

BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

File No. BHRC/Comp.345/2015

Subject: Dismissal of five Aganwari Sevikas on the basis of a forged letter.

Case of Smt. Manrupi Devi, Distt. Madhepura.

Smt. Manrupi Devi, w/o, Sh. Manoj Mahto, vill. Rampur Tapra Tola, PS. Murliganj, distt. Madhepura had complained to the Commission that she was working as **Aganwari Sevika** and Sh. Ranjeet Prasad, **CDPO** (Child Development Project Officer), Murliganj **lodged a criminal case against her and four other Aganwari Sevikas** alleging their appointment on fake educational certificate issued by Bihar Sanskrit Shiksha Board (Murliganj PS Case No.135/07 dt. 29.9.2007, u/s 420/467/468/471/120-B/IPC). She and other the four Aganwari Sevikas were dismissed from service **without a show cause** even before the case was lodged and others were appointed in their place.

2. According to response received from DIG, Saharsa Range (letter no. 45/C dt. 27.4.2015) a year later, police **arrested** the petitioner and she remained in **jail** for eleven days before getting bail. Other four also surrendered and got bail. On her insistence police verified about the letter from the Sanskrit Board which is the basis of F.I.R by the C.D.P.O. After examination of the controller of exams and the records of Bihar Sanskrit Shiksha Board **it was found that the said letter was never issued by the Board**. Police ultimately filed a **Final report –mistake of fact** in the case in December, 2014.

3. **Matter is quite serious. Following points, prima facie, emerge in the present episode which need clarification:-**

(a) The petitioner and four other Aganwardi Sevikas were not given primary show cause before dismissal from service.

(b) Was CDPO not required to verify the genuineness of the complaint he is lodging before the police?

(c) The investigating Officer of the criminal case/supervisory Dy. SP did not bother to verify the genuineness of the letter from Sanskrit Shiksha Board before requesting the Court for issue of warrant under which the petitioner was arrested a year later on 16.5.2008.

(d) Police is taking seven years to file closure report in the case. DIG, Saharsa/ SP, Madhepura to examine and intimate.

(e) The report does not indicate if the role of the C. D. P.O himself or the ultimate beneficiaries who get appointed in this place was ever examined by the Police or the Directorate of ICDS (Integrated Child Development Services)

(f) What steps the Directorate of ICDS has taken to undo the wrongs committed to the petitioner and four others who are similarly situated?.

4. Commission, therefore, directs following Officer to appear before the commission on 18th August 2015 (Tuesday) at 12:00 hrs with reply on the above:-

(i) Nodal Officer of ICDS, Directorate, Bihar.

(ii) Sh. Ranjeet Prasad, the then CDPO, Murliganj, Madhepura.

(iii) The then SDPO, Madhepura(Supervisory Officer) .

(iv) S.I., Satyanand Gupta, the initial investing Officer, Murliganj,

PS.

5. Director, ICDS, Bihar and DIG, Saharsa Range/ SP, Madhepura will ensure attendance of the above Officer before the Commission and send their reports.

6. The petitioner shall also remain present on the said date and time in the Commission.

Copy of the order be sent to (i) **Director, ICDS, Bihar, Patna** (ii) **DIG, Kosi Range, Saharsa** (iii) **SP, Madhepura** and (iv) **Petitioner** for necessary action.

Date: 14.07.2015

Sd/...

(Neelmani)

Member

SP/DS