



सत्यमेव जयते

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-810/RJ/27/2022-APCR

Dated: 07.02.2023

To

1 **Shri Bhanwar Lal**
Collector and District Magistrate,
District – Sirohi
NH 14, Sirohi - Shivganj Road,
Sirohi – 307001 (Rajasthan)
E-mail: dm-sir-rj@nic.in

2 **Smt. Mamta Gupta,**
Superintendent of Police,
District - Sirohi
Sirohi – 307001
(Rajasthan)
Email: sp.sirohi@rajpolice.gov.in

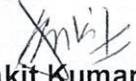
Subject: दैनिक भास्कर समाचार पत्र, सिरोही, राजस्थान दिनांक 08.12.2022 में प्रकाशित शीर्षक जिसमें एक "और विधायक लेकर धरने में लौटे रोट, बोले – यह संघर्ष न्याय मिलने तक"

Sir/Madam,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 01.02.2023 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action. It is requested that compliance report may be submitted to this Commission within 15 days positively for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully,


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

NCST - NIC

National Commission for Scheduled Tribes

No. NCST/ATY-810/RJ/27/2022 – APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, in the murder case of the victim, Kartik Bhil based on Media Report.

Date of the Sitting: 01.02.2023, 04.30 PM

Officials present in the Sitting: As per Annexure

The Commission took cognizance of the matter published in the press clipping published by Dainik Bhaskar Samachar dated 08.12.2022. According to the press report, the victim along with his family and friends was coming back home when he was attacked by seven to eight people with weapons. They were abused with caste based remarks. The victim was admitted to the hospital where he succumbed to his injuries.

Notice was issued to the District Collector and District Magistrate, Sirohi, Rajasthan and Superintendent of Police, Sirohi, Rajasthan.

Pursuant there to, reply from the Superintendent of Police, Sirohi, Rajasthan and District Collector and District Magistrate was received stating that investigation of the case was under process as the statements of the concerned people were recorded and FIR was registered under S. 302, 307 IPC, 1860 and S. 3 (2) (5) of SC / ST (POA) Act, 1989. The officials mentioned in the reply that the monetary compensation to be given to the victim was approved and was held up due to some technical difficulties.

Since the Action Taken by the Authorities are not satisfactory, the Commission issued summons to the District Collector and District Magistrate, Sirohi, Rajasthan and Superintendent of Police, Sirohi, Rajasthan. During the Sitting, the Commission asked the Superintendent of Police, Sirohi, Rajasthan regarding the current status of the investigation to which the official informed that the current matter is connected to another kidnapping case of a minor girl. In the latter case, the accused was victim, Kartik Bhil's, friend. To take revenge, some people attacked the victim, subsequent to which he was admitted to the hospital where he succumbed to his injuries. The FIR has been registered under Sections 302, 307, 323, 41 IPC, 1860 and S. 3 (2) (5) of SC / ST (POA) Act, 1989. The official submitted that as the Post Mortem was declared inconclusive by the Medical Board due to which the report was sought from the State FSL which is awaited. Without the FSL Report, the Charge-Sheet cannot be filed. The official also stated that upon the request of victim's parents, the case was transferred to the Additional Superintendent of Police, Barmer, Rajasthan. The official stated that the reports of FSL Jaipur are usually delayed due to lack of infrastructure and staff and suggested that if the Commission

अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

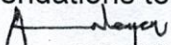
intervenes, the FSL Report may be given on priority basis. The Commission took a serious note of this and considering the fact that even disbursement of compensation is linked to the filing of Charge-Sheet which is unduly delayed only for the want of FSL Report. It was observed in the sitting that the Commission may issue a letter or communication to the concerned FSL for expediting the FSL Report in this particular case.

Further, the Commission asked the District Collector and District Magistrate regarding the current status of the matter to which the official apprised that 50% compensation amounting to the Rs. 4,12,500 has been given to the victim's family under ST/SC (POA) Act, 2016. The official further stated that he was in the process to ensure Palanhaar Yojana to the children, pension benefits to the widowed wife of the victim and alternate land benefits to the family members of the victim as the deceased has no land in the area. He assured the Commission that he would call the meeting along with the Secretary of the concerned District Legal Services Authority to ensure Victim Compensation Scheme to the family of the victim.

After hearing the case, the Commission recommends the followings: -

- i. Superintendent of Police, Sirohi to expedite the process of investigation in coordination with the current Investigation Officer of the case.
- ii. Superintendent of Police, Sirohi to provide witness protection to the family of the victim.
- iii. Superintendent of Police, Sirohi to coordinate with the State Forensic Science Laboratory after the Commission send the letter to the concerned head of State FSL to expedite the process of investigation.
- iv. District Collector and District Magistrate, Sirohi to ensure the benefits of all the social welfare schemes of state and centre to the widowed wife, children and parents of the victim.
- v. District Collector and District Magistrate, Sirohi to ensure the disbursement of victim compensation under the Victim Compensation Scheme of the state within 15 days.
- vi. District Collector and District Magistrate, Sirohi to ensure the remaining compensation amount to the children of the victim and keep the same as Fixed Deposit Account.
- vii. District Collector and District Magistrate, Sirohi to ensure that the family members of the victim get an alternate land within one month.

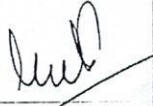

The Superintendent of Police and District Collector, Sirohi to provide a detailed Compliance Report of the Recommendations to the Commission within 15 days.


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

Attendance Sheet
National Commission for Scheduled Tribes

File No. NCST/ATY-810/RJ/27/2022-APCR

Sitting to be held on 01.02.2023 at 04.30 P.M in the case of दैनिक भास्कर समाचार पत्र, सिरोही, राजस्थान दिनांक 08.12.2022 में प्रकाशित शीर्षक जिसमें "एक और विधायक लेकर धरने में लौटे रोट, बोले - यह संघर्ष न्याय मिलने तक"

| Sl. No. | Name and Designation | Address & Phone No. | Signature |
|---------|---|---------------------|---|
| I | National Commission for Scheduled Tribes | | |
| 1. | Shri Ananta Nayak Hon'ble Member | In Chair | |
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| 6. | | | |
| 7. | | | |
| II | Officers from District - Sirohi | | |
| 1. | Mamta Gupta SP Sirohi | 9414026445 |  |
| 2. | Dr. Bhanwar Lal Dcd DM Sirohi | 8890463322 |  |
| 3. | | | |
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