



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

File No. GN/1/2019/STGUL/SEHRMT/RU-I

Dated: 20/11/2019

To,

1. The Chief Secretary,
Government of Uttarakhand,
Dehradun

2. The Director General of Police,
Government of Uttarakhand,
Dehradun

Sub: Representation dated 02.07.2019 of Shri Geetaram Nautiyal, Joint Director, Samaj Kalyan SC/ST Uttarakhand regarding discrimination and threatening to arrest him by CO City, Hardiwar Shri Ayush Aggrawal.

Sir,

I am directed to refer to the subject cited above and to enclose copy of minutes of Sitting held in the National Commission for Scheduled Tribes on 02/09/2019 at 12:30 P.M. under the Chairmanship of Shri H.K. Damor, Shri H.C. Vasava and Smt. M.C. Ivrate, Hon'ble Member(s), National Commission for Scheduled Tribes in the matter for perusal.

Encl: As above.

Yours faithfully,

(S.P. Meena)

Assistant Director
Tel: 011-24641640.

Copy to:

Shri Geetaram Nautiyal,
H.No. 845,
Indira Nagar (Simadawar),
P.O.- F.R.I. Dehradun,
District- Dehradun,
(Uttarakhand)- 248001
(Mob: 9411193322)

Copy for information to:

1. PS to Hon'ble Chairperson
2. PA to Hon'ble Member (Shri HKD)
3. PS to Hon'ble Member (Shri HCV)
4. PS to Hon'ble Member (Smt. MCI)
5. NIC (please upload on the Commission's website and also send the e-mail to concerned)

Government of India
National Commission for Scheduled Tribes

(GN/1/2019/STGUL/SEHRMT/RU-I)


Minutes of sitting held in the NCST's Headquarters on 02/09/2019 at 12:30 P.M under the Chairmanship of Hon'ble Members (Shri H.K. Damor, Shri H.C. Vasava and Smt. M.C. Ivate) NCST in the case of Shri Geetaram Nautiyal, Joint Director, Samaj Kalyan SC/ST Uttarakhand regarding discrimination and threatening to arrest him by CO City, Haridwar Shri Ayush Aggrawal.

List of participants is annexed.

Shri Geetaram Nautiyal, Joint Director, Social Welfare, SC/ST Planning Cell, Govt. of Uttarakhand, Dehradun (R/o 845 Indira Nagar, (Seemadawar), Post- FRI, Dehradun) vide representation dated 02.07.2019 has stated that illegally appointed Shri Ayush Agrawal, CO City Haridwar threatening to arrest him by leveling fake allegations. The NCST vide letter dated 02.07.2019 referred the matter to Secretary, Home Department, Govt. of Uttarakhand, Secretary, Social Welfare Department, Govt. of Uttarakhand, Director General of Police, Govt. of Uttarakhand and Senior Superintendent of Police, District- Haridwar with request to furnish the facts and comments within 07 days from receipt of the letter. Response was not received from concerned Departments. Hon'ble Chairperson fixed the sitting for 19.08.2019 to discuss the matter with the Chief Secretary, Govt. of Uttarakhand and Director General of Police, Govt. of Uttarakhand to assess the facts. The notice of sitting was issued on 16.07.2019 to Chief Secretary, Govt. of Uttarakhand and Director General of Police, Govt. of Uttarakhand. The sitting was postponed which was communicated to concerned authorities on 14.08.2019. Further, the sitting was fixed on 02.09.2019 at 12.30 P.M. and notice was issued on 22.08.2019.

The letter No. ST-SSP-C-231/2019 dated 08.07.2019 of Senior Superintendent of Police, District- Haridwar; letter No. डीजी-मा०प्र०-(एसटी-02)/2019 dated 11.07.2019 of Additional Police Superintendent, Police Headquarter, Dehradun and letter No. डीजी-मा०प्र०-(एसटी-02)/2019 dated 20.07.2019 of Director General, Crime & Law, Govt. of Uttarakhand and letter No. ___/XVII-4/2019-01(15)/ 2018 dated 14.08.2019 of Secretary, Social Welfare Department, Govt. of Uttarakhand were received in the Commission in different dates after stipulated time as mentioned by the Commission in the letter dated 02.07.2019.

