



Police Complaints Authority
Government of NCT of Delhi

ANNUAL REPORT
2019-2020

**10th Floor, Chander Lok Building, Janpath,
New Delhi-110001. Telephone No. 011-21400977**

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उपराज्यपाल
दिल्ली
LIEUTENANT GOVERNOR
DELHI



सत्यमेव जयते

राज निवास
दिल्ली-११००५४
RAJ NIWAS
DELHI-110054

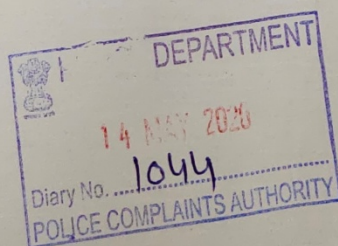
MESSAGE

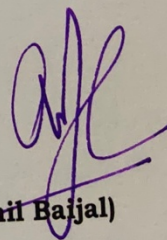
I am pleased to learn that the Police Complaints Authority (PCA), Delhi is publishing its Annual Report for the year 2019-2020.

The Annual Report of the PCA for the year 2019-2020 presents an overview of what has been achieved during the year. It is laudable that the Chairman and Members of the PCA are working with sincerity and devotion for redressal of grievances of the general public pertaining to Delhi Police.

Regular review of progress is important for ensuring accomplishment of any goal. I hope that the PCA will continue to serve the people of Delhi with utmost devotion and zeal in the years to come as well.

I convey my best wishes to the Chairman and Members of PCA, Delhi !




(Anil Bajjal)

विजय कुमार देव
VIJAY KUMAR DEV, I.A.S



मुख्य सचिव
राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार
Chief Secretary
Government of NCT of Delhi

MESSAGE

I am proud to say that Police Complaints Authority, established during my regime as Chief Secretary, the Chairman and Members were appointed in December, 2018 and it became operative on 15.02.2019.

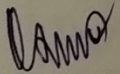
The present Police Complaints Authority began with a small office parting with the premises of Public Grievances Commission and subsequently the present office situated at 10th Floor, Chanderlok Building, Janpath, New Delhi was established in the month of May, 2019 and is now functioning therein.

The efforts made by the Chairman and the Members of the Police Complaints Authority brought good name and reached to the prestigious position by disposing the considerable number of complaints of the general public. It is a matter of great pleasure that Police Complaints Authority has completed its first successful year i.e. 2019-2020 and is coming forward with its Annual Report for the year 2019-2020.

I hope that any person aggrieved by the action / inaction of Delhi Police present his case before the Police Complaints Authority.

I am confident that the Police Complaints Authority, its Chairman and Members will serve the general public with its hard and sincere efforts and shall work for the welfare of the people of Delhi at large.

I congratulate Chairman and Members of Police Complaints Authority on completion of successful year 2019-2020 and I am confident that it will maintain the same in future also.


(Vijay Kumar Dev)

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INTRODUCTION

1. The Hon'ble Supreme Court while deciding the writ petition Prakash Singh & Ors. Vs. Union of India, by the Judgment dated 22.09.2006 observed "the preparation of a model Police Act by the Central Government and enactment of a New Police Act by the State Governments providing therein for the composition of State Security Commission are things we can only hope for the present. Similarly, we can express our hope that all State Governments would use the occasion and enact a new Police Act wholly insulating the police from any pressure whatsoever thereby placing in position an important measure for securing the rights of the citizens under the Constitution for the Rule of Law, treating everyone equal and being partisan to none, which will also help in securing an efficient and better criminal delivery system. It is not possible or proper to leave this matter only with an expression of this hope and to await developments further. It is essential to lay down guidelines to be operative till the new legislation is enacted by the State Governments."

The Hon'ble Supreme Court under Article 32 read with Article 142 of the Constitution issued directions to the Central Government, State Governments and the Union Territories for constitution of Police Complaints Authority till framing of appropriate legislations.

On 29.01.2018, in compliance with the directions passed by the Hon'ble Supreme Court and directions issued by the Government of India Ministry of Home Affairs, Hon'ble Lieutenant Governor was pleased to constitute the Police Complaints Authority of National Capital Territory of Delhi.

COMPOSITION

The Police Complaints Authority of National Capital Territory of Delhi shall be headed by the Chairman/Chairperson with three Members. One of the three Members must be a woman. The Chairman/Chairperson will be selected from the below mentioned category (a) and one Member each from the categories (b) to (d) will be selected:

- (a) A retired High Court Judge;
- (b) A person of repute and stature from civil society;
- (c) A retired civil servant of minimum of scale of Secretary of GNCT of Delhi with experience in public Administration; and
- (d) A retired Police officer of minimum of scale of Joint Commissioner/Inspector-General of Police or corresponding rank.

