



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जन जाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body set up under Art. 338A of the Constitution of India)

File No. SNR/1/2019/STGTL/ATOTH/RU-IV

Dated: 19.02.2020

To,

- | | | | |
|----|---|----|---|
| 1 | The Secretary,
Secretary (Higher Education),
Ministry of HRD,
'C' Wing, Shastri Bhawan,
Dr. Rajendra Prasad Road,
Rajpath Area, Central Secretariat,
New Delhi - 110 001. | 2 | The Director General of Police,
Telangana State Police Headquarters,
Lakdi ka pul Road,
Opposite Ravindra Bharathi,
Red Hills, Lakdikapul, Hyderabad,
Telangana - 500 004. |
| 3 | The District Collector & District Magistrate,
District - Ranga Reddy, Lakdikapul,
Hyderabad - Telangana - 500 004. | 4 | The Commissioner of Police,
Cyberabad,
P/21, Old Mumbai Highway,
Telecom Nagar Ext. Gachibowli,
Ranga Reddy District,
Telangana - 500 032. |
| 5 | The Secretary and Director General,
Secretary and Director General
Institution of Engineers,
8, Gokhale Road,
Kolkatta - 700 020 (West Bengal). | 6 | The Dean of Studies,
Engineering Staff College of India
(ESCI),
Old Bombay Road, Jayabheri Pine Valley,
Gachibowli, Hyderabad,
Telangana - 500 032. |
| 7 | The President,
Institution of Engineers (ESCI),
8, Gokhale Road, West Bengal,
Kolkata - 700 020 (WB). | 8 | Dr. Nagabhushana Rao,
Member Select Committee,
Engineering Staff College of India
(ESCI), Flat No. 301, Block-A, Jal Vayu Towers
Lower Tank Bund Road, Hyderabad - 500 080. |
| 9 | Dr. G. Rameshwar Rao,
Member Select Committee,
Engineering Staff College of India
(ESCI), Institution of Engineers (India),
Visvesvarya Bhavan, 6-2-910,
Khairatabad Road, Khairatabad,
Hyderabad - 500 004 (Telangana). | 10 | Shri B. Brahma Reddy,
Member Select Committee
Engineering Staff College of India
(ESCI), Block : H5 (HIG)/505, 5 th Floor,
Chitrapuri Hills, Khajaguda,
Near Delhi Public School, Raidurgam,
Hyderabad - 500 104. |
| 11 | Dr. D.N. Reddy,
Director,
C.R. Rao Advances Institute of Mathematics
Statistics and Computer Science (AIMSCS),
University of Hyderabad Campus,
Central University Post Office,
Prof. CR Road, Hyderabad - 500 046. | 12 | Shri Laxman Rao,
Former Chief Finance Officer,
Engineering Staff College of India (ESCI),
8-3-976/2, Shalivahananagar,
Srinagar Colony P.O.,
Hyderabad - 500 073 (Telangana). |
| 13 | Shri Jai Raj,
Former Chief Administrator,
Engineering Staff College of India
(ESCI), Old Bombay Road, Jayabheri Pine Valley,
Gachibowli, Hyderabad, Telangana - 500 032. | | |

Sub: Proceedings of the Sitting taken by Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 13.02.2020 in the matter of Shri Suresh Naik Ramavath, Director, ISTTM Business School, Hyderabad regarding atrocity against ST Entrepreneur by non ST.

Sir,

I am directed to enclose a copy of the proceedings of the Sitting held under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on 13.02.2020 on the above mentioned subject for perusal.

It is requested that action taken report in the matter may please be sent to the Commission within 20 days positively for placing the same before the Hon'ble Chairperson, NCST.

Yours faithfully,

(Dr. Lalit Latta)
Director

Copy to:-

Shri Suresh Naik,
Managing Director,
ISTTM Business School,
Techno Pearl Building, 1st Floor,
Plot No. 6/2 & 6/3,
HUDA Techno Enclave, Phase - II,
HITEC City, Hyderabad - 500 081.

