



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-714/DL/9/2022-APCR

Dated: 08.06.2023

To,

**Shri Sanjay Arora**  
Commissioner of Police,  
Delhi Police, Police Headquarters,  
Jai Singh Road,  
New Delhi - 110 00  
Email Id: [cp.sanjayarora@delhipolice.gov.in](mailto:cp.sanjayarora@delhipolice.gov.in)

**Subject: Representation dated 17.10.2022 received from Ms. Chongpi Misao, D/o Shri Thanglal Misao, South Extn-II, New Delhi regarding insult, abuse, cheating fraud, threat to life and criminal intimidation etc. by Shri Kapil Dev, Ms. Priyanka Arora and Shri Harish Pahwa, New Delhi.**

Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 22.05.2023 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 30 days positively for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully,

(एच.आर. मीना /H.R. Meena)  
अनुसंधान अधिकारी/ Research Officer

Copy to:

**Ms. Chongpi Misao,**  
D/o Shri Thanglal Misao,  
R/o P-13, South Extn.-II,  
New Delhi.  
Mo. No. 9811161759

MTC NCST

## National Commission for Scheduled Tribes

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No. NCST / ATY-714 / DL / 9 / 2022-APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the representation dated 17.10.2022 received from Ms. Chongpi Misao, D/o Shri Thanglal Misao, South Extn-II, New Delhi regarding insult, abuse, cheating fraud, threat to life and criminal intimidation etc. by Shri Kapil Dev, Ms. Priyanka Arora and Shri Harish Pahwa, New Delhi.

Date of the Sitting: 22.05.2023 at 1420 Hrs

List of Participants: As per Annexure

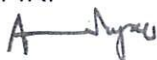
The Commission received a representation from Ms. Chongpi Misao that she had met the accused Shri Kapil Dev and Shri. Harish Pahwa through a property dealer. The accused, despite receiving an advance of Rs. 7 lakh from the Petitioner did not sell the property to her. When she repeatedly contacted them to sell the property, the accused along with Ms. Ms. Priyanka Arora, daughter of Shri. Kapil Dev passed derogatory caste-based remarks at her, told her they will never sell the property to her and threatened her that they would implicate her in false cases if she tried to follow up on the matter.

Considering the gravity of the issue the Commission issued Notice to the Commissioner of Police, Delhi Police, New Delhi on 28.10.2022 to take necessary action and submit the Action Taken Report ("ATR") within 15 days.

Since the Commission did not receive any report, the Commission was constrained to issue Summons to the Commissioner of Police, Delhi Police to appear before the Commission on 16.12.2022 at 11:00 AM

During the course of hearing on 16.12.2022 the Commission after hearing both the sides made the following recommendations and asked the Commissioner of Police, Delhi Police, New Delhi to comply with the recommendations within 30 days.

- i) The safety and security of the petitioner to be ensured with top priority.
- ii) The inquiry and investigation in the said matter to be completed within two months from the registration of the FIR.



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



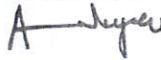
- iii) Immediate arrest of the accused and further legal action to be ensured.
- iv) Interim Report to be submitted to the Commission within 15 days
- v) The petitioner shall be ensured contact with the SPUNER (Special Police Unit for North-Eastern Region, Delhi Police) as a preventive measure against racial discrimination.

Pursuant thereto, the Commission received Interim ATR dated 11.01.2023 from the Commissioner of Police, Delhi Police, New Delhi stating that the caste certificate and other documents had been obtained and were being verified, other witnesses were being examined and that the investigation was going on.

The Commission received Rejoinder dated 15.03.2023 from the Petitioner stating that she was still being followed around everywhere by Ms. Priyanka Arora and is scared for her life. A complaint regarding the same in the Saket Police Station, but no action has been taken in this matter. The final report filed under Section 173 of CrPC is incorrect since it states that there is insufficient evidence for allegations made by the Petitioner under the SC&ST (PoA) Act, 1989 and that no evidence is made against Shri. Harish Pahwa.

During the course of hearing on 22.05.2023 the Commission asked both the Commissioner, Delhi Police, New Delhi on why no charges against Shri. Harish Pahwa was made under the SC&ST (PoA) Act, 1989 the status of the investigation and reasons for delay in filing the final report.