CHAIRMAN

JUSTICE P.S. TEJI, FORMER JUDGE, DELHI HIGH COURT

Justice P.S. Teji (former Judge, Delhi High Court) was born on 14th August 1956 in Punjab, did his graduation from Faridkot, Post Graduation from Punjab



University, Chandigarh and LLB (First Division) from Punjab University, Chandigarh. In the year 1983, he started his career as an Advocate in Punjab & Haryana High Court, Chandigarh, represented Union of India in Civil, Criminal, Land Acquisition and Service Matter, represented Chandigarh Administration to conduct criminal cases, appointed as Assistant Advocate General, Punjab from February, 1991 to July, 1993 and conducted Constitutional Law, Civil,

Criminal and Service Law matters. In 1995, joined Delhi Higher Judicial Service. He presided over as Additional District Judge, Additional Sessions Judge, Special Judge (NDPS), Essential Commodity Act, CBI Trial, Presiding Officer Industrial Tribunal, cases investigated by DRI and Customs.

In May 2009, was appointed as District Judge-cum-Special Judge, PC Act (CBI), became District & Sessions Judge (East) and contributed substantially in various projects at Karkardooma Courts Complex including Construction and Distribution of 480 Lawyers Chambers, Construction and Function of 1st Paperless E-Court of India, Model Lock-up, First Child Witness Court of India and First Vulnerable Witness Examination Court till elevation to High Court as an Additional Judge with effect from 15th December, 2014. Retired on 13.08.2018.

Designated as Senior Advocate in September, 2018 by the Hon'ble Supreme Court of India. He became the Member of DIAC, became the Member of Arbitration Centre of Punjab and Haryana High Court, Chandigarh.

He was appointed as the Chairman on the recommendation by the Hon'ble Chief Justice, Delhi High Court on 11.12.2018 and he resumed the present office as Chairman on 24.12.2018.

MEMBER

Ms. NUTAN GUHA BISWAS, IAS (RETD.)



Ms. Nutan Guha Biswas is a 1983 batch IAS Officer of Arunachal Pradesh-Goa-Mizoram and Union Territory (AGMUT) cadre. She did her graduation (in Economics) and Master of Business Administrations from Delhi University. She has served in the Union Territories of Daman & Diu, Andaman & Nicobar Island and Pondicherry. She has experience in education, having served as Secretary, Education in Daman & Diu, Andaman & Nicobar Islands and in finance as Finance Secretary in Andaman & Nicobar Island and Pondicherry. She has also held positions in Govt. of India as Dy.Secretary in Ministry of Food Processing Industries and as a Director in Ministry of Commerce; Development Commissioner, Noida , Spl Economic Zone in the Ministry of Commerce; Additional Secretary in the Ministry of Women & Child Development and as a Chairperson in Inland Water Ways Authority of India under the Ministry of Shipping.

She has also held position in Govt. of Delhi as a Divisional Commissioner; Commissioner, Food & Civil Service Supplies; Secretary, PWD and Pr. Secretary to Lt. Governor , Delhi.

She superannuated as Chairperson in Inland Water Ways Authority of India, Ministry of Shipping on 31st July,2018.

She was appointed as the Member on 11.12.2018 and she resumed the office on 24.12.2018.

MEMBER

Sh. P. KAMARAJ, IPS (RETD.)



Shri. P.Kamaraj, IPS, served as Special Commissioner of Police/Law & Order, South Zone, Delhi Police before joining this Authority as a Member on December 18, 2018. A 1987 batch Indian Police Service officer of the Arunachal Pradesh-Goa-Mizoram and Union Territory (AGMUT) Cadre, he has over three decades of experience with the Indian Police.

Prior to assuming the office of Member, Police Complaints Authority, Shri. P.Kamaraj held important assignments and served in various segments of the AGMUT Cadre. He served as Superintendent of Police/Lakshadweep, Deputy Inspector General/Andaman & Nicobar, Director/Anti Corruption Bureau, Mizoram, Joint Commissioner of Police/New Delhi Range, Joint Commissioner of Police South/Eastern Range, Special Commissioner of Police/Vigilance, Special Commissioner of Police/Headquarters and Special Commissioner of Police/Law & Order, South Zone, Delhi Police.

Further, in Delhi Police he served as Deputy Commissioner of Police/South District, South West District and Traffic, Addl. Commissioner of Police/Crime Branch. He also served in the Central Bureau of Investigation from 2004-09 as Deputy Inspector General of Police and In-charge Joint Director. He served in the UN Peacekeeping Mission in Bosnia (1996-97).

Mr. P. Kamaraj had an illustrious career and was awarded President Police Medal for Distinguished Service in the year 2011, Police Medal for Meritorious Service in the year 2003 and UN Peacekeeping Medal in the year 1997.

He was appointed as the Member on 11.12.2018 and she resumed the office on 18.12.2018.

MEMBER

Ms. TINU BAJWA



Ms. Tinu Bajwa did her schooling from Army Public School Daula Kuan, New Delhi. She graduated from Gargi College, University of Delhi in B.Sc., did her law from Campus Law Center, Delhi University, did MBA in HR from Sikkim Manipal University. She was enrolled with the Bar Council of Delhi in the year 1993.

She has practiced in the Hon'ble Supreme Court of India, Hon'ble High Court of Delhi, Central Administrative Tribunal and Armed Forces Tribunal. She was Additional Standing Counsel for NDMC. During year of practice she specialized in all the matters pertaining to Company Corporate Law, Constitutional Law, Administrative Law and Service Law & Labour. She was actively involved in pro-bono matters relating to Delhi High Court Blast Victims, widows of Armed Forces Personnel and matters pertaining to Employees of High Court and District Courts. She was elected as Vice-President of Armed Force Tribunal (Principal Bench) Bar Association Delhi from 2010-2012.

