




SATYAMEVA JAYATHE

PART - 1

~~Disclaimer~~

All the characters, events & Departments/Organizations in this video are **not** fictitious. Any similarity to actual persons, living or dead or to the events & Departments / Organizations is **not** purely coincidental, but **real**.



Dedicated to all honest & upright citizens of our glorious nation, who have fought & sacrificed their lives in their fight against **CORRUPTION, **INJUSTICE** and for the upliftment of the **DOWNTRODDEN**".**



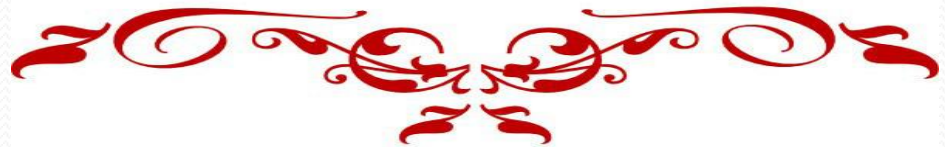
“My Experiments
With
Untruth”



“ If I find the constitution being
misused,
I shall be the first to burn it ”

Dr. B R AMBEDKAR

Founder of Indian Constitution &
First Law Minister of Independent India



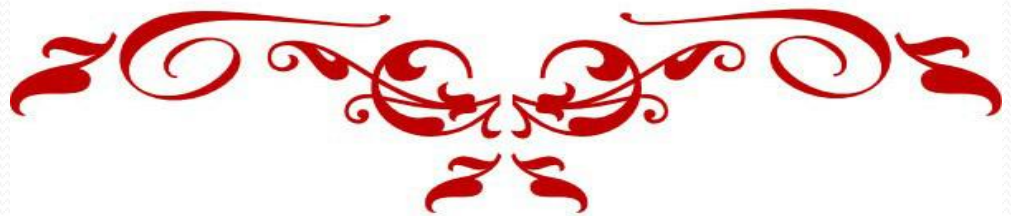
**BE YOU EVER SO HIGH,
But
THE LAW IS ABOVE YOU.**



**Indebted to Hon'ble High Court of Karnataka &
Bangalore City Court for re-affirming my faith in
Truth & Justice**

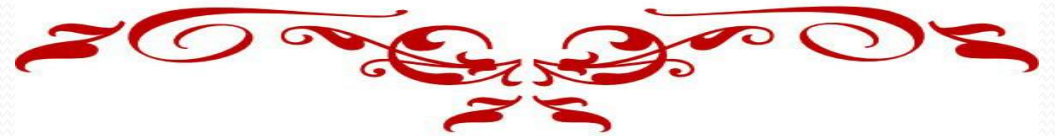


With profound respects to **Shri P.S.Rajgopal,**
Senior Counsel, Hon'ble High Court of Karnataka
& an established luminary in legal circles for
representing my case.



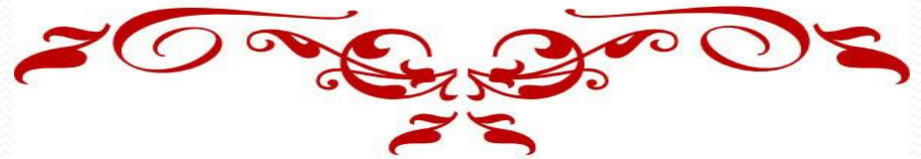


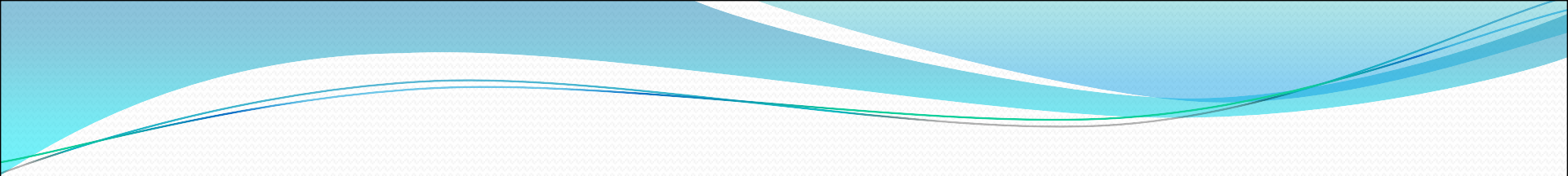
With profound & heartfelt Gratitude to Advocate Shri B.M.Irishad Ahmed, who represented my case in Hon'ble High Court of Karnataka. An down to earth person who toiled day & night to ensure that, I regain my lost dignity & status.





