



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-237/BR/3/2022-APCR

Dated: 10.04.2023

To,

1 Shri Suharsha Bhagat
District Collector And District Magistrate
District -Purnea
District Office
Purnea -854301 (Bihar)
Email: dm-purnea.bih@nic.in

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

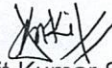
Subject: Press Clipping appeared in Daily Newspaper, "Jagran" dated 6.1.2022 regarding Kidnap of minor Scheduled Tribe Girl in Baisi Bazar Town, Purnea District (Bihar) and Police inaction against accused.

Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 17.02.2023 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

National Commission for Scheduled Tribes

No. NCST/ATY-237/BR/3/2022-APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, in the matter of Suo-Moto Cognizance taken up by the Commission regarding the kidnapping and rape of a Minor Scheduled Tribe girl.

Date of the Sitting: 17.02.2023

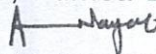
List of Participants: As per the Annexure

The Commission has come across a disturbing Press Clipping published in the Daily Newspaper, "DainikJagran" dated 06.01.2022 regarding the kidnapping of a Minor Scheduled Tribe Girl in Baisi Bazar Town, Purnea District (Bihar). According to the new report, on 29.12.2021, a minor Scheduled Tribe girl was kidnapped by a Non-Scheduled Tribe adult. Thereafter, the parents of the victim lodged a Police complaint but the police did not take any action. As per the press clipping, neither the accused was arrested nor was he charged under the relevant provisions of the Indian Penal Code, 1860 and SC/ST (POA) Act, 1989.

The Commission took serious view of the News Report and issued Notice to the District Collector, Purnea, Bihar and the Superintendent of Police, Purnea, Bihar on 07.02.2022.

The Commission received the reply from the Office of Superintendent of Police, Purnea, Bihar and the Office of District Collector, Purnea, Bihar. As per the reply, an FIR was registered at Baysa Police Station vide Case No. 394/21 dated 31.12.2021 under Section 363, 366A, 376, 32 of Indian Penal Code, 1860 and Section 6 of POCSO Act and Section 3 (i)(r)(s)(w)(i)(ii), 3 (2) (va), 3(2)(va), 3(2)(v) of SC/ST (POA) Act, 1989. As per the statement of the victim girl recorded under Section. 161 and 164 of Cr.P.C, 1973, she was kidnapped by the accused in a van with the help of two other men. They kept the victim in a hotel where he tried to outrage her modesty, molested her, and raped her twice. She was assaulted as well and finally was freed from captivity after eight months. Her medical examination was conducted and the police found that the accused belonged to Kathmandu by tracing him through his Social Media Account. A special team was constituted to arrest the accused and expedite the matter.

The Commission, thereafter, issued Summons to the District Collector, Purnea, Bihar and Superintendent of Police, Purnea Bihar on 03.02.2023 to appear before the Commission.



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

The Commission asked the officials regarding the current status of the matter. The Superintendent of Police, Purnea stated that they have completed the investigation but the accused has been absconding and declared as 'Proclaimed Offender' by the competent court and will ensure his arrest in one month as they will have to work jointly with the police of Kathmandu, Nepal where his last location was traced.

The District Collector, Purnea stated that 25% of the compensation under SC/ST (PoA) Act, 1989 has been given to the victim and he will ensure other social and economic benefits under various welfare schemes of the Centre and State to the victim.


After hearing the case, the Commission recommended the followings to the District Collector, Purnea, Bihar:-

- xii. To ensure social and economic benefits under various welfare schemes of the Centre and State to the victim.
- xiii. To ensure that psycho-social counselling provided to the victim.
- xiv. To ensure that the benefits mentioned under Nirbhaya Guidelines are being complied to the victim.
- xv. To send a detailed and comprehensive compliance report within 15 days.

The Commission recommended the following to the Superintendent of Police, Purnea, Bihar:-

- i. To expedite the enquiry and investigation and arrest the accused in one month.
- ii. To send a detailed and comprehensive compliance report within 15 days.

Action Taken Report with Compliance of the Recommendations to be sent within 15 days.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
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Attendance Sheet
National Commission for Scheduled Tribes

File No. NCST/ATY-237/BR/3/2022-APCR

Sitting to be held on 17.02.2023 at 05.00 Noon in the case of Press Clipping appeared in Daily Newspaper, Jagran" dated 6.1.2022 regarding Kidnap of minor Scheduled Tribe Girl in Baisi Bazar Town, Purnea District (Bihar) and Police inaction against accused

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	<u>National Commission for Scheduled Tribes</u>		
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
2.			
3.			
4.	अमृता सोलंका	वरिष्ठ अधिवक्ता	2021.
5.			
5.			
6.			
7.			
II	Officers from the District – Purnea		
1.	Suhansha Bhagat.	9473191358	Suhansha
2.	Amir Javid	9431822998	Amir
3.			
4.			
5.			
III	Petitioner		
1.			
2.			
3.			