She was appointed as the Member on 11.12.2018 and she resumed the office on 06.02.2019.

HISTORY OF POLICE COMPLAINTS AUTHORITY

The Police Complaints Authorities were established in various States and Union Territories in pursuance of the judgement of Hon'ble Supreme Court of India in the matter of Prakash Singh & Ors. vs. Union of India. The Hon'ble Supreme Court had observed as under:

“There shall be a Police Complaints Authority at the district level to look into complaints against police officers of and up to the rank of Deputy Superintendent of Police. Similarly, there should be another Police Complaints Authority at the State level to look into the complaints against officers of the rank of Superintendent of Police and above. The district level Authority may be headed by a retired District Judge while the State level Authority may be headed by a retired Judge of the High Court/Supreme Court. The head of the State level Complaints Authority shall be chosen by the State Government out of a panel of names proposed by the Hon'ble Chief Justice; the head of the district level Complaints Authority may also be chosen out of a panel of names proposed by the Hon'ble Chief Justice or a Judge of the High Court nominated by him. These Authorities may be assisted by three to five members depending upon the volume of complaints in different States/districts, and they shall be selected by the State Government from a panel prepared by the State Human Rights Commission/Lok Ayukta/State Public Service Commission. The panel may include members from amongst retired civil servants, police officers or officers from any other department, or from the civil society. They would work whole time for the Authority and would have to be suitably remunerated for the services rendered by them. The Authority may also need the services of regular staff to conduct field inquiries. For this purpose, they may utilize the services of retired investigators from the CID, Intelligence, Vigilance or any other organization. The State level

Complaints Authority would take cognizance of only allegations of serious misconduct by the police personnel, which would include incidents involving death, grievous hurt or rape in police custody. The district level Complaints Authority would, apart from above cases, may also inquire into allegations of extortion, land/house grabbing or any incident involving serious abuse of authority. The recommendations of the Complaints Authority, both at the district and State levels, for any action, departmental or criminal, against a delinquent police officer shall be binding on the concerned authority.”

In pursuance of the above judgement, Government of India, Ministry of Home Affairs issued direction to all Union Territories vide order No.14040/45/2009-UTP in March, 2010 for setting up PCAs. In Delhi, the PCA was functioning as part of the Public Grievance Commission from 2012 onwards vide order No. F.12/04/2011/AR/1630-1789/c dated 27.02.2012.

A full fledged Police Complaints Authority for Delhi was established by the order of Hon’ble Lieutenant Governor, Delhi vide notification No. F. No.28/1/2017/HP-I/Estt./Part file 635-641 dated 29.01.2018. In furtherance of the above notification, dated 29.01.2018, Justice Mr. P.S. Teji (Retd.), a former Judge of High Court of Delhi was appointed as Chairman of Police Complaints Authority vide order No. F.28/1/2017/HP-I/Estt.Part-II 6126-33 dated 11.12.2018. The following Members of the PCA were appointed vide order No. F.28/1/2017/HP-I/Estt. Part-II 6134-44 dated 11.12.2018:-

S.No.	Selected in the category of	Name of the Member
1.	Civil Services	Ms. Nutan Guha Biswas, IAS (AGMUT: 1983) (Retd.)
2.	Police Services	Mr. P.Kamaraj, IPS (AGMUT: 1987) (Retd.)
3.	Civil Society	Ms. Tinu Bajwa, Advocate

The PCA was initially functioning at the 2nd Floor, M-Block, Vikas Bhawan, I.P.Estate, New Delhi and the general public was made aware of the same through a press release vide communication dated 27.02.2019 and were informed to file complaints directly on the address given above or through E-mail at pca.delhi@nic.in /on website pca.delhigovt.nic.in. The PCA was shifted on 20.05.2019 to the newly established office at 10th Floor, Chanderlok Building, Janpath, New Delhi-110001.

The Police Complaints Authority is functioning in the following States and Union Territories:-

SNo.	STATE	CONSTITUTION
1.	Arunachal Pradesh	State Police Complaints Authority
2.	Assam	State Police Accountability Commission
3.	Bihar	District Accountability Authorities
4.	Chandigarh	Police Complaints Authority
5.	Chattisgarh	State Police Accountability Commission
6.	Delhi	Police Complaints Authority
7.	Goa	State Police Complaints Authority
8.	Gujrat	State Police Complaints Authority

9.	Haryana	State Police Complaints Authority
10.	Himachal Pradesh	State Police Complaints Authority
11.	Kerala	State Police Complaints Authority
12.	Maharashtra	State Police Complaints Authority
13.	Meghalaya	State Police Complaints Authority
14.	Nagaland	State Police Complaints Authority
15.	Orissa	The Lokpal is mandated to act as the Police Complaints Authority
16.	Puducherry	Police Complaints Authority
17.	Rajasthan	State Police Complaints Authority
18.	Sikkim	Police Accountability Commission
19.	Tripura	State Police Complaints Authority
20.	Uttarakhand	State Police Complaints Authority
21.	West Bengal	State Police Complaints Authority

** Source:- Rajay Sabha Unstarred question NO. 552, dated- 07.02.2018.

OPENING OF THIS OFFICE:-



Sh. Anil Baijal, Hon'ble Lieutenant Governor of Delhi, Justice P.S. Teji (Chairman PCA), Ms. Nutan Guha Biswas (Member PCA), Sh. Naresh Kumar (the then Chairman NDMC), and Sh. Amulya Patnaik (CP Delhi Police) at the time of opening of the office of Police Complaints Authority.