With deep gratitude to Advocate Shri Prakash Shetty in my Bail related cases for his ever speedy response & for taking great pains for ensuring that, I do not end up behind bars.





With due apologies to my parents, my wife & my both daughters, my brothers & sister and their spouses for all the sacrifices they made and for all the difficulties, humiliations & mental trauma, they encountered and endured during my ordeal.

I thank all of them wholeheartedly and I am indebted to them forever.

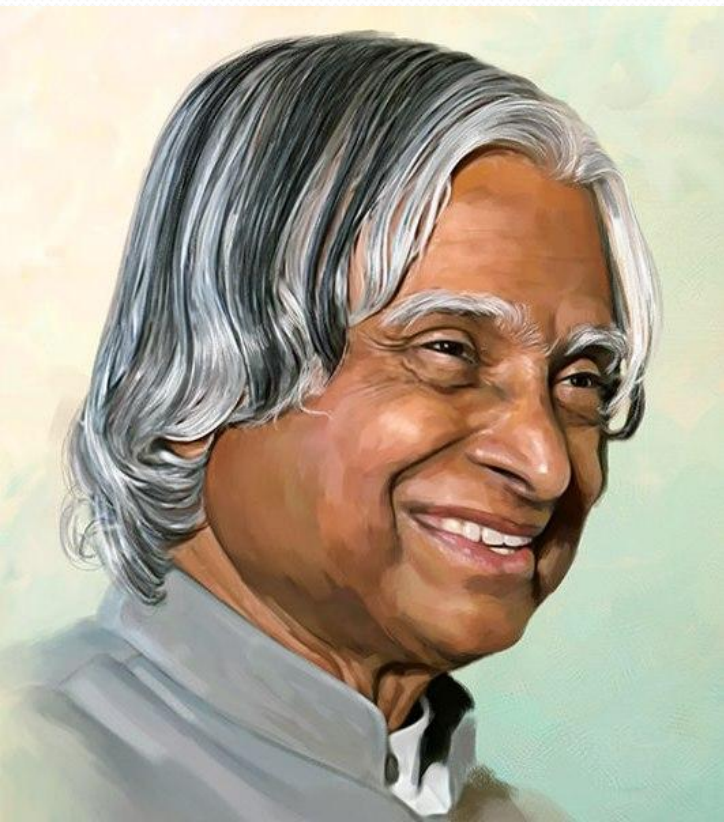
“BE GOOD,
DO GOOD”

Many great legends have said this.....

“Being Good and doing Good”

that too in today's world is not an easy task. It is easier said, than done.

Even though I know this, I learnt that, in a very hard way, that how riskier, how tougher, how difficult, how hazardous, how humiliating, how suffering & how challenging is to “Being Good and doing Good”.



If you salute your duty, you don't
have to salute anybody..

Late Dr. A P J Abdul kalam,
Ex President of India

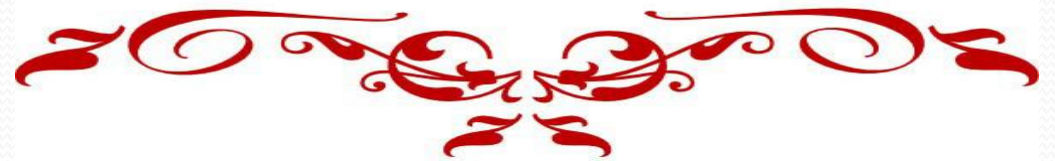


I followed this....