Sitting dated scheduled for 02.09.2019 at 12.30 PM was fixed for under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, NCST. Hon'ble Chairperson directed that sitting be


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

chaired by all Members of the NCST as he was unable to attend the office. Accordingly, the sitting dated 02.09.2019 at 12.30 PM was convened under the Chairmanship of all Members of NCST. In the sitting, the Director General of Police along with other officers of Police Department, Govt. of Uttarakhand and Additional Secretary, Social Welfare Department, Govt. of Uttarakhand and Assistant Director, Social Welfare Department, Govt. of Uttarakhand were present. The petitioner was also present.


The NCST asked the petitioner to explain the grievances. The petitioner reiterated his issues raised in the representation dated 02.07.2019 and stated that the SIT set up in the matter discriminating and threatening to arrest him on fake allegations. SIT may be asked to give opportunities for presenting the facts in the matter.

The DGP, explained procedure and steps taken/ to be taken by the SIT in the matter. Shri Ayush Agrawal, CO City, Haridwar has been appointed by the SIT to investigate the matter followed by due procedure. The SIT is empowered to investigate any person related directly/ indirectly in this issue. Hon'ble High Court of Uttarakhand monitoring the progress of SIT. It was also informed that the petitioner had filed a Writ Petition before the Hon'ble High Court of Uttarakhand and Hon'ble Apex Court, no relief was granted by Hon'ble High Court of Uttarakhand and Hon'ble Apex Court.

Commission observed that the petitioner had concealed the facts in the matter. In this matter, the Hon'ble High Court of Uttarakhand is monitoring the progress of SIT. The purpose of SIT to investigate/ analysis related matter.

After detailed discussions with the DGP and other Police officers (including Chairman of SIT), Govt. of Uttarakhand, Additional Secretary, Social Welfare Department, Govt. of Uttarakhand, the NCST recommends that:

- (i) Petitioner is advised to cooperate with the SIT in investigation in the related issue.
- (ii) The Police officials nominated by the SIT is also advised to give opportunity to the petitioner for presenting/ bringing the facts in the matter.
- (iii) The matter is subjudice with Hon'ble High Court of Uttarakhand at Nainital. Hence, Commission has decided to close the case.


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

Government of India
National Commission for Scheduled Tribes

(F. No. GN/1/2019/STGUL/SEHRMT/RU-I)

List of participants of the sitting held on 02/09/2019 at 12:30 PM under the Chairmanship of Hon'ble Members (Shri H.K. Damor, Shri H.C. Vasava and Smt. M.C. Ivrate) NCST in the case of Shri Geetaram Nautiyal, Joint Director, Samaj Kalyan SC/ST Uttarakhand regarding discrimination and threatening to arrest him by CO City, Haridwar Shri Ayush Aggrawal.

I National Commission for Scheduled Tribes

1. Shri H.K. Damor,
Hon'ble Member In Chair
2. Shri H.C. Vasava,
Hon'ble Member In Chair
3. Smt M.C. Ivrate,
Hon'ble Member In Chair
4. Shri A.K. Singh,
Secretary
5. Shri S.K. Ratho,
Joint Secretary
6. Dr. Lalit Latta,
Director
7. Shri R.S. Misra,
Sr. Investigator

II Chief Secretary, Govt. of Uttarakhand

1. Shri Ramvilas Yadav,
Additional Secretary
2. Shri N.K. Sharma,
Assistant Director

III Director General of Police, Govt. of Uttarakhand

Shri Anil K. Raturi

IV Petitioner

Shri Geetaram Nautiyal