Sh. Anil Baijal, Hon'ble Lieutenant Governor of Delhi, Justice P.S. Teji (Chairman PCA), Sh. Naresh Kumar (the then Chairman NDMC), and Sh. Amulya Patnaik (CP Delhi Police) at the time of Opening of the office of Police Complaints Authority.

VISIT OF CHIEF SECRETARY



Sh. Vijay Dev, Chief Secretary of Govt. of NCT of Delhi, in the office of Police Complaints Authority, standing along with Justice P.S. Teji (Chairman), Sh. P. Kamaraj (Member) and Ms. Tinu Bajwa (Member).



JURISDICTION

1. The Authority shall inquire into allegations of “serious misconduct” against police personnel, as detailed below, either *suo motu* or on a complaint received from any of the following:-

- A victim or any person on his/her behalf on a sworn affidavit;
- The National Human Rights Commission; or
- Lieutenant- Governor or Chief Secretary or Principal Secretary (Home), GNCT of Delhi.

Explanation : “**Serious misconduct**” for the purpose of this chapter shall mean any act of commission or omission of a police officer that leads to or amount to:

- death in police custody;
- grievous hurt in police custody;
- rape or attempt to rape in police custody;
- arrest or detention without due process of law; or
- Extortion or land/house grabbing or any other incident involving serious abuse of authority.

Provided that no anonymous and pseudonymous complaint shall be entertained.

2. Any complaint not covered in category (1) above, may also be referred to Police Complaints Authority by Lieutenant-Governor or Chief Secretary or Principal Secretary (Home), GNCT of Delhi.
3. The Police Complaints Authority will not entertain those cases which are under consideration before any Court or the National Human Rights Commission or any other statutory body.

CASES WHICH ARE NOT TAKEN UP BY THE AUTHORITY

In terms of the Resolution setting up the Police Complaints Authority, the Authority views the following complaints as not eligible for further processing:

- (i) Vague complaints of a general nature; Anonymous complaints which fail to make out specific case for intervention;
- (ii) Matter which are sub-judice in any court of law, or before any judicial or a quasi-judicial authority;

PRACTICE AND PROCEDURE ADOPTED BY POLICE COMPLAINTS AUTHORITY.

- a) Complaints are received in the Authority via:-
- in person by the complainant, Dak, or e-mail,
 - they can be referred to the Authority by Hon'ble Lieutenant Governor of Delhi or by Chief Secretary of Delhi,
 - the Authority can also take "suo-moto" cognizance on the basis of information contained in media reports or otherwise.
- b) After receiving the complaints the Authority sends a letter to Commissioner of Police, Delhi, to send a detailed status report with regard to the complaint.
- c) If there is no reply within 15 days, the complaint is put up before the Hon'ble Chairman, Police Complaints Authority for further directions.
- d) If the report is not satisfactory the complaint is put up for hearing before the Hon'ble Chairman.
- e) After hearing, the complaint can be disposed off or it can be put up before the quorum to be registered as regular complaint of Police Complaints Authority for inquiry.
- f) After completion of the inquiry the report is forwarded to Hon'ble Lieutenant Governor with recommendations.

ACHIEVEMENTS OF POLICE COMPLAINTS AUTHORITY:-

- a) In order to implement the directions of Hon'ble Supreme Court in W.P.(C) No. 310 of 1996 titled "Prakash Singh & others vs. Union of India", the Ministry of Home Affairs conveyed the approval of the Government of India vide letter no. 14040/127/2010-UTP dated 17.11.2011 to extend the role and responsibility of the Public Grievances Commission to also function as the Police Complaints Authority and hear complaints against officers/officials of the Delhi Police.
- b) Then on the notification dated 11.12.2018 the Police Complaints Authority was established by Hon'ble Lieutenant Governor and the office of Police Complaints Authority was started in M-Block, Vikas Bhawan on 15.02.2019.
- c) In the month of February, 2019 the premises in 10th Floor, Chander Lok Building, Janpath were leased out to Police Complaints Authority and the renovation work was started by the NDMC in the same month.
- d) In a record time of 2-3 months the premises, after the completion of work, were handed over to the Police Complaints Authority.
- e) On 13.05.2019 the office of Police Complaints Authority was inaugurated by the Hon'ble Lieutenant Governor.
- f) On 20.05.2019 the office of Police Complaints Authority was shifted from M-Block, Vikas Bhawan, I.P. Estate to 10th Floor Chander Lok Building, Janpath.
- g) On 21.05.2019 the Chief Secretary also visited the office.