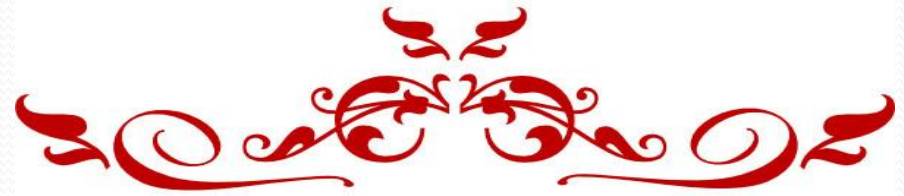
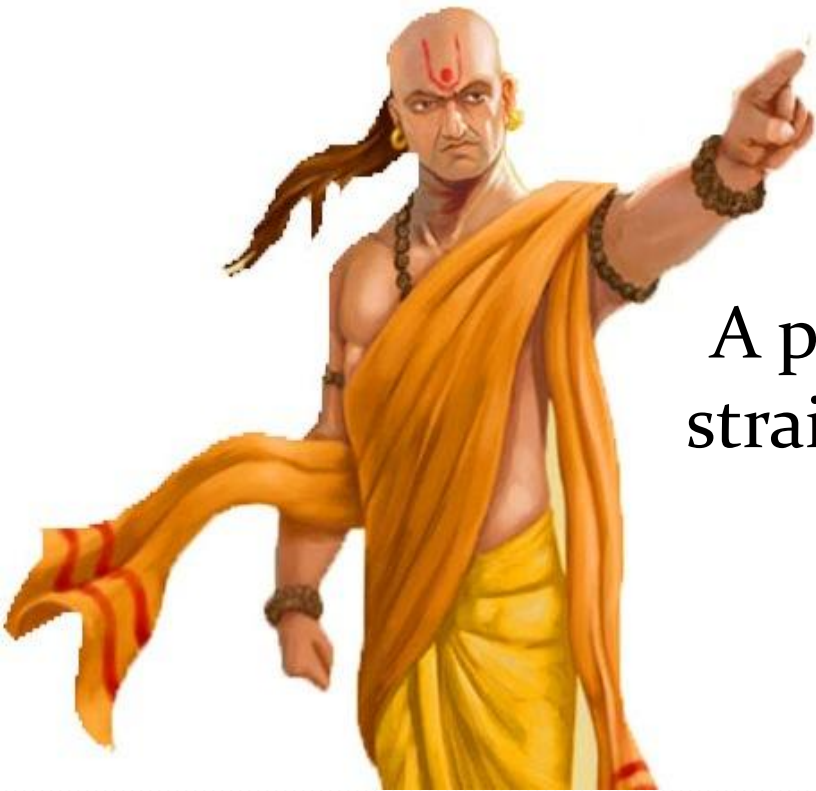


“Na khaunga, Na khandunga”
Neither will I eat nor will I let others
others eat.

Shri Narendra Modi
Hon'ble Prime Minister of India
on “Corruption”

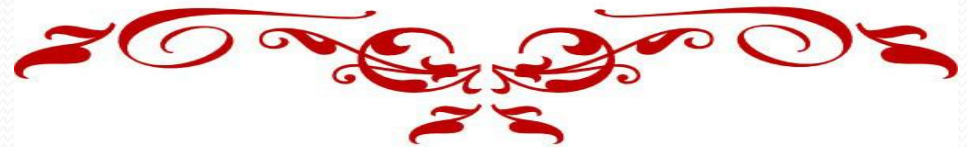


I also followed this...



A person should not be too honest,
straight trees are cut first and honest
people are screwed first.

Shri.Chanakya
Indian teacher, philosopher



**Even though I know this, I did not
follow this, bcoz I did not compromise even a
bit on my integrity & ethics.**

This is a true story of an honest
person & also a whistle blower
who was **offended, insulted,**
humiliated, harassed, hounded,
Dismissed & arrested because he
was **“Good”**
and more so because he did
“Good”.



**My
Appointment
in
HAL**

On 10th Mar 1997, I was **preliminarily appointed in HAL** in Overhaul Division, Bangalore Complex, HAL on contract basis.

After my preliminary appointment, On 5th May 1997, HAL enclosing my SC (Adi Dravida) caste certificate dt 10.02.94 sends it along with a covering letter to **District Magistrate / District Collector, Bangalore south** as, he is also the **Chairman of District Caste Verification Committee(DCVC)** wherein, It was requested to verify the genuineness of my caste as well as my caste certificate.