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NATIONAL COMMISSION FOR SCHEDULED TRIBES

PROCEEDINGS OF SITTING HELD BY HON'BLE CHAIRPERSON, Dr NAND KUMAR SAI, AND HON'BLE MEMBER, SMT MAYA CHINTHAMAN IVNATE

Date of Sitting: 13-02-2020

Time: 3.00 PM

Matter: Shri Suresh Naik Ramavath, Director, ISTTM Business School, Hyderabad regarding Socio Economic boycott atrocity against ST Entrepreneur by non ST
SNR/1/2019/STGTL/ATOTH/RU-IV

List of participants present is enclosed


The petitioner Shri Suresh Naik vide his representation dated 23.10.2019 has submitted that one Mr. Umar Farook of ESCI Director has committed an offense of Socio Economic Boycott against him and his business/college.

1. Today at the sitting the petitioner alleged as follows:

ISTTM in partnership with ESCI is running a post graduate college for last 8 years. Mr. Umar Farook joined as a new director in 2018 and after knowing my identity he started insulting, intimidating and humiliating him whenever he got an opportunity.


He filed a complaint to ACP Raidurgam Police station on 17.04.2019. The ACP filed an FIR no. 196, Dt: 14.04.2019, with the intervention of State Commission for Schedule Castes & Schedule Tribes, the ACP Cyberabad has investigated the case and filed the charge sheet on 05.08.2019 against Mr. Umar Farook.

After filing the FIR, Mr. Umar Farook, Director ESCI, has started boycotting to do business with him. Mr. Umar Farook abruptly cancelled the agreement without any notice. Mr. Umar Farook and the select committee of ESCI, Dr. Nagabhushan Rao, Dr. G. Rameshwar Rao, Mr. B. Brahma Reddy, deprived him from his basic contract rights of arbitration, they even threatened him with false criminal charges. Mr. Umar Farook displayed notices against his institution stating false admissions in the college campus and created mistrust on him to all the students. To take revenge on him Mr. Umar Farook has put more than 90 students academic life in trouble by denying their admissions after 2 months from starting the college. Out of panic, Students went to High court even putting his institution as one of the respondents, the high court understood the dispute between the parties and saved the students by ordering ESCI to take admissions immediately. Mr. Umar Farook using the BOM and Select committee has stopped all our payments without even giving him an opportunity to explain his case. He stated that he is undergoing huge business loss and mental trauma. His reputation as an academician and his credibility as an entrepreneur is distorted in the market by the actions of Mr. Umar Farook. He damaged his 10 years old reputed institution ISTTM, which was built with his hard earned money, sweat and blood. He stated that the actions of Mr. Umar Farook and ESCI is directly effecting his Socio Economic Development.


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

Unable to bear the torture of Mr. Umar Farook, He filed a complaint to the station officer, Raidurgam. The second FIR 615 of 2019 is filed on 26.11.2019 against Mr. Umar Farook.