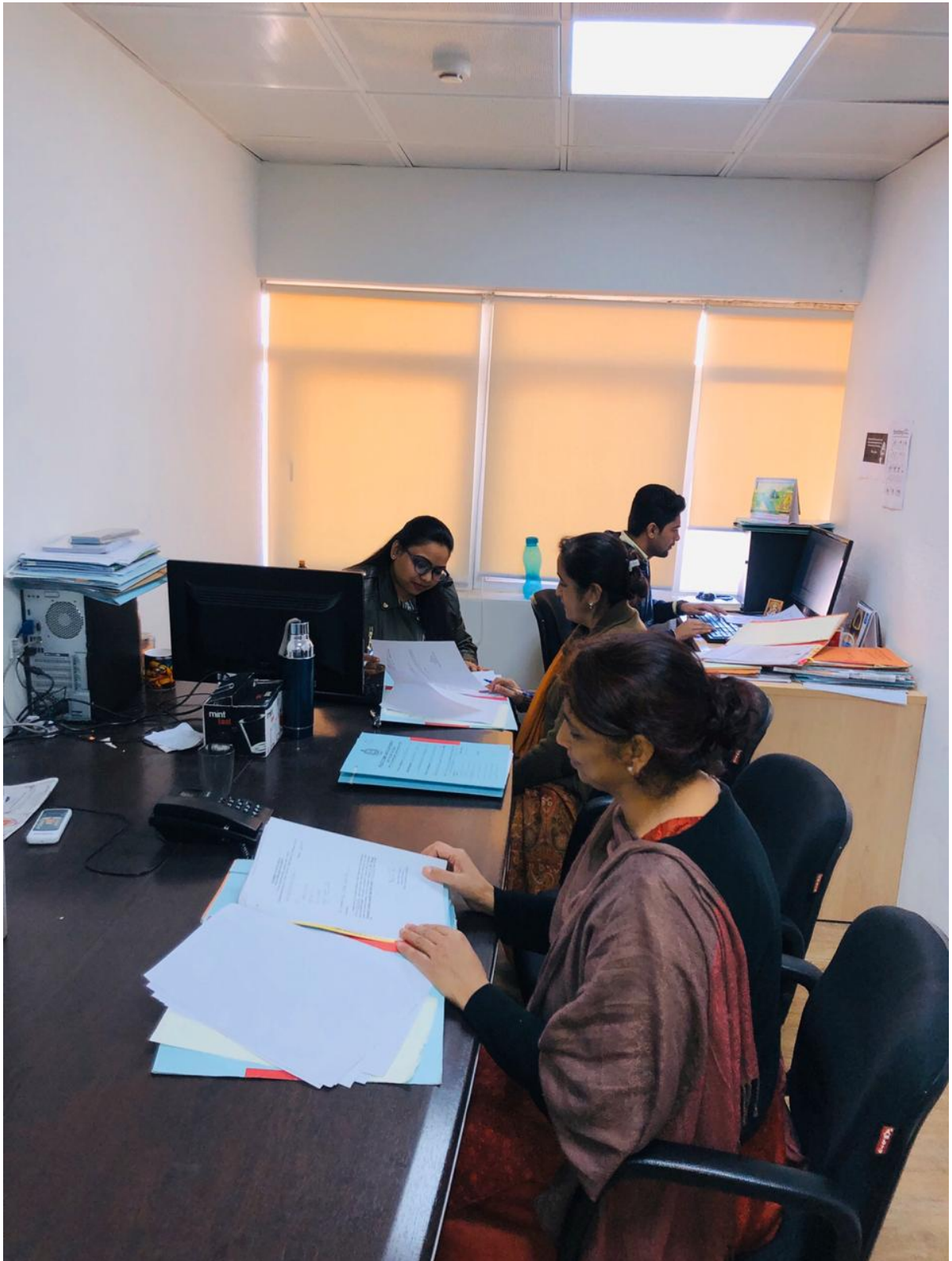
FUNCTIONING OF THIS OFFICE:-



Office of Justice P.S. Teji (Chairman)



Conference Room, Police Complaints Authority.





I. COMPLAINTS RECEIVED AND DISPOSED OFF IN POLICE COMPLAINTS AUTHORITY DURING THE YEAR 2019-2020.

Details of complaints during the year 2019-2020	
Total complaints Received	1535
Disposal	1327
Pending	208
Percentage of Disposal	86.44%

II. REGULAR COMPLAINTS RECEIVED AND DISPOSED OFF IN POLICE COMPLAINTS AUTHORITY DURING THE YEAR 2019-2020.

A. Ms. Pooja

Complaint noPCA/2018-19/57

(Regarding inaction and misuse of power of the police officials.)

The proceedings in the case were initiated on the complaint dated 09.04.2018 by Sh. Dharamveer Singh. The initial proceedings took place in the Public Grievances Commission, having the additional charge of the Police Complaints Authority on 17.04.2018, 20.04.2018, 15.05.2018, 15.06.2018, 06.07.2018, 20.07.2018, 24.08.2018, 14.09.2018, 12.10.2018, 07.12.2018, 28.12.2018, 11.01.2019, 01.02.2019.

The allegations levelled in brief in the complaint are that the victim a minor girl was forcibly abducted from Delhi and was raped several times by two boys namely Anil Kumar and Neeraj from 14.01.2018-21.01.2018. On 22.01.2018 she was brought back to Delhi and pressurised to depose against her parents by SI Mohd. Kafeel and SI Devender. She was forced to decline medical

examination by a lady Police Official. She was then taken to Prayas shelter home and handed over to her parents only on 01.02.2018.

