

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 30.7.1998

Date of hearing: 21st March, 2018

Complainant : Col. Sugriv Singh (Retd)

Respondent : Special Commissioner of Police
Delhi Police (Vigilance), PS
Barakhamba Road, New Delhi

Grievance No. : PGC/2017/DP/127

Grievance filed on : 2/5/2017

First hearing in the PGC : 19/7/2017

Scheduled on

1. Brief facts of the complaint

The complainant has alleged that his younger brother Shri Balakram and his two sons namely Devender Kumar posted in Communication Unit and another one Ct. Anil Kumar posted in Battalion had illegally encroached the share of complainant's ancestor's land, house, tube well and they have also taken the possession of other things i.e. cattle, trees, household goods with the help of a fake power of attorney. Besides this, his younger brother Shri Balakram had forcefully occupied his plot at Loni. In this regard, two cases were lodged against him and his sons vide FIR No. 383/14 u/s 420/467/468/471/504 and 506 IPC and FIR No. 384/385/14 u/s 147/148/149/323/325/504 & 506 IPC, PS Bhagpat and both cases are pending in the Hon'ble Bhagpat Court, UP. The complainant has further alleged that HC Devender Kumar was co-accused in case FIR No. 244/2011 registered on the complaint of Shri Bhagat Singh s/o Shri Sugriv Singh, r/o V&PO Pavla Begmabad, District Baghpat, UP in which DCP/Communication, Delhi did not take any departmental action against him. He also stated that he was present in the office as well as in the Court during the hearing day for the period from 24.11.2014 to 11.4.2016. The complainant has requested that necessary action be taken against the alleged persons.

2. Proceedings in the Public Grievances Commission

The PGC convened its first hearing in the complaint on 19th July, 2017, the second hearing held on 20th Sept., 2017, the third hearing held on 7th February, 2018 and the fourth hearing held on 21st March, 2018, when the following were present:-

Complainant : present

Respondent : SI Anand Singh, NO. 603-D, from DCP/Ops & Commn.
Shri Virender Singh, ACP/HQ, 3rd Bn. DAP

3 Relevant facts emerging during the hearing

An ATR has been filed by Addl. DCP-I/Ops. & Commn., Delhi stating the following :-

- i. It is stated that on the allegation of the complainant that HC (Store Clerk) Devender Kumar, No. 503/Comm. had attended the office as well in the court during the

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hearing day for the period from 24.11.2014 to 11.4.2016. After enquired the matter, a DE has been initiated against him vide order No. 2297-2328/HAP (P-1)/Ops. & Comn., dated 13.10.2017, which is at defense stage.

- ii. Besides, the involvement of HC (Store Clerk), Devender Kumar, No. 503/Comn. in FIR NO. 244/11, u/s 323/325 IPC, PS Bhagpat, UP a punishment of withholding of one future increment temporarily for a period of one year was awarded to him vide this office letter NO. 584-644/HAP(P-I)/Ops. & Comn., dated 26.3.2014.
- iii. There is no further action warranted against HC (Store clerk) Devender Kumar, NO. 503/Comn."

Another ATR has been filed by ACP/HQ, for DCP/3rd Bn. DAP, Delhi, stating the following :-

- i. I am directed to submit that complainant Col. Sugriv Singh (Retd.) has made following allegations against Const. Anil Kumar , No. 6859/DAP is as under :-
- ii. As per School record, HC Devendra Kumar (posted at communication Unit) was born on 4.2.1975 and Constable Anil Kumar (posted at 3rd Bn. DAP) was born on 1.6.1976 whereas the actual date of birth of Constable Anil Kumar is 1.7.1974. The complainant knows this fact being his family member.
- iii. No DE is being initiated against Constable Anil till date.
- iv. Complainant has also stated that as per judgement of Courts, Constable Anil and HC Devender were warned not to make any attempt to occupy the land in question through illegal means. They have given in writing to the court in this context, but they (Const. Anil & HC Devender) still continue to occupy the land of the complainant.
- v. In this regard, it is intimated that on the content of Point NO. 01 an enquiry officer (Shri Virender Singh, ACP/HQ 3rd Bn. DAP) has been nominated for conducting the enquiry and the outcome will be informed accordingly.