Ms. Chongpi Misao, the Petitioner stated that she was still scared for her life and is not able to travel anywhere freely as she constantly fears that Ms. Priyanka Arora is going to find her and run her over with her car. She further submitted that even a few months back, in the months of March and April, 2023 Ms. Priyanka Arora had intentionally driven past her in her vehicle and had passed derogatory caste based comments at her and had threatened her to stop pursuing the case. Sometimes she was even accompanied by men who the Petitioner did not recognize. Further, she stated that she had made oral complaints with the Saket Police, New Delhi on the same but there was no action taken. She further requested that Shri. Harish Pahwa also be charged under the SC&ST (PoA) Act, 1989 since he was also as involved in the harassment and threatening as the other 2 accused.



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

Smt. Chandan Chowdhary, Deputy Commissioner of Police, South District, Delhi Police, New Delhi submitted that they had taken all measures to ensure of the safety and security of the Petitioner. She further requested the Petitioner to directly inform the police authorities so that they can take immediate action. In addition to this, she further informed that there was some misunderstanding by the Petitioner regarding her complaint at the Saket Police Station. There was no complaint filed with the Saket Police, there was just an oral discussion on the matter at the Saket Police Station and that there was no complaint registered with the said authorities. She further clarified that Shri. Harish Pahwa was named as an accused under Column 12 of the Charge-sheet based on suspicion and that arguments on charges are ongoing in the Court.

The Commission observed that the remarks "*Tum North-East tribal log cultureless hai, tum ko culture kya pata hoga. Tum saale North-East tribal logo ka culture hota toh yaha India mein para nahi hota*" made by the accused against the Petitioner constitutes an "atrocitiy" under the SC&ST (PoA) Act, 1989. The Police authorities need to seriously consider this during the investigation and filing of charge sheet.

After hearing both the sides, the Commission recommends the followings: -

1. The Commissioner of Police, Delhi Police to take strict and stringent action against the accused in case of any further attempts to harass or abuse the Petitioner
2. The Commissioner of Police, Delhi Police, New Delhi to ensure that Ms. Priyanka Arora is given strict warning against her actions to intimidate and harass the Petitioner.
3. The Commissioner of Police, Delhi Police, New Delhi to file final charges are framed against Shri Harish Pahwa under the SC&ST (PoA) Act.
4. The Commissioner of Police, Delhi Police, New Delhi to ensure that the Petitioner is awarded compensation as per the SC&ST (PoA) Act.

The Commissioner of Police, Delhi Police, New Delhi shall comply with the recommendations and submit ATR within 30 days.

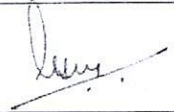


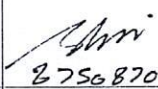

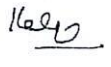

  
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सदस्य/Member  
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NATIONAL COMMISSION FOR SCHEDULED TRIBES  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi



Attendance Sheet  
National Commission for Scheduled Tribes

NCST/ATY-714/DL/9/2022-APCR

Sitting to be held on 22.05.2023 at 02:30 P.M in the case of Ms. Chongpi Misao, D/o Shri Thanglal Misao, South Extn-II, New Delhi regarding insult, abuse, cheating fraud, threat to life and criminal intimidation etc. by Shri Kapil Dev, Ms. Priyanka Arora and Shri Harish Pahwa, New Delhi.

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	<b>National Commission for Scheduled Tribes</b>		
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
2.			
3.			
4.			
5.			
5.			
6.			
7.			
II	<b>Officers from O/o Commissioner of Police, Delhi Police</b>		
1.	MS CHANDAN CHAUDHARY. DCP/SOUTH DISTT.	9818099047	
2.	SH. HARISH KHANDEER ACP (HAUZ KHAS)	 8750870804	
3.	INSP SHIV DASHAN SHO HAUZ KHAS.	 8750870821	
4.	Amar Deep Sehgal ACP/Vigilance	9811436808	
5.			
III	<b>Petitioners</b>		
1.	Chongpi Misao	981161759	
2.			
3.			
4.			