On 02.02.2018 after the examination of the victim police added various sections. On 24.02.2018 accused was released on bail by the police. It was alleged in the complaint that the police was shielding the accused Anil and Neeraj and no action was being taken against them. This became very clear from the fact that even though accused Anil was released on police bail on 24.02.2018 after taking his Adhar Card. He was then produced before the JJB on 15.03.2018 and WSI Sarita had gone personally to collect the age proof from the school of the accused, where his DOB was shown as 24.01.2001. The conduct of the police officials remained under suspicion from the beginning of the proceedings.

This Authority conducted hearings on several dates i.e. 15.05.2018, 15.06.2018, 06.07.2018, 20.07.2018, 24.08.2018, 14.09.2018, 12.10.2018, 07.12.2018, 28.12.2018, 11.01.2019, 01.02.2019, 01.03.2019, 15.03.2019, 29.03.2019, 05.04.2019, 12.04.2019, 26.04.2019, 10.05.2019, 24.05.2019 and 07.06.2019 respectively

During the proceedings, following police officials were examined in the Authority:-

SHO/Inspr. Ajay Kumar, SI Devender , SI Mohd. Kafeel, W/SI Sarita Rathi.

After completion of the inquiry, the report was sent to the Hon'ble Lieutenant Governor with recommendations.

B. Late Sh. Mukesh Kumar
Complaint no. Complt./PCA/01/2019
(Regarding custodial death of Mukesh Kumar)

In pursuance of para 4 of the Notification No. F.No.28/1/2017/HP-I/Estt./Part File-635-641 dated 29.01.2018 issued by the GNCT, Delhi, this Authority took suo-motu cognizance of the death in police custody reported in Times of India dated 23.07.2019 (Annexure 'A').

The allegations as per the news report in Times of India dated 23.07.2019 is that the boy namely Mukesh Kumar, age 25 years, a resident of JJ Colony, Bakarwala village, Outer District was accused in a kidnapping case of a 16 year old minor girl from a nearby area vide FIR No. 265/19 dated 19.07.2019 u/s 363 IPC registered at P.S. Mundka and the Jaipur police nabbed Mukesh Kumar and alerted their counterparts in Delhi. On the information received from Jaipur police, Delhi police along with the mother and relatives of the minor girl went to Jaipur in a private vehicle. From Jaipur they all started their journey to Delhi and when they reached the accused reportedly started coughing and vomiting blood. The cops took him to the nearby hospital and when they reached the hospital he was declared dead. It was also mentioned in the news report that a medical board comprising a panel of doctors was being constituted to conduct the autopsy.

Proceedings in the matter were started on 23.07.2019 in the quorum of PCA, headed by the Chairman. Notices were issued to the Commissioner of Police, DCP (Outer District) and SHO, PS Mundka to submit report in this regard by 24.07.2019. First regular hearing was held on 24.04.2019 and subsequent hearings were held on 31.07.2019, 23.08.2019, 28.08.2019, 04.09.2019, 12.09.2019, 16.09.2019, 23.09.2019, 30.09.2019, 07.10.2019, 15.10.2019,

23.10.2019, 01.11.2019, 11.11.2019, 18.11.2019, 27.11.2019 and 05.12.2019.

During the proceedings, following police officials were examined in the Authority:-

Dr. A.Koan . ASI Narveer, Hari Om, W/Ct. Monika, Muskaan, ATO/Insp. Sheelwant, ASI Rajender, Sh. Rajender Singh Sagar, Insp. Surrender Singh Sandhu, SI Imran Khan.

After completion of the inquiry, the report was sent to the Hon'ble Lieutenant Governor with recommendations.

C. Mohd. Ibrahim

**Complaint no. Complt./PCA/02/2019
(Regarding beating by SHO)**

The proceedings in the present case have been initiated on the complaint referred by the office of Lt. Governor, Delhi, vide U.O.No.F.,47(1)/RN/2019/160/A-3560, dated 13.8.2019.

As per the complaint cognizance has been taken by Hon'ble L.G. on the news clipping published in 'Asian Age' Newspaper titled as 'Dhaba owner beaten by SHO, video viral'. The Asian Age report stated that "A video is circulated on social media showing Station House Officer of Sarita Vihar in South East District of Delhi thrashing a person black and blue". In the video, which went viral on social media, shows SHO Ajab Singh alongwith two other police personnel mercilessly punching and beating the man with batons. Locals alleged that police official used to take bribe from the shop owners of the area. "The entire incident was

captured on the CCTV camera installed near the dhaba otherwise I would have not been able to prove myself“ said Ibrahim.

Proceedings in the matter were started and first regular hearing was held on 19.08.2019 and subsequent hearings were held on 27.08.2019, 05.09.2019, 16.09.2019, 23.09.2019, 01.10.2019, 09.10.2019, 16.10.2019.

During the proceedings, following police officials were examined in the Authority:-

Insp. Ajab Singh, Ct. Pawan Kumar, Mohmd.Ibrahim, S/o Mohmd.Dilawar, ACP Dhal Singh, ACP Suresh Pal, HC Yad Ram, HC Lakhan Singh.

