

Speed Post



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

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

File No. DGS/2/2019/STGOR/SEHRMT/RU-III III

Date: 31.05.2019

To,

1. Director General of Police,
Govt. of Odisha
Cuttack (Odisha)
2. Deputy Inspector General,
Near Ashapali,
Sarnbaipur (Odisha)
3. The Medical Superintendent,
TRLK Hospital,
Bhelpahar, District --
Jharsuguda,
(Odisha)

Sub: Minutes of Meeting taken by Hon'ble Chairperson, National Commission for Scheduled Tribes, (NCST) on. 30.04.2019 in the matter of Representation dated 27.03.2019 of Dr. Gopinath Soren, TRLK Hospital, Belpahar, District - Jharsuguda, Odisha - 768218 regarding harassment by authorities of hospital management, forcing him to tender resignation, implicating him in false case and inaction by police in the FIR filed by him under SC & ST (PoA) Act, 1989.

Sir,

I am directed to enclose herewith a copy of Minutes of Meeting taken by Dr. Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 30.04.2019 for information and necessary action.

It is, requested that action taken report in this regard may please be sent to the Commission within 15 days.

Encl: As above

Yours faithfully,

(Dr. Lalit Latta) 31/5/2019
Director

Copy to:

1. Dr. Gopinath Soren, TRLK Hospital, Belpahar, District - Jharsuguda, Odisha - 768218
2. PS to Hon'ble Chairperson, NCST
3. SAS, NIC, NCST upload on the web site.

Government of India


NATIONAL COMMISSION FOR SCHEDULED TRIBES

(DGS/1/2019/STGOR/SEHRMT/RU-III)

PROCEEDING OF SITTING TAKEN BY DR. NAND KUMAR SAI, HON'BLE CHAIRPERSON, NCST ON 30/04/2019 IN THE CASE OF DR. GOPINATH SOREN, TRLK HOSPITAL, BELPAHAR, DISTRICT- JHARSUGUDA, ODISHA- 768218 REGARDING HARASSMENT BY AUTHORITIES OF HOSPITAL MANAGEMENT, FORCING HIM TO TENDER RESIGNATION, IMPLICATING HIM IN FALSE CASE AND INACTION BY POLICE IN THE FIR FILED BY HIM UNDER SC&ST(PoA) ACT, 1989.

Date of sitting : 30/04/2019
List of officers present in sitting : Annexure

1. The National Commission for Scheduled Tribes received a representation dated 27/03/2019 from Dr. Gopinath Soren, TRLK Hospital, Belpahar, District Jharsuguda, Odisha regarding harassment by authority of hospital management, forcing him to tender resignation, implicating him in false case and inaction by police in the FIR filled by him under SC&ST (PoA) Act, 1989. The Commission took cognizance of the complaint and information was sought on 02.04.2019 from Respondents by sending notice.
2. In the case, a letter of T.R.L.K hospital management dated 19.04.2019 was received which stated that the complaint of sexual harassment was lodged at the work place by the hospital's Matron Sujata Das against Dr. Soren. A committee investigated the matter which was constituted by the management. Subsequently, Dr. Soren gave a resignation letter for voluntary retirement, which was accepted by hospital management.
3. In the case, as per the directions of the Hon'ble Chairman the sitting was convened on 30.04.2019 at 5.00 PM. In this regard, the sitting notice dated


