

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: 14th June, 2018

Complainant : Ms. Anju Bala
Respondent : Special Commissioner of Police
Delhi Police (Vigilance),
PS Barakhamba Road, New Delhi

Grievance No. : PGC/2017/DP/179
Grievance filed on : 22/6/2017
First hearing in the PGC : 8/8/2017

Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint of inaction against police on her complaint of harassment by boy of her locality. She has alleged that the alleged boy on 13.6.2017 tried to kill her by bat, she has further stated that she had shown the video recording of the incident to the police but police did not taken any action on her complaint and the police was favouring the alleged boy and his family members. She 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 12th September, 2017, the second hearing held on 14th November, 2017, the third hearing held on 19th January, 2018, the fourth hearing held on 6th March, 2018, the fifth hearing held on 10th April, 2018, the sixth hearing held on 26th April, 2018, the seventh hearing held on 24th May, 2018 and the eighth hearing held on 14.6.2018, when the following were present:-

Complainant : Present
Respondent : SI Sheel Kumar, PS Kalkaji

3. Relevant facts emerging during the hearing

An ATR has been filed by Sheel Kumar, SI/PS Kalkaji stating the following:-

The above complaint case was heard on 24.4.2018. During hearing, the complainant submitted regarding DD NO. 42A that the details of incident were captured in the camera but the same has not been taken note by the police. She further alleged that this was an attempt to inflict serious injuries on her person.

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In this context, it is submitted that the same point was earlier also raised by the complainant during the hearing at PGC on 12.9.2017. The complainant had informed the Commission that she had clearly mentioned in her complaint given to the SHO that the incident was captured in the cameras installed in both sides of the gali/site of incidence i.e. in the street adjacent to MLA Saurabh Bhardwaj's office and three cameras are installed in the house above the shop but no action was taken by the police. She has also shown apprehension that the alleged may destroy this important evidence.

During enquiry conducted by SI Satish Bhati, it was revealed that on the day of incident i.e. 13.7.2017, the complainant had given her hand written statement to the IO/SI Prakash Chand. In her statement he had nowhere mentioned about the installation of CCTV cameras near the place of incident nor told about capturing of incident in the CCTV cameras. Copy of her statement is enclosed herewith at "F/A".

Thereafter also she had not made any written complaint about this incident to SHO/Kalkaji directly. Her first complaint about this incident was received at PS Kalkaji from Delhi Commission for Women, Govt. of NCT of Delhi on 25.7.2017. At that time the matter was already being enquired into by PG Cell/SED, therefore, the above complaint was referred to PG Cell/SED.

During enquiry, SI Prakash Chand also tried to collect the footage of CCTV cameras but none of the camera was found functioning. During enquiry, the PG Cell also enquired about the CCTV cameras and it was revealed that the CCTV cameras were not functioning since many days prior to this incident.

After the hearing in PGC on 12.9.2017, again the status of the CCTV was ascertained and it was found that the CCTV cameras installed nearby of the place of alleged quarrel /incident were not in operational mode since many days prior to this incident. Statement of Mr. Saurabh Bhardwaj, MLA Greater Kailash Constituency and Shri Mewa Singh r/o 33/917, DDA Flats,

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Kalkaji, New Delhi was also recorded by SI Satish Bhati and copy of the same is enclosed herewith.”

4. Directions of PGC

The perusal of the documents on record, ATRs filed by police as well as MLC reveals that all the points and apprehensions raised by the complainant have been attended to by police. As regards CCTV footage, the efforts have been made to collect the CCTV footage but none of the cameras was reported functional.

The perusal of the medical papers on record does not support the allegations leveled in the complaint. Medical report prepared in Department of Surgery, Safdarjung Hospital does not mention any injury. She mentioned pain in Rt. Hand and back, pain in leg. The photographs attached by her does not show corroboration into the medical papers. Hence can not be relied upon.

From perusal of ATRs, it is evident that a case has been registered against one Vaibhav on the complaint of the complainant. The case registered against alleged Vaibhav has been filed in JJB-II. Now, the case is fixed for hearing on 3.8.2018. Additionally, 44 complaints have been lodged with P.S. Kalkaji, of which 11 complaints are against alleged Vaibhav Bhardwaj and his family members.

The enquiries by PG Cell/South East District could not substantiate the allegations made by the complainant. However, police has initiated preventive proceedings u/s 107/150 Cr.P.C. against parties.

In view of the above, 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-110001
2. The Addl. Commissioner of Police (District South East), Police Staton Sarita Vihar, New Delhi-110076
3. SHO/Kalkaji, Police Staton Kalkaji, New Delhi-110019
4. Ms. Anju Bala

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