After completion of the inquiry, the report was sent to the Hon'ble Lieutenant Governor with recommendations.

D.Ms. Megha Gupta

Complaint No. Complt./PCA/03/2019

(regarding harassment, merciless beating by the police officials)

The proceedings in the present case were initiated on the complaint referred by the Joint Secretary to Hon'ble Lt. Governor vide letter No. U.O.No.F.47(1)/RN/2017/715/A-356 dated 13.08.2019.

The allegations leveled in the complaint is that a complaint vide DD No. 44B dated 20.05.17 was filed in PS Prashant Vihar regarding harassment, merciless beating up of the husband of the complainant by the police. In the intervening night of 17.05.2017 and 18.05.2017 the complainant's husband Sh. Amit Gupta was returning home from Rohini Sector-11 by his car. At a distance of 100 meters from home his car hit a bike which was coming from a wrong side and was

driven by a Constable and a Home Guard. Their bike fell down on the road and complainant's husband got out from his car to help them. They started man-handling him and called other two police officials and took him to the police station on their bike. The police officials had consumed liquor. Around 5-6 police officials cruelly beat him in the police station and MLC of her husband was done before beating him to save themselves and it was just a mere paperwork. The complainant was informed about the incident from a phone from the police station at about 06:00 AM on 18.05.2017. When they reached the Police Station they were asked for money for releasing Sh. Amit Gupta. The complainant's father-in-law and brother-in-law paid a sum of Rs. 60,000/- to get Sh. Amit Sharma released. After reaching home, they saw marks of beating and bruises all over his body. When no action was taken till 20.05.17, they took him to Ambedkar Hospital for MLC. Even after dialing 100, MLC was not got prepared. Then they took Sh. Amit to Mahaveer Hospital and media was also called and then the MLC prepared. Thereafter, they met SHO SS Rathi requesting him to take proper action but the SHO did not record the FIR and even he took the side of the police officials. The complainant has filed this complaint to look into the matter, examine the facts and take necessary action against the police officials.

During the proceedings, following police officials were examined in the Authority:-

Sh. Amit Gupta, Smt. Megha Gupta w/o Sh. Amit Gupta, ASI Satish Kumar, Sh. Ashish Gupta, Sh. Sandeep Gupta, Insp. Surender Singh Rathi, DHG constable Ajit, DHG constable Ajay Kr. Solanki, Constable Rattan Singh, Constable Kailash, ASI Jagdish Chand (D.O.), ASI Naresh.

After completion of inquiry, the report was sent to the Hon'ble Lieutenant Governor with recommendations.

E. Sh. Pramod Kumar

Complaint no. Complt./PCA/04/2019

(regarding torture at the police Station)

In pursuance of para 4 of the Notification No. F.No.28/1/2017/HP-I/Estt./Part File-635-641 dated 29.01.2018 issued by the GNCT, Delhi, this Authority took suo-motu cognizance on the news item of newspaper Times of India dated 02.09.2019 under the heading "Law student claims torture at police station".

The allegation in brief are that the victim namely Parmod Kumar who is a student of 3rd year LLB programme got a call from unknown number on 25.08.19 at 01:14 PM. On the phone his nephew namely Amar was speaking and Amar told him that he has been caught by the police and Amar requested him (Parmod) to come at Jhanda Chauk. When he (Parmod) reached at Jhanda Chauk no one was there and he came to know that all were taken to the PS, Adarsh Nagar. Thereafter, he reached the police station and asked at the reception about his nephew, but they refused to give him any information. When he showed them the phone no. 9582469591 from which he got the call, the police personnel told him that it belongs to the police personnel Mohan Lal and he has gone somewhere. After some time a police jeep came into the police station, in which 5 police persons and 3 boys were sitting. When he reached near the jeep he found that all three boys were chained. He told them that he is a law student and it is not right and it is human right violation. After listening this, they all got furious and starting beating him and

among them one person was in uniform and others were in civilian dress. Thereafter, while beating him they took him to a room at the second floor and pushed him and started beating him there and started abusing him with caste derogatory remarks. They removed his clothes and tried to insert a plastic pipe inside him. After sometime, they took him to other room where all three boys were also present. There SHO came and sent him outside and starting beating them with stick and after some time SHO called him inside and starting beating him. SHO told his staff threatening him that let him be made the main accused in murder, smuggling, snatching and Arms Act cases. A police personnel namely Dushyant showed them a country made pistol stating that he would show it as evidence in Arms Act and let all of them to be in imprisonment. After all these, Dushyant took him outside and threatened him not to disclose the happenings to anyone and forced him to sign a paper on which it was already written that “a quarrel had taken place in his neighborhood and he was called to police station for some information regarding this and after all enquiry he has been released from PS in good condition.”

Proceedings in the matter were started on 02.09.2019 in the quorum of PCA headed by the Chairman. Subsequently, hearings were held on 17.09.2019, 24.09.2019, 03.10.2019, 10.10.2019, 17.10.2019, 30.10.2019, 07.11.2019, 14.11.2019, 18.11.2019, 26.11.2019, 04.12.2019 and 11.12.2019.

