



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-787/TS/6/2022-APCR

Dated: 12.06.2023

To,

- 1 **Ms. A Santhi Kumari**
Chief Secretary
Government of Telangana
Block C, 3rd Floor Telangana
Secretariat Khairatabad
Hyderabad -500022 (Telangana)
Email:cs@telangana.gov.in
2. **Shri Anjani Kumar**
Director General of Police,
Telangana State
Lakdikapul Rd, opposite
Ravindra Bharathi
Red Hills, Lakdikapul,
Hyderabad -500004 (Telangana)
Email:dgp@tspolice.gov.in

Subject: Representation received from Shri Kuthadi Kumar, H No. 5-2-85/1 Yapral, Medchal Malkajgiri, Telangana regarding caste based abuse, instigating the public to beat the petitioner, trespassing and sabotaging petitioner's property.

Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 27.04.2023 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,

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

Copy to:

Shri Kuthadi Kumar
H No. 5-2-85/1 Yapral,
Medchal Malkajgiri,
Telangana - 500087
Mobile No. - 9849609126

National Commission for Scheduled Tribes

No. NCST / ATY-787 / TS / 6 / 2022-APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the representations of Shri Kuthadi Kumar regarding caste based abuse, instigating the public to beat the petitioner, trespassing and sabotaging petitioner's property.

Date of the Sitting: 27.04.2023 at 03:00 PM

List of Participants: As per Annexure


The Commission received representations from Shri Kuthadi Kumar stating that on 30.10.2022, at about 09:30 AM, Shri Mynampally Hanumantha Rao, Member of Legislative Assembly, Telangana State and his associates trespassed into the vendor's land and demolished the blue sheets that were erected by the Petitioner on the land for which he had entered into an agreement of sale with Smt. Sowbhagya Vathi Badhey and others. After demolishing the blue sheets, Shri. Mynampally Hanumantha Rao passed derogatory caste-based remarks towards the Petitioner and instigated the tenants and general public near the land to beat him up and has since then been threatening the Petitioner that he will eliminate him using his political influence. Shri. A. K. Tyagi of Satyakam News, with the support of Shri. Mynampally Hanumantha Rao defamed the Petitioner and tried to create a bad image about his caste by airing news on him in the local news channel without going into the real facts. Shri Balraju, Shri. Srinivas and Shri. Ganesh threatened the Petitioner and told him that they would beat him up and drive him out of the constituency if he ever tried to enter the premises of the land.

Considering the gravity of the issue the Commission issued Notice on 02.12.2022 to the Chief Secretary, Government of Telangana ("CS") and the Director General of Police, Government of Telangana ("DGP") to submit action taken report ("ATR").

The Commission received an internal communication from the Principal Secretary, Government of Telangana on 17.12.2022 stating that they forwarded the complaint to the office of DGP and directed them to take the necessary action in the matter and furnish a report directly to the Commission. No ATR has been submitted by the Authorities.

Therefore, the Commission issued Summons to the CS and the DGP to appear before the Commission on 27.04.2023 at 04:00 pm for hearing of the case.

Subsequently, the Commission received ATR from the CS on 24.04.2023 stating that the investigation was in progress, but the Petitioner was not cooperative and was not responding to the enquiries of the authorities. The dispute over the ownership of the land in question was sub-judice before the First Senior Civil Judge, City Civil Court at Hyderabad and that 2 criminal cases were registered against the Petitioner based on complaints of the tenants. In one of the cases, the authorities had obtained permission to arrest the Petitioner on 12.11.2022, but he was evading arrest by remaining absconding.



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt of India

नई दिल्ली/New Delhi

On the Sitting dated 27.04.2023, the Commission asked the authorities deputed to appear on behalf of the DGP to explain the inaction on their part in submitting the ATR within the stipulated time.


Shri Kuthadi Kumar, the Petitioner submitted that they had filed both online and offline complaints on multiple occasions against Shri. Mynampally Hanumantha Rao for trespass, abuse and threatening before all the police authorities starting from the Sub-Inspector to the Commissioner of Police for the past 5 months. The police filed multiple cases against the Petitioner itself instead of taking any action against the Shri. Mynampally Hanumantha Rao. When he tried to persuade the police to help them out, he was verbally abused and threatened by the police as well.