2. The Petitioner further stated today that false complaints have been filed against him by Mr. Umar Farook on the same matter for which he has filed an application for the appointment of arbitrator with High Court and also has been working with the mediator appointed by the High Court. He also alleges that not only the complaint is false, the charge sheet was also filed with fabricated witness statements from students alleged on 25th Dec 2019 which happened to be a holiday and no students were on campus on that day.
3. The commission heard the following parties, namely the Petitioner, the representatives of ESCI Management, the Commissioner of Police Cyberabad and the President of IEI (Institution of Engineers India).
4. The ESCI Select committee members Dr.Nagabhushana Rao, Dr.G.Rameshwar Rao, Mr. B.Brahma Reddy submitted that the select committee that they have only recommended that the matter be resolved with the petitioner amicably via negotiations. But to their surprise and shock, Mr. Umar Farook and Mr. Narasimha Rao sent a letter date 29.-5.2019 to the Petitioner making various allegations therein against Mr. Suresh Naik which were never discussed and nor communicated to Mr. Umar Farook; for reasons best known to them. We have never stated or acted anything against the interest of Mr. Suresh Naik and yet our names have been included in the recent FIR. We thus request the Hon'ble Commission to do the needful.
5. Dr.Nagabhushan Rao further stated that he has been appointed as Chairman of the Governing Council of ESCI and has got instructions from the President of IEI to resolve the matter amicably through negotiations and accordingly he is working on it. He further wanted some more time to finalize his reports and recommendation to the President of IEI.
6. Mr. Souresh Bhattacharya, SDG of IEI appearing for the President of IEI stated that he has been authorized in this behalf vide the President's letter to this commission dated 01-02-2020. He further stated that the ESCI BOM (Board of Management) did not ever cancel the agreement with the Petitioner herein ever to this date. The rumor that it was cancelled in the BOM meeting dated 8th Sep 2019 is not true.
7. In responding to the paper publications and notices on the notice board by Mr. Umar Farook and Narasimha Rao against the Petitioner, Mr. Souresh Bhattacharya stated that the BOM has not taken any such decisions as such during the BOM meeting held on 8th Sep 2019.
8. Mr. Souresh Bhattacharya further stated that he would work with all concerned parties and resolve the issues amicably at the earliest possible and sought 20 days from this commission for the same.
9. Mr. Sajjanar , the Commissioner of Police of Cyberabad responding to the false case allegation said that he will have a thorough review of the case, independent review of witness statements and submit a detailed report to this Hon'ble Commission.


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

10. Mr. Sajjanar also further stated that he will inquire into the 2nd FIR filed by the Petitioner against Mr. Umar Farook and Narasimha Rao and will submit a detailed report to this Commission on the same.

The case was discussed in detail. The commission observed that the Petitioner has made out his complaint and everyone spoke candidly on the happenings of the issue. The Petitioner is in partnership with ESCI since 2012 and has been running the PGDM course successfully since then. Both the organizations were working together well till 2018. The commission also observed that because of the Petitioner's effort the ESCI's revenue has substantially increased over the period.

The commission observed that the root cause of all the atrocities committed against the petitioner is due to the actions and insensitivity of one person in the entire organisation Mr. Umar Farook, Director ESCI. The commission also takes note of the fact that the petitioner has substantial business loss to the tune of few crores since 2018. The commission also takes notice of the fact that the actions of Mr. Umar Farook resulted in socio economic boycott of the petitioner. The Commission has noticed that false criminal charges have been framed against the petitioner and his mother who is no where concerned with the day to day activity of the Institution without proper and fair investigation, while the subject matter is under mediation as directed by the Honorable High Court.

THE COMMISSION RECOMMENDS AS UNDER:

1. To the President of IEI, SDG of IEI and BOM of ESCI to terminate and remove Mr. Umar Farook with immediate effect, in order to prevent the continuation of the atrocities reported by the petitioner.
2. To the Commissioner of Police Cyberabad to enquire into the false charge sheet filed against the petitioner and false witness statements thereof, and take appropriate disciplinary action against the investigation officer and provide the detailed report to the commission within 20 days.
3. To the chairman governing council of ESCI, to resolve the financial dispute with the petitioner in accordance with the principles and practices used by the parties prior to the appointment of Mr. Umar Farook and submit the report to the Commission within 20 days.
4. To the President IEI, SDG IEI and BOM of ESCI, that to compensate for the financial loss, the defamation caused to the petitioner and his Institution as well as to protect the interest of students, to extend the service contract of the petitioner by another term of 5 years.
5. To the Commissioner of Police to remove the three names of the select committee, Viz., Dr. S Nagabhushan Rao, Er. B Brahma Reddy and Dr. G Rameshwar Rao from the FIR filed by the petitioner.

Action taken reports from the IEI President and the Commissioner of Police, Cyberabad be submitted to the commission within 20 days



14.07.2020
डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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