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POLICE COMMISSIONERATE: BHUBANESWAR-CUTTACK
DEPUTY COMMISSIONER OF POLICE
BHUBANESWAR

No. 9286 /DHRPC,

Dt. 13.06.2022

To,

The Collector & Dist. Magistrate, Khordha

Ref:

Laxmisagar PS Case No.137, Dt.18.04.2021, U/S-294/323/506/354/34 IPC / 3(1)
(r) (s) (w) (i) SC & ST (POA) Act. (SR No. 195/2021).

Sub:


Submission of Joint Enquiry report.

Sir,

With reference to the above noted case, joint enquiry has been conducted by Sri Paresh Kumar Rout. (OPS), ACP Zone- IV, Bhubaneswar UPD and Pragnya Parmita Thatoi. (OAS), Addl. Tahasildar, Bhubaneswar. The case was instituted on the written report of Queen Behera, D/O- Rabindra Behera of Jharapada Bhoi, P.S- Laxmisagar, Dist.- Khordha on Dt. 18.04.2021. However, the photo copy of Joint Enquiry Report is sent herewith.

This is for favour of kind information.

Yours faithfully,


Dy. Commissioner of Police
Bhubaneswar UPD

Address: Vani Vihar Square, Bhubaneswar. PIN-751022

Tel: 0674-2540555/Fax: 0674-2540444

**JOINT ENQUIRY REPORT ON ATROCITY CASES OF SCs & STs (PA) ACT-1989/AMENDMENT
ACT-2015 AND SCS & STs (POA) RULES -1995/ AMENDMENT RULES-2016.**

1. **Name @ Designation of the Enquiring Officer
with contact No:-**

I. Asst. Commissioner of Police/
Sub divisional Police Officer:-

Sri Paresh Kumar Rout, OPS,
Mob-9437020785

II. Executive Magistrate:-

Pragnya Parmita Thatoi, (OAS)
Addl.Tahasildar, Bhubaneswar
Mob- 993739614

2. **Date of FIR, Name of the PS, with case No & SR No:-** Laxmisagar PS Case No. 137, dtd. 18.04.2021,
U/s- 294/323/506/354/34 IPC/3 (1)(r)(s)(w)(i)
SC & ST (POA) Act (SR No.195/2021).
Date : 22.04.2022

3. **Date of enquiry:-**

4. **Name of the father and**

address of the victims with contact No:- (1)Queen Behera, D/o- Rabindra Behera of village Dahijanga, PS: Nimapara, Dist: Puri. At/Pr: Jharpara Bhoi Sahi, PS: Laxmisagar, BBSR, Dist: Khorda. **Union Bank A/C No. 0674-2434011 IFSC Code: UBIN0574805**, (2) Sasmita Samal, D/o- Golakha Samal of Jharpara Bhoi Sahi, PS: Laxmisagar, BBSR, Dist: Khorda **Union Bank A/C No. 0674-2434011 IFSC Code: UBIN0574805**, (3) Jhili Behera, D/o- Sunak Behera of Jharpara Bhoi Sahi, PS: Laxmisagar, BBSR, Dist: Khorda **Union Bank A/C No. 0674-2434011 IFSC Code: UBIN0574805** & (4) Shanti Samal, D/o- Bama Bhoi of Jharpara Bhoi Sahi, PS: Laxmisagar, BBSR, Dist: Khorda **Union Bank A/C No. 748002010002748 IFSC Code: UBIN0574805**.

5. **Date & Place of occurrence:-** Dtd. 17.04.2021 in front of the rented house-cum-incense stick factory of Ruk Sundar Agarwal, under Laxmisagar PS, BBSR.

6. **By whom FIR was first lodged:-**

Queen Behera (8457068770)

7. **Whether the victim belongs to SC or ST.**

If Yes mention caste and sub-caste:-

BAURI (SC)

8. **By whom the atrocity committed.**

Name with father/husband name and

address with caste and sub-caste:- 1. Mamata Agarwal, W/o- Ramesh Kumar Agarwal of flat No. 406, Ganapati residency, PS: Laxmisagar, Dist: Khorda. "BAISYA"

9. **Nature of Offence in brief extent of loss/**

list of victim/ immediate relief, if any :-

Nature of offence in brief: The brief fact of the case is that on the report of Queen Behera, D/o- Rabindra Behera Jharpada Bhoi Sahi, PS: Laxmisagar, Dist: Khorda the instant case was registered & investigated into.

During investigation, it is ascertained that, accused Mamata Agarwal is granddaughter of Ranglal Agarwal and they basically Rajesthani based marawadi and her grandfather Ranglal Agarwal migrated to Odisha and permanently stayed at village Itamati, PS: Itamati, Dist: Nayagrah since long. Ranglal Agarwal has four sons namely Satyanaran Agarwal, Fataychand Agarwal, Ramlal Agarwal and Ashok Kumar Agarwal. Accused Mamata Agrawal is the daughter of Satyanaran Agarwal and got married to Ramesh Chandra Agarwal of AT/PO/PS: Banapur, Dist: Khorda. Sonaram Agarwal is the younger brother of Ranglal Agarwal, migrated together to village Itamati and settled there. Sonaram Agarwal the paternal grandfather of accused Mamata Agrwal, who adopted Ashok Agarwal (younger brother of Stayanarayan Agarwal). Her father Stayanaran Agarwal had no landed property on the records as he has disposed off. Only Ashok Agrwal has poses landed property at village Itamati and his caste is "BAISYA" which not comes under SC & ST category. Hence, the caste of Mamata Agrwal is also "BAISYA" not belongs to SC & ST category and centre and state list. On the day of occurrence when the complt. and other namely (1)Queen Behera,(2) Sasmita Samal,(3) Jhili Behera,(4) Shanti Samal who were worked under the accused in her incense stick factory asked her to give their monthly due, on this she assaulted & abused them in filthy languages aspersing their caste knowing it well that they belongs to SC category in order to humiliate them and threatened for dire consequences.