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- vi. On point NO. 02, in case FIR No. 467/2008 and 840/08 , a DE was initiated against Constable Anil Kumar, NO. 6859/DAP v/o No. 7359-78/HAP/T NO. dated 18.7.2013 and he has been awarded punishment of Censure by DCP/Traffic (ER) vide order 1590-1613/HAP/T dated 16.2.2015 (copy enclosed). In other case FIR No. 244/2011, a DE was initiated against him vide order No. 1231-60/HAP/T/(D-1/ER) dated 24.2.2012 and awarded punishment of forfeiture of one year approved service temporarily by DCP/Traffic (ER) vide order NO. 2162-80/HAP-T/(D-1/ER) dated 21.2.2013 (copy enclosed).
- vii. On point NO. 03, the matter regarding bound down to not occupy of land of the complainant relates to local police and we also direct to the Constable (through his supervisory officer) not try to occupy the land which belongs to the complainant. If he does not follow the direction, necessary disciplinary action would be taken against him, when the allegation, if proved.”

4. Directions of PGC

As per the ATR filed by Addl. DCP-I/Ops. & Commn., “ after enquired the matter, a DE has been initiated against HC Devender Kumar, No. 503/Commn., which is at defence stage. Besides, the involvement of HC Devender Kumar in FIR NO. 244/11, u/s 323/325 IPC, PS Bhagpat, UP, a punishment of withholding of one future increment temporarily for a period of one year was awarded to him vide office letter NO. 584-644/HAP(P-I)/Ops. & Commn., dated 26.3.2014”.

As per the ATR filed by ACP/HQ for DCP/3rd Bn. DAP, in case FIR No. 467/2008 & 840/08, a DE was initiated against Const. Anil Kumar No. 6859/DAP v/o NO. 7359-78/HAP/T NO. dated 18.7.2013 and he has been awarded punishment of Censure by DCP/Traffic (ER) vide order 1590-1613/HAP/T dated 16.2.2015. In other case FIR No. 244/2011, a DE was initiated against him vide order NO. 1231-60/HAP/T/(D-1/ER) dated 24.2.2012 and awarded punishment of forfeiture of one year approved service temporarily by DCP/Traffic (ER) vide order NO. 2162-80/HAP-T/(D-1/ER) dated 21.2.2013. The ATR further states that the matter regarding bound down to not occupy of land of the complainant relates to local police and we

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also direct to the Const. (through his supervisory officer) not try to occupy the land which belongs to the complainant. If he does not follow the direction, necessary disciplinary action would be taken against him, when the allegation is proved.”

The complainant is present and filed a representation, dated 21.3.2018 which is being forwarded to DCP/Ops.& Commn., Delhi and DCP, 3rd Bn. DAP/New Delhi to look into it and take action as per law.

With the above advice, the Commission has decided to close the case in PGC.

(SUDHIR YADAV)
MEMBER(PGC)

Copy to:

1. The Special Commissioner of Police (Vigilance), Delhi Police, PS Barakhamba Road, New Delhi.
2. The Addl. Commissioner of Police (Vigilance), Delhi Police, Police Station Barakhamba Road, New Delhi-110001.
3. The Addl. Commissioner of Police (District West), Police Station Rajouri Garden, New Delhi-110027
4. The Deputy Commissioner of Police, 3rd Bn. DAP, Vikas Puri, Delhi.
5. The Deputy Commissioner of Police, Ops. & Commn., Delhi, FC-50, Shalimar Bagh, Delhi-110088
6. The Deputy Commissioner of Police (Traffic), Western Range, Police Station Rajouri Garden, New Delhi
7. Col. Sugriv Singh (Retd)