appeared on behalf of Shri David Lalrinsanga, Shri Ravinder Sharma, Dy. SP, Daman & Diu Police and petitioner. Shri Pragnesh Patel, Constable, Daman & Diu Police did not appear. The DIG, Daman & Diu and DNH vide letter No. DIGP/DD&DNH/2019/582-1835083 dated 13.11.2019 has intimated that due to exigency, he was not able to attend the sitting and requested to other date for the sitting.

Hon'ble Chairperson asked the petitioner to explain the grievance and problems. The petitioner informed that the then Police Officials harassed him being ST candidate. Ms. Meghna Yadav, IPS, the then SP of Daman & Diu abused him which may be perused in the statement given by Ms. Kirti Sharma. Shri Ravinder Sharma Dy. SP, Daman & Diu has also supported Ms. Meghna Yadav and makes fake evidence. The petitioner requested the Commission to issue necessary directions to register a case against Ms. Meghna Yadav, the petitioner also stated that the inquiry report of Shri David Lalrinsanga, Joint CP is also not correct, as he has not heard his witness.



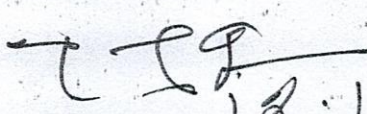
डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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The Hon'ble Chairperson asked the officers of Ministry of Home Affairs to explain about action taken by MHA. The representative of MHA has reiterated the facts submitted in the Inquiry report by Joint Commissioner of Delhi Police in the matter.

Hon'ble Chairperson asked the Shri Ravinder Sharma, Dy. SP. Daman & Diu to appraise about the facts in the statement of Ms. Kirti Sharma against Ms. Meghna Yadav. Shri Ravinder Sharma was unable to explain the allegations raised by petitioner against Ms. Meghna Yadav.

The Commission observed that the Inquiry report of Joint Commissioner of Police, Delhi in the matter does not appear to be justified in this case, since petitioner's witness were not heard, as stated by the petitioner.

After detailed discussions with the Joint Secretary, MHA, Police officer of Delhi Police, Shri Ravinder Sharma and the petitioner, the Hon'ble Chairperson recommends that a fresh Inquiry be conducted in the case by the Ministry of Home Affairs through an independent agency/individual, other than Police Department. For fair inquiry in the matter, Police officials involved in this case should be transferred/posted in other section/unit of the Daman Diu and Dadra Nagar Haveli Police. Action taken/to be taken by the MHA be intimated to the Commission within a month from the receipt of the proceedings.


18.13.09

डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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Government of India
National Commission for Scheduled Tribes

(F. No. AA/1/2017/STGDD/ATOTH/RU-I)

List of participants of the sitting held on 13/11/2019 at 03:00 PM under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, NCST in the case of Shri Ashish Anan, Dy. SP(U/S), UT of Daman & Diu, R/o E-Type Quarter, Near Collectorate, Dholar, Moti Daman-396220 regarding complaint against Ms. Meghna Yadav, IPS SP/Daman and other Police officials of DD&DNH Police under the POA Act, 1989.

I National Commission for Scheduled Tribes

1. Dr. Nand Kumar Sai, Hon'ble Chairperson In Chair
2. Shri H.K. Damor, Hon'ble Member
3. Shri A.K. Singh, Secretary
4. Shri K. Touthang, Joint Secretary
5. Dr. Lalit Latta, Director
6. Shri R.S. Misra, Senior Investigator

II Ministry of Home Affairs, New Delhi

Shri Prakash, Joint Secretary

- III** Shri Pardeep Kumar, ACP, Vigilance, Delhi Police,
(appeared on behalf of Shri David Lalrinsanga, Joint CP, Delhi Police)

IV Daman Diu and Dadra and Nagar Haveli, Police

NIL

- V** Shri Ravinder Sharma, Dy. SP. Daman & Diu, Police
- VI** Shri Pragnesh Ishwar Patel, Constable Daman & Diu, Police.
(Not present)

VII Petitioner

Ashish Anan