Shri Sundeep, Deputy Commissioner of Police, Medchal, Cyberabad ("DCP") deputed to appear on behalf of the DGP submitted the ATR before the Hon'ble Commission. He submitted that they had registered and filed 2 FIRs against Shri. Mynampally Hanumantha Rao and against Shri. AK Tyagi in 21.04.2023 and investigation of both the cases are in progress. He further submitted that the police neither verbally abused nor threatened the Petitioner. It was in fact the Petitioner who was not cooperating in the investigation by not responding to their calls. He further submitted that the police were also trying to track down the Petitioner to arrest him in another case, but he had successfully been evading them. Therefore, the progress in the investigation of the matters were delayed.

The Commission asked the police authorities for the panchanama and other documents that the authorities had submitted before the Court based on which the court had granted them permission to arrest the Petitioner and why they had not executed the arrest warrant against the Petitioner.

Shri Sundeep, DCP submitted that they had entries in their case diaries wherein they had recorded the absence and evasion by the Petitioner. These records were submitted to the Court, based on which the Court granted them permission to arrest the Petitioner. But, even after they received the permission of the Court they were not able to arrest him as he was absconding. It was only recently, after the Commission issued summons dated 27.03.2023 that they got to know about the whereabouts of the Petitioner. However, they did not go ahead with the execution of the arrest as they decided to await the directions of the Commission after the Sitting to take the necessary action.

The Commission expressed disappointment over the handling of the matter by the police authorities, starting from their inaction on the complaint, delaying attitude towards the Commission in submitting the ATRs within the stipulated time. The Commission further points out to the police authorities that they cannot use the summons or recommendations of the Commission as an excuse to not comply with the directions of the Court and that the Commission honours the directions of the Court. The Commission expresses concern over the approach of the current investigation team. The Commission notes the version of the Police regarding the antecedent of the petitioner as well.



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

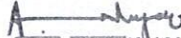
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After careful consideration of the submissions from both the sides the Commission recommends the followings to be complied by the DGP, Telangana -

1. to take appropriate action as per applicable laws in the facts and circumstances of the case.
2. to change the present investigation officer with another competent officer to conduct a fair and unbiased investigation in the matter and submit ATR on the same within 15 days.
3. to furnish all the evidences and documents wherein the police recorded the absence and non-cooperation of the Petitioner for enquiry and investigation purposes within 15 days.

The DGP, Telangana has to submit the Action Taken Report (ATR) with compliance of the Recommendations within 15 days.



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

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Attendance Sheet
National Commission for Scheduled Tribes

NCST/ATY-787/TS/6/2022-APCR

Sitting to be held on 27.04.2023 at 04:00 P.M in the case of Shri Kuthadi Kumar, H No. 5-2-85/1 Yapral, Medchal Malkajgiri, Telangana regarding caste based abuse, instigating the public to beat the petitioner, trespassing and sabotaging petitioner's property

Sl. No.	Name and Designation	Address & Phone No.	Signature
I National Commission for Scheduled Tribes			
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
2.			
3.			
4.			
5.			
5.			
6.			
7.			
II Officers from District - Hyderabad - Telangana			
In <i>Gannavur</i> <i>RC Telangana</i>			
1.	D. AMOY KUMAR <i>IAS</i>	<i>RC Telangana</i> CSDM, Medchal 9949621248	<i>[Signature]</i> 27/4/23
2.	G. SUNDEEP	DGP MEDCHAL HYDERABAD COMMISSIONERATE	<i>[Signature]</i> 27/4/23
3.	V. V. S. RAMALLINGA RAJU	ACP PET- BASHEERABAD HYDERABAD	<i>[Signature]</i> 27/4/23
4.	E. Mallanah.	SBM & RAO Malkajgiri M-M-District	<i>[Signature]</i> 27/4/23
5.	A. Gangadhar	Insp of Police P S Alwal	<i>[Signature]</i> 27/04/2023
III Petitioners			
1.	Kuthadi Srinivas Kuthadi Srikanth	2-252 Sri Ram ragan Hyderabad	<i>[Signature]</i>
2.	K. Durga prasad <i>gmail.com</i>	5-10-194, Secyabad, Hyderabad 9844092511	<i>[Signature]</i>
3.	K. Kumar		<i>[Signature]</i>
4.	K. Srikanth	Kuthadi Srikanth <i>@gmail.com</i> 9703493909	<i>[Signature]</i>
5.	M. Srinivas	9010355681	<i>[Signature]</i>