The case was supervised by Sri Kishore Chandra Patasani, OPS-I, Addl DCP, Bhubaneswar and he opined it is a true case U/s -294/323/506 IPC/3(1)(r)(s)(2)(va) SC & ST (POA) Act against the accused Smt Mamata Agarwal (50), W/o- Ramesh Kumar Agarwal of At/PO/PS: Banapur, Dist: Khorda. At/Pr : Flat No. 406, Ganapati Residency, PS: Laxmisagar, Dist: Khorda.

After completion of investigation compliance was submitted to DCP, BBSR to pass order for submission of charge sheet in the case against the above noted accused Smt Mamata Agarwal

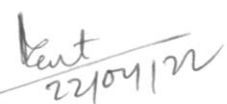
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8.6.22

Collector & DM Khordha

As prima facie evidence is well established against accused Smt Mamata Agarwal (50), W/o- Ramesh Kumar Agarwal of At/PO/PS: Banapur, Dist: Khorda. At/Pr : Flat No. 406, Ganapati Residency, PS: Laxmisagar, Dist: Khorda. U/s- 294/323/506 IPC/3(1)(r)(s)(2)(va) SC & ST (POA) Act submitted Charge Sheet vide Laxmisagar PS C.S No. 564 dtd. 20.11.2021.

- | | | |
|------|---|--|
| I. | Report in detail about the extent of atrocity, loss & damage of the property of the victims. | The victims atrocities by the accused |
| II. | List of victims and their family members and dependents entitled for relief. (1)Queen Behera,(2) Sasmita Samal,(3) Jhili Behera,(4) Shanti Samal | |
| III. | Immediate relief provided to the victims or not (rule-6 (2) relates to point No-V | No |
| 10. | Sub-clause under section 3 of the SCs & STs (POA) Act-1989 (Amended Act-2015) and other Act to which the offence attracts :- | 3 (1)(r)(s)(2)(va) SC & ST (POA) Act |
| 11. | Date of medical examination and opinion of the MO:- | No |
| 12. | In case of murder/death/ disability incapacitation:- | No |
| 13. | Whether victim earning/Non- earning member:- | Earning member |
| 14. | In case of Fire damage value of property:- | No |
| 15. | Submission of CS with CS No and date and if No (give reason):- | Submitted Charge Sheet vide Laxmisagar PS C.S No. 564 dtd. 20.11.2021 U/s -294/323/506 IPC/3(1)(r)(s) (2)(va) SC & ST (POA) Act against the accused Smt Mamata Agarwal (50), W/o- Ramesh Kumar Agarwal of At/PO/PS: Banapur, Dist: Khorda. At/Pr : Flat No. 406, Ganapati Residency, PS: Laxmisagar, Dist: Khorda. |
| 16. | Amount of relief recommended as per rule 12(4) (Scheduled, Annexure-I of the SC s & The STs (POA) Amendment Rules-2016). And stages of payment Percentage/amount as per JER, with full clarity of amount, if recommended mention the name of the victim (s) with father/husband Name. | |
| | (1) Queen Behera, D/o- Rabindra Behera, (2) Sasmita Samal, D/o- Golakha Samal, (3) Jhili Behera, D/o- Sunak Behera, (4) Shanti Samal, D/o- Bama Bhoi. | 2 Lakhs |
| | As per the stipulation made by the Government . | |
| 17. | Whether intensive police patrolling introduced in that area of occurrences :- | No |
| 18. | Whether, effective and necessary steps taken to provide protection to the witnesses and other sympathizers of the victims. | Yes |
| 19. | Whether a report on the relief and rehabilitation facilities provided to the victims has been forwarded to the Special Court or exclusive Special Court, by the District Magistrate or the Sub-Divisional Magistrate or the exclusive Magistrate or Superintendent of police, as per rule 12/7 of The SCs & The STs (POA) Amendment Rules-2016. | Yes |
| 20. | Whether information regarding the relief amount have been provided to the victims / his dependents/ Associated organisations or individuals, as per section 15A(11) (k) of the SCs & STs (POA) Act-2015. | Yes |
| 21. | General remarks of the Enquiring Officer.: The victims were subjected to atrocity by the accused person who belongs to general caste. The compensation amount recommended may be considered taking into account the stipulation made by the Government in this regard subject to further scrutiny. | |


Pragnya Parmita Thatoi (OAS)
Executive Magistrate
With name, designation & seal


Sri Paresh Kumar Rout, (OPS)
Asst. Commissioner of Police
Zone-IV, Bhubaneswar
With name, designation & seal