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

- 16.04.2019 was sent to the Director General of Police, Odisha, DIG Sambalpur and Medical Superintendent of TRLK Hospital.
4. During the sitting, the petitioner informed that he was on duty on 02.03.2019. After duty when he came out of his cabin, the assault was started. Persons who assaulted said that management is against you and a FIR has been lodged against you by a Matron Shweta Das. He was called to the office by the hospital administration and was compelled to sign on the resignation which was already prepared. The management said that if you do not leave your job, you will be beaten to life. After this the police caught him and kept him in jail for 7 days. He did not get copy of FIR. After coming from the jail, he had filed a case of Atrocity Act in police station concerned but no action was taken by the police. The management removed him from the job without giving any notice. Management is hand and glove with police and he is being watched every time.
 5. Director of TRLK Hospital told that he has been the Director of the hospital since year 2002. TRLK hospital is 50 bedded hospital and 33 percent of the workers in the hospital belong to the SC / ST category. He was not present in the hospital on the day of the incident. It was told by the matron of the hospital that when she was going to take lunch, Dr. Soren run to attack her with weapon i.e. BHUJALI. She was being abused also. At that time, the guards of the hospital were also present there. Evidence is also available of the incident. The guards also tried to stop him. In the case, the action was taken by the police by filing an FIR. After the incident, Dr. Soren gave resignation letter which was accepted by the management.
 6. The Commission asked Director of the hospital to know whether such an incident had been executed earlier by Dr. Soren. The petitioner said that the resignation letter was already typed and it was signed by HR.
 7. The Director of the hospital responded by saying that earlier nothing wrong was done by Dr. Soren.
 8. The petitioner said that two earlier signed letters were given in which there was a dismissal letter and the second was resignation letter. Forcibly, the resignation letter was got signed. After that he wrote a letter to withdraw the resignation but it was not accepted by the management.



9. Company officials said that after the sack, he was asked to leave the company's house after which he had given the application that he should be given a period of one month and its dues should be adjusted from his salary which was accepted by the management.
10. The Police officials who were present in the sitting told that the incident took place on March 5th 2019. Based on the statement of the witnesses, Dr. Soren was arrested on 6th March 2019. The case is still pending. A case has been registered by Dr. Soren on March 19th 2019 under the SC/ST Act which is under investigation, the evidence has not been received.
11. Information was sought from the Commission for acceptance of resignation from hospital management.
12. The administrative head of the hospital said that Managements rule is that if a person gives resignation, either the notice period of 1 month will be given or resignation will be accepted immediately with payment of salary for one month. Dr. Soren was employed in the hospital for last 12 years, has never been discriminated by the management.
13. The Commission, after listening to both sides made the following recommendation :-
 - The FIR registered by police on the complaint of Dr. Gopinath Soren on March 19, 2019 be handed over to police officer (IPS) of ST category or Director General (HRPC) by DGP for proper investigation.

In compliance with the above recommendation, the Commission should be made aware of the action taken report within 15 days of receipt of the proceedings.

NKS 30.5.19

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

Annexure

NATIONAL COMMISSION FOR SCHEDULED TRIBES

(File No. DGS/1/2019/STGOR/SEHRMT/RU-III)

SUB : REPRESENTATION OF DR. GOPINATH SOREN, TRLK HOSPITAL, BELPAHAR, DISTRICT- JHARSUGUDA, ODISHA- 768218 HARASSMENT BY AUTHORITIES OF HOSPITAL MANAGEMENT, FORCING HIM TO TENDER RESIGNATION, IMPLICATING HIM IN FALSE CASE AND INACTION BY POLICE IN THE FIR FILED BY HIM UNDER SC&ST(PoA) ACT, 1989. ATTENDANCE OF PARTICIPANTS IN THE SITTING HELD ON 30/04/2019 AT 5.00 PM IN THE NATIONAL COMMISSION FOR SCHEDULED TRIBE, NEW DELHI.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

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|-------------------------|------------------------|----------|
| 1. Shri Nand Kumar Sai, | Hon'ble Chairperson | IN CHAIR |
| 2. Ms. Anusūiya Uikey, | Hon'ble V. Chairperson | |
| 3. Shri H. K Damor, | Hon'ble Member | |
| 4. Smt. M.C.I., | Hon'ble Member | |
| 5. Shri A. K. Singh, | Secretary | |
| 6. Shri S. K. Ratho, | Joint Secretary | |
| 7. Shri A. K. Dwivedi, | Consultant | |

Officer of the Police Dept. Govt. of Odisha

1. Shri Ashwini Kumar Mohanty, SP, Jharsuguda
2. Shri N. Oram, SDPO

Officer of the TRLK Hospital

1. Dr. Tushar kanti Das, Director(Medical Service)
2. Shri A. Dobta, Company Secretary

Petitioner

1. Dr. Gopinath Soren