

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: 11th April, 2018

Complainant : Smt. Seema Sharma wife of Shri Mukesh Sharma

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

Grievance No. : PGC/2016/DP/295

Grievance filed on : 04/10/2016

First hearing in the PGC : 14/12/2016

Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint stating that her husband was implicated in a false case. On 12.9.2016 her husband was called in the police Station for enquiry. She has alleged that HC Ram Niwas was roaming around her house in civil dress, in inebriated state, abused and threatened her. She was staying in the house alongwith her two children and ill mother-in-law. She has expressed fear from the said policeman and has requested for legal action in the matter.

2. Proceedings in the Public Grievances Commission

The PGC convened its first hearing in the complaint on 14th December, 2016, the second hearing held on 22nd February, 2017, the third hearing held on 19th April, 2017, the fourth hearing held on 29th June, 2017, the fifth hearing held on 30th August, 2017, the sixth hearing held on 1st November, 2017, the seventh hearing held on 17th January, 2018, the eighth hearing held on 7th March, 2018 and the ninth hearing held on 11th April, 2018, when the following were present:-

Complainant : Present –Shri Mukesh Sharma, h/o the complainant

Respondent : Inspector Suraj Pal Singh, DIU/Central District
ACP Pratap Singh, ACP/Vigilance
ACP Harmohan Chauhan
Shri Raj Kumar, SO

3 Relevant facts emerging during the hearing

An ATR has been filed by Inspector Suraj Pal Singh, DIU/Central District, stating that “ in continuation to the previous report, it is submitted that the investigation of case FIR No.

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422/16, u/s 354/506/509/34 IPC & 12 POCSO Act, PS Anand Parbat, Delhi has already been completed and final report has been filed in the court of dated 14.3.2018. The same is pending consideration before the Hon'ble Court and next date of hearing is fixed for 28.4.2018.

Another ATR has been filed by ACP Pratap Singh, Vigilance stating the following :-

- i. The complainant party has provided number of complaints against Ms. Sandhya Bindal, the then Principal of Ramjas School and the School Management. Action taken by local police on these complaints is enclosed herewith for perusal.
- ii. As per SHO/Anand Parbat, proper action has been taken by them on these complaints. Moreover, Mrs. Sandhya Bindal, the then School Principal, had also submitted many complaints to SHO & other authorities against Mukesh Sharma, Seema Sharma and Deepak Sethi and their associates for their misbehaviour with her and the school authorities and staff. She alleged threats, blackmailing, defamation of school and its Principal (Ms. Sandhya Bindal) on social network sites by them. Earlier Principal Mrs. Sarika Chaudhary, who is now retired, has also complained against these persons. According to the Principal, Seema Sharma, Mukesh Sharma, Deepak Sethi were regularly interfering in the day to day school working, behaving indecently, portray the school in bad light and disrepute its longstanding. They were harassing the principal and keeping her engrossed in unwarranted litigation and complaints at various platforms. They had also approached Hon'ble Delhi High Court of Delhi against the school management. One Civil case No. C.C. No. 994/2018, Mukesh Sharma Vs. Sandhya Bindal, regarding illegal fee hike, illegal collection of funds & misappropriation of school funds is pending in the court. Next date is 5.6.2018.
- iii. On the other hand, the school management had also submitted several representations/complaints to the Directorate of Education about misbehaviour conduct of these persons. Due to the receipt of repeated complaints & counter complaint against each other from both the parties, local police in view of apprehending breach of peace between them took preventive action and prepared a kalandra u/s 107/150 Cr.P.C. vide DD NO. 24 A dated 27.7.2017 against Sandhya

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Bindal and Mukesh Sharma and others.

- iv. During enquiry, it was revealed that there was a dispute between some of the members of PTA led by Mukesh Sharma and Deepak Sethi and the Ramjas School Authorities. Mukesh Sharma and Deepak Sethi and a small section of the parents did not want to pay the increased fees. The school management insisted on payment of enhanced school fees. The school Principal had also taken certain harsh disciplinary actions like terminating some of the students for indiscipline on similar activities. This had annoyed the parents of the affected wards.
- v. The school Principal/management had also given many complaints against Mukesh Sharma, Seema Sharma & Deepak Sethi. Copy of complaints submitted by Ms. Sandhya Bindal, the school Principal, against Shri Mukesh Sharma and their associates to police and other authorities are enclosed herewith for ready reference.
- vi. Regarding the other point raised by the complainant about filing of the complaint by police on 9.9.2016, it is clarified by local police that the complaint was disposed off as the case on the same was registered vide FIR No. 422/16 dated 9.9.2016. Therefore, as per police report, it meant that the complaint no more exists pending action but a case FIR has already been registered in this matter and the complaint stands disposed off."

4. Directions of PGC

The complainant's husband is present. He has leveled allegation of accepting gifts against SHO/PS Anand Parbat from the Principal of the school under reference. He has stated to have made a complaint/representation dated 26.3.2018 to Special CP (Vigilance) in this regard but no action has yet been taken.

As per the ATR filed by Inspector Suraj Pal Singh, DIU/Central district, the investigation of case FIR No. 422/16 has already been completed and Final Report has been filed in the court on 14.3.2018, the case has thus become sub-judice. The Commission has therefore decided to close the case in PGC.

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Special CP (Vigilance) may look into the above referred complaint, dated 26.3.2018 vis.-a-vis. allegations of accepting gift.

DDE (Zone-16), District West –A is directed to conclude the enquiry and send a report in the Commission within a month from receipt of this order.

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

(SUDHIR YADAV)
MEMBER(PGC)

Copy to:

- 1. The Commissioner of Police (Delhi), Police Headquarter, ITO, Delhi**
- 2. The Director (Education), GNCTD, Dte. Of Education, Old Secretariat, Delhi**
- 3. Addl. Director (Education), Govt. of NCT of Delhi, Dte. Of Education, Old Secretariat, Delhi**
- 4. Special Commissioner of Police (Vigilance), Delhi Police, PS Barakhamba Road, New Delhi.**
- 5. The Special Commissioner of Police (Crime), Delhi Police , Delhi Police Headquarters, I.P. Estate, New Delhi.**
- 6. The Addl. Commissioner of Police (Vigilance), Delhi Police, Police Station Barakhamba Road, New Delhi-110001.**
- 7. The Addl. Commissioner of Police (Central District), Police Station Darya Ganj, New Delhi**
- 8. ACP/DIU/Central District, PS Daryaganj, New Delhi**
- 9. SHO/Anand Parvat, Police Station Anand Parvat, New Delhi**
- 10. DDE/Zone-16, District West-A, Office of the DD of Education, Zone-16, District West-A, Karampura, New Delhi-110015.**
- 11. Smt. Seema Sharma wife of Shri Mukesh Sharma**