



सत्यमेव जयते

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार
Government of India

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत दीवानी न्यायालय की शक्तियों का प्रयोग करने वाला एक संवैधानिक निकाय)
(A Constitutional body exercising powers of a Civil Court under Article 338A of the Constitution of India)

F.No GCM/4/2019/STGOR/SEHRMT/RU-III(SSW)

Dated: - 25.04.2022

To,

1. The Commissioner of Police,
Bhubaneswar,
Unit-V, Bidyut Marg,
Bhubaneswar- 751001
Email- commissioneratepolice@nic.in
Ph- 0674-2530035
2. The Chairman-cum –Managing Director,
Odisha Mining Corporation, OMC House,
Post Box No. – 34,
Bhubaneswar- 751001(Odisha)
Ph- 0674-2396925

Sub:- Minutes of the Sitting held on 05.04.2022 at 12:30 PM under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST at State Guest House, Bhubaneswar in the case of Smt. Mausami Hansda, W/o Late Gopal Chandra Majhi, Manager (Geology), Odisha regarding harassment and use of filthy language by DGM (Geology), OMC Ltd, Bhubaneswar, Odisha.

Sir,

I am directed to enclose herewith a copy of the minutes of Sitting held at **State Guest House, Bhubaneswar** under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on 05.04.2022 at 12:30 PM on the above mentioned subject for necessary action. Action Taken Report may please be furnished to the Commission within stipulated time.

Yours faithfully,

Encl:- as above


(R.S.Misra)

Research Officer

Copy for information:-

1. Smt. Mousami Hansda (Majhi), C/o Sitaram Majhi, At- Tikar Gumra, PO-Ghutur, Keonjhar Town, Keonjhar (Odisha) (Mob- 7991028245/9437252003)
2. PS to Hon'ble Member.
3. SAS, NIC for uploading on the website of the Commission.

National Commission for Scheduled Tribes

NO. GCM/4/2019/STGOR/SEHRMT/RU-III (SSW)

PROCEEDINGS OF SITTING HELD ON 05.04.2022 AT 12.30 HOURS CHAIRED BY SHRI ANANTA NAYAK, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SMT. MAUSAMI HANSDA, W/O- LATE GOPAL CHANDRA MAJHI, MANAGER (GEOLOGY), ODISHA MINING CORPORATION LTD., BHUBANESWAR REGARDING HARASSMENT AND USE OF FILTHY LANGUAGE BY DGM (GEOLOGY), OMC LTD., BHUBANESWAR, ODISHA

Details of the hearing with Commissioner of police, Bhubaneswar, Unit- V, Bidyut Marg, Bhubaneswar-751001 and Chairman, Odisha Mining Corporation Ltd. (OMC), OMC House, Bhubaneswar-751001.

Date of sitting : 05.04.2022
List of participants : Annexure

- In this matter, as per direction of Hon'ble Member (AN) SUMMONS dated 15.03.2022 were issued to the Commissioner of police, Bhubaneswar, Odisha, Chairman, Odisha Mining Corporation Ltd., OMC House, Bhubaneswar.
- In this matter, the Commission has accepted the petition of Smt. Mousumi Hansda wife of Late Gopal Chandra Majhi, Manager (Geology), OMC on the Verbal Abuse by Mr Pattnaik and Mental torture caused to him thereby resulted in the death of Mr Majhi.
- Pursuant to the Notice dated 10.10.2019 to the Chairman, OMC, the Commission received reply dated 19th November, 2019 by Chief Vigilance Officer of OMC. The reply concluded that the allegations levelled could not be substantiated during enquiry.
- On 4.12.2019 the NCST sought Rejoinder from the petitioner on the CVO reply. Smt. Mousumi Hansda re-iterated the allegations and annexed the copy of the FIR. FIR lodged by his wife and case registered in Kharabela Nagar Police Station.
- Then after on 21.05.2021 the NCST issued notice to the Commissioner of Police, Bhubaneswar seeking reply within 15 days. On 06.07.2021 the matter was heard at the Sitting held at NCST, Bhubaneswar. The Commissioner of Police and OMC Authorities were asked to re-enquire the matter.



अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

- Since the Authorities failed to submit reply to the Commission the present sitting at Bhubaneswar has been conducted with personal appearance of the petitioner and the Authorities.
- During the sitting the Commission enquired from the OMC as well as the Police Authorities on the reasons for delay in submission of reply, the Authorities could not give any satisfactory reply. There is no special tribal cell in the OMC. The Composition of Enquiry Committee don't have any member from tribal community and the Enquiry Officer is not Scheduled Tribe. The petitioner was not provided with a liasoning officer as expected. The Police also has not included the provisions of SC ST (PoA) Act in the FIR and concluded the enquiry without finding anybody guilty.
- The OMC Authorities also stated that service benefits by the OMC has been duly paid to the wife of the deceased. The Police stated that as there were no atrocities, no compensation could be paid to the petitioner.

RECOMMENDATIONS:

After hearing the Commission recommends the followings –

- The OMC Authorities must re-enquire the matter by duly constituted Enquiry Committee having at least one member from the ST Community.
- A liasoning officer may be supplied to the petitioner at the earliest.
- The Police must conduct a fresh enquiry after inserting provisions of SC ST (PoA) Act in the FIR.
- Action Taken Report must be submitted to the Commission within fifteen days.

A. Nayak

अमल नायक/ANANTA NAYAK
 सदस्य/Member
 राष्ट्रीय अनुसूचित जाति आयोग
 NATIONAL COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES
 भारत सरकार
 नई दिल्ली

NATIONAL COMMISSION FOR SCHEDULED TRIBES

ATTENDANCE SHEET

Date: 05.04.2022 (TUESDAY)

File No. GCM/4/2019/STGOR/SEMRMT/RU-III-SSW

Hearing held at Bhubaneswar at 1230 Hrs in the case of Mrs. Mausumi Hansda
Chaired by Shri Ananta Nayak, Hon'ble Member, NCST.

S. No.	Name of the officer from NCST	Designation	Signature
1.	Shri Ananta Nayak	Hon'ble Member	
2.	V. Ashok Vardhan	Acct. Director, NCST	
3.	Radhakanta Tripathy	Legal Advisor	
4.	Hitabhilashi Mohanty	Consultant	
5.	Deepak Kumar Palai	ODC	
6.			
7.			

OFFICERS FROM

1.	D. K. SINGH IAS	Chairman, OMC	
2.	Balwant Singh	MD OMC	
3.	Niti Shekhar	Addl CP, BBSR-CR	
4.	Bijayeei Singh, OIC	ALP Co-Ord	
5.			

PETITIONERS

1	ALOK KUMAR PAI	Director (D)	
2	Deber-dra Kumar Nayak	CWO, OMC	
3	Malay Rajjoo Kar	AGM (PA)	
4.			
5			
6.	<u>PETITIONER</u> Mausumi Hansda		M. Hansda
7.	Kune Mathi		Kune Mathi
8.			
9.			