During the proceedings, following police officials were examined in the Authority:-

DCP Vijayanta Arya, ACP Arvind Kumar, Inspr. Mahaveer Saini, ASI Ajit Kumar, Addl. DCP-II Sushil Kr. Singh, Ct. Dushyant, SI

Ravi Kumar, HC Mohan Lal, W/ASI Santosh, HC Mangal, ASI Ajit Kumar, Ct. Dushyant.

After completion of the inquiry, the report was sent to the Hon'ble Lieutenant Governor with recommendations.

F. Sh. Jai Kaushik

Complaint no. Complt./PCA/06/2019

(regarding misuse of power by police officials)

The proceedings in the present case have been initiated on the complaint received in this Authority from Jai Kaushik. At first the complaint was heard in the chamber of Hon'ble Chairman and affidavits were filed by Sh. Jai Kaushik and Smt. Prathana Kaushik.

The brief facts of the complaint are that the complainant and his wife Prathana are having a Matrimonial discord as result of which they are living separately. They have two children Manan Kaushik and Kartik Kaushik aged 17 and 14 years respectively. Elder son Manan is staying with complainant's wife and younger son Kartik is staying with the complainant. On 25.04.2019 the date of incident, when the complainant was at work and his son Kartik was in tuition class his wife had come home and on seeing the house locked she went to the tuition class of Kartik and took the house keys from him. When the complainant returned from work he went to pick up his son and was told that his wife had taken

the house keys. To avoid confrontation the complainant at 09:07pm called 100 number. His call was assigned to ASI Hari Om who called him to the Police Station. Complainant reached at PS Shahdara along with his son at 10:00 PM. ASI Hari Om also telephoned his wife and called her to the Police Station. His wife alongwith his mother-in-law came to Police Station. ASI Hari Om spoke to his wife and mother-in-law in another room for sometime. When ASI Hari Om came back to the room, the complainant asked him to get his house keys from his wife. He was told by ASI Hari Om that his wife had given a complaint against him. He was then given some blank papers and asked to sign on them. On refusal to sign the complainant was beaten up by ASI in front of his child, wife and mother-in-law. Before beating, the complainant was taken to GTB hospital, his purse was also snatched and Rs. 4,500 were taken out. At 02:00 am ASI Hari Om released him and asked him to take his wife along with him. At 02:15am he sent his wife in a cab and gave her Rs. 1000. He then withdrew Rs. 10,000 from ATM and returned home at 02:45am. On 06.04.2019 as he was unwell, he went to Dr. Hedgeware Hospital but the CMO there refused to register the MLC and was asked to go to JJB hospital. He called up 100 no. and IO Sudhaker helped him in getting his MLC and recorded his statement and promised him to get the FIR registered.

Proceedings in the matter were started on 02.09.2019 in the quorum of PCA headed by the Chairman. Subsequently, hearings took place on 04.10.2019, 14.10.2019, 22.10.2019, 05.11.2019, 13.11.2019, 19.11.2019, 28.11.2019, 06.12.2019.

During the proceedings, following police officials were examined in the Authority:-







Sh. Jai Kaushik, Smt. Prathana Kaushik w/o Jai Kaushik, ASI Hari Om, W/HC Poonam, CT. Dinesh, W/HCAjnesh, ASI Hari Om, Ct. Dinesh.

After completion of the inquiry, the report was sent to the Hon'ble Lieutenant Governor with recommendations.



OFFICERS OF THE POLICE COMPLAINTS AUTHORITY

PHOTOGRAPH	NAME	DESIGNATION
	Sh. Saumyaketu Mishra	Secretary
	Sh. Vipin Kr. Garg	Deputy Secretary
	Sh. Nayan Mokashi	Section Officer
	Sh. Sanjeev Gaur	Section Officer
	Ms. Rita Jain	Section Officer

STAFF OF THE POLICE COMPLAINTS AUTHORITY

	Sh. Ravinder Razdan	AAO
	Sh. Ravinder	Personal Assistant
	Ms. Narender Kaur	Personal Assistant
	Ms. Shama Sheikh	Personal Assistant
	Sh. P.R. Chaddha	Senior Assistant
	Ms. Rekha Thakhur	Senior Assistant

	Ms. Kamlesh	Senior Assistant
	Sh. Vimlesh Yadav	Senior Assistant
	Sh. Ankit Kumar	Steno-Gr.-III
	Sh. Sangam Kr. Sahani	Steno-Gr.-III
	Sh. Hemant Singh	Steno-Gr.-III
	Ms. Shiwali Badal	Steno-Gr.-III

		Sh. Rakesh Tokas	Junior Assistant
		Sh. Swaraj Rauthan	Junior Assistant

DRIVERS

 <p>Sh. Narender</p>	 <p>Sh. K.B. Thapa</p>	 <p>Sh. Malkhan Singh</p>
 <p>Sh. Shammi</p>		 <p>Sh. Vijender Pal</p>

PEONS

 <p>Sh. Kamal</p>	 <p>Sh. Om Kumar</p>	 <p>Sh. Dharmender</p>
 <p>Sh. Ramdayal Mehto</p>		 <p>Sh. Rakesh Tejrana</p>