



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-774/BR/3/2022-APCR

Dated: 09.05.2023

To,

Shri Aamir Jawaid
Superintendent of Police
District- Purnea
Purnea -854301 (Bihar)
Email:sp-purnea.bih@nic.in

Subject: Representation received from Shri Dhamasothu Saidulu, S/o Late Shri Adinarayana, Thanikella ST Colony, Konijarla, District - Khammam, Telangana State regarding the murder of the victim, Late Mr. Dharmasothu Adinarayana.


Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 17.04.2023 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for information and further action.

Encl: as above

Yours faithfully,

NCST Nic


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

Copy to: (with a request to submit rejoinder within 30 days)

Shri Dhamasothu Saidulu,
S/o Late Adinarayana,
Thanikella ST Colony,
Konijarla, District - Khammam,
Telangana State - 507305
Mobile No. - 9177721080

National Commission for Scheduled Tribes

No. NCST / ATY-774 / BR / 3 / 2022-APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the representation of Shri. Dhamasothu Saidulu S/o Late Adinarayana, Thanikela, ST Colony, Konijarla, Khammam District, Telangana regarding the death of the victim, Late Shri. Dharmasothu Adinarayana.

Date of the Sitting: 17.04.2023 at 10:30 AM

List of Participants: As per Annexure

The Commission received a representation from Shri. Dharmasothu Saidulu stating that his father Shri. Dharmasothu Adinarayana, a lorry driver was murdered in Purnea District, Bihar. On 15.10.2022, the Petitioner's father left to Purnea District, Bihar and did not return for 6-7 days. Thereafter Shri. Mallisetti Narasimha Rao, the owner of the lorry rushed to Purnea and came back with the lorry without the Petitioner. The Petitioner along with 3 other people went to Purnea District, Bihar to find out whereabouts of his father since they did not get any information about his father from Shri. Mallisetti Narasimha Rao. On reaching Purnea District, Bihar, the Petitioner found out from the local police that his father was found dead and his body was cremated by the Police. The Petitioner later found out through the lorry cleaner that Shri. Mallisetti Narasimha Rao and the Petitioner's father had got into a heated argument around midnight and that he saw them together up to 04:00 am. Thereafter, at around 05:00 pm, Shri. Mallisetti Narasimha Rao hurriedly left with the lorry and when asked about the whereabouts of the Petitioner's father, he told him that he was not to be seen.

Considering the gravity of the issue the Commission issued Notice on 01.12.2022 to the Commissioner of Police, Khammam, Telangana and the Superintendent of Police, Purnea District, Bihar to submit the Action Taken Report within 07 days.

The Assistant Commissioner of Police, Wyra Division submitted the Action Taken Report dated 14.12.2022 stating that they had caused enquiry and found out from the authorities of Purnea District, Bihar that on 14.10.2022, Shri. Mallisetti Narasimha Rao loaded the lorry with red chilies and sent it to Purnea District, Bihar through the Petitioner's father who unloaded it on 21.10.2022 and thereafter parked the lorry at the National Transport Office, Purnea. On 23.10.2022, Shri. Mallisetti Narasimha Rao received a call



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

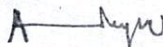
from the National Transport Office that the Petitioner's father was found intoxicated and therefore Shri. Mallisetti Narasimha Rao left to Purnea. On 26.10.2022, in the later evening, Shri. Mallisetti Narasimha Rao found the Petitioner's father and the lorry cleaner sleeping in the lorry, but on 27.10.2022 the Petitioner was missing. When the Petitioner reached Purnea, the local police informed that the Petitioner's father was found dead at the road side near the market due to intoxication on 29.10.2022 at 01:30 am and had registered UD case No. 10/22 dated 29.10.2022. The Postmortem Report stated the cause of death as "Death appear to be natural due to disease of heart and lungs"

The Superintendent of Police, Purnea District, Bihar submitted Action Taken Report dated 19.01.2023 that they received information on 29.10.2022 at 10:40 am, they received information that a person was found dead on the roadside near the petrol pump on NH-31. When the police reached the spot at 10:55 am, they found people crowding around the dead body. When the police enquired on the whereabouts of the dead body from the people nearby, they did not find anyone who knew about the dead person. Thereafter, they registered a challan, sent the body for Postmortem and registered UD Case No. 10/22. The Postmortem Report stated the cause of death as "Death appear to be natural due to disease of heart and lungs" After a few days of the incident, 2-3 people visited the Purnea Police Station and enquired about the dead person. The Police showed them the photos of the dead body and informed them about the incident and asked them to give the details of the dead person in writing. However, due to the language gap, they did not probably understand the Police and thereafter they left without giving the details.

The Commission issued Summons to the Superintendent of Police, Purnea District, Bihar to appear before the Commission on 17.04.2023 at 10:30 am

During the course of hearing on 17.04.2023 the Commission asked both the sides to lay down their cases. The Commission further asked the the Superintendent of Police, Purnea District, Bihar on the arrest and investigation of the Petitioner and on the contradictions in the investigation and the complaint

Shri. Ramadasu, from Justice for People Rights Forum, an organization, present on behalf of the Petitioner submitted that the investigation of the Police is incorrect and incomplete. The timing of the death of the Petitioner's father is extremely suspicious. He was in Bihar for almost a week, but nothing happened, but as soon as Shri. Mallisetti Narasimha Rao visited Purnea, the Petitioner's father dies and the cause of death is "natural". In addition to this, the Petitioner also pointed out that Shri. Mallisetti Narasimha Rao drove back all the way from Bihar to Telangana leaving behind the Petitioner's father all alone without any food, shelter or money.



अनंत नायक/ANANTA NAYAK

सदस्य/Member

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NATIONAL COMMISSION FOR SCHEDULED TRIBES

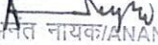
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Shri Azmil Jawaid, Superintendent of Police, Purnea District, Bihar submitted that they had investigated the case following the due process of law and that there were no lapses from their end. He further submitted a copy of the Case Diary to the Commission.

The Commission notes the lackadaisical attitude of the authorities in not attaching the relevant documents of the case along with the Action Taken Report which results in delaying hearings and bringing justice.

After hearing the case the Commission recommends the Petitioner to file Rejoinder within 30 days.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
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Attendance Sheet
National Commission for Scheduled Tribes

NCST/ATY-774/BR/3/2022-APCR

Sitting to be held on 17.04.2023 at 10:30 P.M in the case of Dhamasothu Saidulu, S/O Late Adinarayana, Thanikella ST Colony, Konijarla, District - Khammam, Telangana State regarding the murder of the victim, Late Mr. Dharmasothu Adinarayana

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.	<i>Amir Jawaid I.P.S</i>	<i>st. Purnia</i>	<i>8987367087</i>
3.			
4.			
5.			
5.			
6.			
7.			
II	Officers from District - Purnea - Bihar		
1.			
2.			
3.			
4.			
5.			
III	Petitioners		
1.	<i>D. Ramadasy</i>	<i>NGO Justice for people Rights Forum</i>	<i>[Signature]</i>
2.			<i>9885356999</i>