(As laid down by Central Govt. guidelines, after preliminary appointment, Caste Verification of the persons who are appointed only to **“Reserved posts i.e, SC/ST & OBC posts”** is undertaken by the appointing authorities)

HAL sent Eight (8) reminders to the District Magistrate / District Collector, Bangalore south from June 1997 to March 1998 for the same .

After a detailed enquiry, Deputy Commissioner & Chairman, District Caste Verification Committee(DCVC) upholding my caste as SC “Adi Dravida”, sends my “Caste Validity Certificate” i.e “Sindutva Pramana Patra” to HAL on 24th March 1998.

After receipt of the same , On 11th July 1998, HAL appoints me to the post of “ Inspector” in Quality Control Dept, Overhaul Division, Bangalore.

Hindustan Aeronautics Employees Association (HAEA) Election

In **2001**, I contested for the post of Executive Committee Member (EC Member) in the elections held for the general union i.e. Hindustan Aeronautics Employees Association(HAEA) & Won and subsequently again, In **2005**, I contested for the 2nd time for the same post and Won.

Election to HAL SC/ST Employees & Officers Association, Bangalore

On 11th June 2011, Management of HAL conducted Election to the posts of 09(Nine)Office Bearers & 23(Twenty Three) Divisional Secretaries for “HAL SC/ST Employees & Officers Association” for the term "2011-2016" in which, I was elected as “**General Secretary**” of the said Association .

HAL SC/ST Employees & Officers Association has a strength of around 3600 members approximately (employees & officers) out of a total strength of 15,000 approximately (around 10,000 employees & 5,000 officers) in Bangalore.

HAL SC/ST's E&O Association was founded in 1976 by few intellectuals to safeguard the interests & rights of our members. Even though the said Association was existing for a long time, it was functioning aimlessly due to the shortsightedness of several selfish & corrupt leaders, barring a few dedicated leaders.

After 2011 Election, I led the HAL SC/ST's E & O Association by exposing and daringly raising several issues as well as policy matters hitherto unknown & unraised and also achieved it successfully, thereby enabling our Association to carve a niche amongst all in HAL by reaching the pinnacle.

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After 2011 Election, I led the HAL SC/ST's E & O Association by exposing and daringly raising several issues as well as policy matters hitherto unknown & unraised and also achieved it successfully, thereby enabling our Association to carve a niche amongst all in HAL by reaching the pinnacle.

During my stint as General Secretary of HAL SC/ST E & O Association.

- (1) I have strived dedicatedly & honestly in whatever way I could for the welfare of all officers, employees, Casual & contract workers irrespective of caste, creed, color & religion.**
- (2) I have never compromised on my ethics & integrity even in spite of facing many risks & hurdles.**
- (3) I have vehemently explored many policy issues, patiently compiled papers related to it, daringly raised & boldly fought on those issues without any compromise and have achieved it successfully.**
- (4) Neither have I bowed my head nor stretched my palms towards anyone for any personal favors and also I have never ever mortgaged my Association for my own benefit.**
- (5) I have never even allowed either my elected representatives or my members to misuse our association or SC/ST POA act for any wrong or illegal purposes or for harassing general persons.**

(6) I have always raised issues affecting the majority rather than individual issues.

(7) I was merciless in crushing corruption & have not spared even some of my elected representatives in my association in the event of being brought to my notice. Even though I could not curb it completely, I had brought it to the barest minimum.

(8) I am an active whistleblower & a genuine RTI activist and have exposed several violations of Govt guidelines by Management of HAL on several issues.

(9) Whatever I have done, but I have always placed the Organisation interest foremost.

(10) Neither I have accumulated any ill-gotten wealth nor do I own any four wheeler, site, house, savings, Bank balance.

