

**Proceedings of the sitting of Hon'ble Member (TS) with
Owner/Management of Urban Pind, New Delhi on 06.08.2008**

ISSUE

Denial of admission to Ms Zubeni Lotha, a free lance photographer, hailing from North Eastern part of India in lounge bar of Urban Pind, GK Pt-1, New Delhi at 11.00 pm on 19.06.2008 with the comments that she didn't have the 'right profile', whereas her friends and even foreigners were being permitted.

BACKGROUND

On 19.06.2008 at 11.00 pm Ms Zubeni Lotha, a **free lance photographer** fixed a personal meeting with her two female friends at lounge bar of Urban Pind, New Delhi. One of her friend is an **Editor of Random House** and the other is a **German girl** working in a development bank in Delhi. The editor friend also checked for Ms Lotha's entry into the bar, which was confirmed by the management even if she is a female.

At the time of entry into the bar, bouncer blocked Ms Lotha and let the other two friends go inside. On enquiry, it was intimated that She could not go in because she did not have the 'right profile'. Later her friend asked Mr Tahil, Manager to apologize for the incident but he refused saying that he did nothing wrong and that the policies of profiling was laid down by the management.

A sitting was held on 22.07.2008 to discuss this matter. Mr Ojha co-owner of Urban Pind intimate that around 11.00 pm on 19.06.2008, entry was stopped for some time to clear the rush. He further expressed that if something had hurt Ms Lotha, they are ready offer their apology. Ms Lotha didn't present herself in front of Mr Ojha as she was concerned about her security. She requested for a public apology from the management of Urban Pind in the matter.

On a request from the petitioner, Shri Tsering Samphel, Hon'ble Member decided to hold discussion / sitting on 06.08.2008 at 3.00 pm in his chamber with Ms Lotha and owners of Urban Pind, to settle the issue.

DISCUSSION

Shri Farooq and Shri Ojha expressed their apology, if anything has hurt Ms Lotha's sentiments on 19.06.2008. Management clarified that they never had discriminating policy. Ms Lotha expressed her satisfaction at this. The details of the FIR and cases filed by both the parties are as under –

- i) Complaint U/S 3(x) of Sc and ST (POA) Act, 1989 R/W section 504,506 & 509 IPC lodged on 18/07/2008 to ACP P.S.(G.K.-1)
- ii) Complaint to NHRC dated 4.07.2008 filed by Ms Zubeni Lotha.
- iii) Suit No. 428/2008 for permanent injunction titled ' Urban Pind Vs Ms. Zubeni Lotha'.

CONCLUSION

Both the parties express their satisfaction on the mutual understanding reached at, before the NCST. All above mentioned legal actions filed against each other will be withdrawn and henceforth stands closed. Both the parties agreed that there is no grievance against each other for future.

RECOMMENDATION

Commission recommended that efforts should be done by all to avoid such type of incidences.

ANNEXURE

The following were present in the sitting on 06.08.2008 :

NCST

1. Shri Tsering Samphel, Hon'ble MemberIn Chair
2. Shri Aditya Mishra, Jt. Secretary
3. Shri Vinod Aggarwal, Director

URBAN PIND

1. Shri Kashif Farooq, Owner
2. Shri Prashant Ojha, Co-owner

Petitioner

1. Ms. Zubeni Lotha, Free lance photographer
2. Ms. K. Enatoli Sema, Advocate