When I was vehemently & relentlessly fighting against Injustice, Corruption & Violation of Constitutional safeguards and could not be cowed down, few corrupt elected representatives from my own HAL SC/ST E & O Association, few corrupt officials from HAL & few defeated candidates of 2011 Association election, who were all affected by my way of bold & transparent functioning joined hands together & colluded with each other and then hatched a heinous conspiracy to eliminate me from HAL in a most unexpected & unethical manner i.e. in the guise of “RE-VERIFICATION OF CASTE”.

This “RE-VERIFICATION OF CASTE” was initiated by the above persons further with the active collusion of few corrupt officials of Civil Rights Enforcement Directorate, Social Welfare Dept of Karnataka Govt & few influential outsiders.



How the Conspiracy unfolded?

In 2012(Month & Date unknown), HAL Corporate Office receives a written complaint from one Mr. Bhim Rao Navlekar, wherein HAL is requested to verify my Caste status. On 19th March 2012, The same along with a covering letter is forwarded by Chief Manager (HR)ERM, HAL Corporate Office to Additional General Manager(HR), Bangalore Complex for further necessary action.

On 28th March 2012, Chief Manager (HR) Bangalore Complex, HAL forwards the same along with a covering letter to Chief Manager(HR) Overhaul Division i.e. my parent Division to take further action.

(Chief Manager(HR), Overhaul Division does not take any action on this letter & keeps it in abeyance).

On 6th Sep 2012, few defeated candidates in 2011 HAL SC/ST election, i.e. one **Mr.Dhanraj & o8 other employees** submitted a signed written complaint to the Chief Vigilance Officer, HAL Corporate office to **verify my caste status.**

(While doing so, Mr.Dhanraj & o8 others have enclosed **copies of 27 pages of confidential documents** from the service records related to my father, an ex employee of ARDC Division, HAL, my elder brother working in Aircraft Division, HAL, myself from Overhaul Division & my younger brother working in Aero Engine Division ,HAL).

How did these confidential documents which are supposed to be in the employee personal files under the safe custody of HR heads of 4(four) separate divisions i.e.(ARDC division, Aircraft division, Overhaul division & Aero Engine division) in a well secured HAL(a sensitive organization functioning under official secrets act 1923) land in the hands of these complainants?

In this regard, Later in reply to applications filed by me & my brother under RTI act 2005 , HAL has replied that “Neither anyone has sought copies of our attestation form/declaration form/ service particulars under RTI act 2005 nor HAL has provided copies of our attestation form/declaration form/ service particulars from our personal records to anyone”.

Then Such being the case ,

Did these complainants steal this confidential documents from the safe & well secured custody of HR heads of 4(four) separate divisions i.e.(ARDC division, Aircraft division, Overhaul division & Aero Engine division) ?

Or

Did the HR heads of this 4(four) separate divisions i.e. (ARDC division, Aircraft division, Overhaul division & Aero Engine division) voluntarily gave these confidential documents to the complainants to victimize me?

Only a thorough investigation can reveal.

On 17th Sep 2012, I led a massive protest involving around 2000 SC/ST members against Management of HAL for **vandalism of Bharat Ratna Baba Saheb Dr.B.R.Ambedkar portrait inside the factory premises by an employee & for seeking revoking of suspension of four SC/ST members who were illegally suspended by Management bowing to pressure from few vested interests.**

Following the unrelenting protest, the suspension of four employees was revoked by Management on the same day.

Following this incident, On 24th Sep
2012, Chief Manager(HR) Overhaul Division
forwards the complaint of Mr Bhimrao Rao Navlekar
along with a covering letter to Chairman, Karnataka
State SC/ST Commission, wherein he has requested
to carry out my caste verification.

- (1) Why did the Chief Manager(HR) Overhaul Division forward the complaint 7(Seven) days later after I led the protest?
- (2) When he had received the complaint on 28th Mar 2012, why did he keep the complaint with himself for 6 months without initiating any action?
- (3) When forwarding the complaint, why did not he disclose that, I was already verified and issued Caste validity certificate in 1998.
- (4) Why did he forward the complaint to Karnataka SC/ST commission instead of District Caste Verification Committee as stipulated by Central Govt guidelines?

On the same day, i.e 24th Sep 2012, few defeated candidates in 2011 HAL SC/ST election, i.e the same **Mr.Dhanraj & 08 others** submitted an written complaint (which was drafted & signed 2(Two) months earlier by them i.e. on 05/07/12) to the same **chairman, Karnataka state SC/ST Commission** to verify my caste status.

(While doing so, **they have enclosed the same copies of 27 pages of confidential documents related to service records of me & my siblings which they had earlier enclosed along with a written complaint addressed** to Chief Vigilance Officer, HAL Corporate office on 6th Sep 2012 requesting to verify my caste status).

Complaint by Mr.Dhanraj & o8 others to Karnataka SC/ST Commission

Complaint by HAL to Karnataka SC/ST Commission

24th Sep 2012

Mr. Dhanraj & o8 others submitted the complaint to Karnataka SC/ST Commission on 24th Sep 2012 by hand after a period of 2(Two) months after the date of drafting & signing the complaint.

Chief Manager(HR), Overhaul Division, HAL forwarded the complaint to Karnataka SC/ST Commission on the same day i.e. 24th Sep 2012 after a period of 6(Six) months from the date of receipt of complaint.



Why did Mr.Dhanraj & Chief Manager(HR) Overhaul Division,HAL waited for months together with the complaint and how come & why did they both submit the complaint in collusion on the same day (24th Sep 2012) to the same Karnataka SC/STcommission?

“WHISTLE BLOWER POLICY” of HAL as mentioned in the company website

PREFACE:

As per the guidelines, the Company may promulgate ‘Whistle Blower Policy’ in order to establish a mechanism for employees to report to the Management about unethical behaviour, actual or suspected fraud or violation of the Company’s General Guidelines on conduct or ethics policy.

PROTECTION

29. No unfair treatment will be meted out to a Whistle Blower by virtue of his/her having reported a Protected Disclosure under this policy.

30. The Company, as a policy, condemns any kind of discrimination, harassment, victimization or any other unfair employment practice being adopted against Whistle Blowers. Complete protection will, therefore, be given to Whistle Blowers against any unfair practice like retaliation, threat or intimidation of termination / suspension of service, disciplinary action, transfer, demotion, refusal of promotion, or the like including any direct or indirect use of authority to obstruct the Whistle Blower’s right to continue to perform his duties / functions including making further Protected Disclosure. The Company will take steps to minimize difficulties, which the Whistle Blower may experience as a result of making the Protected Disclosure.

When Management of HAL is well aware that, I have never tolerated Corruption & Injustice and also that I am a genuine RTI activist & a whistle blower who had exposed several violations related to Reservation in Recruitment as well as Promotion, Admission process in HAL schools, Several issues related to Casual & Contract Labour, Compassionate Appointment, Quarters allotment etc why did Management of HAL harass & victimize me instead of ensuring me protection as mentioned under “Whistle Blower Policy”



On 19th Nov 2012, HR, HAL Corporate office along with a covering letter forwards the written complaint of Mr.Dhanraj & 08 others enclosing copies of 27 pages of confidential documents to HR, Bangalore Complex, HAL wherein, it is requested to initiate necessary action.

The same is later forwarded on on 13th Dec 2012 to Security department, Bangalore Complex, HAL wherein, it is requested to initiate necessary action to verify the complaint.

(The above is based on the written complaint of Mr.Dhanraj & 08 other employees on 6th Sep 2012 to the Chief Vigilance Officer, HAL Corporate office requesting to verify my caste status).

Based on the written complaints dt 24th Sep 2012 of both Chief Manager(HR), Overhaul Division, HAL & Mr.Dhanraj & 08 others, On 18th Dec 2012, Secretary, Karnataka State SC/ST Commission enclosing the same forwards an covering letter to Additional Director General of Police, Civil Right Enforcement cell (CRE cell) and as well as to the Deputy Commissioner cum Chairman, District Caste Verification Committee(DCVC), Bangalore, wherein it is requested to conduct a detailed enquiry against my caste status.

On 15th Feb 2013, Deputy Superintendent of Police, CRE cell, Bangalore sends a written notice to me wherein, they have mentioned that, Chief Manager, HAL has requested to carry out my Caste Verification & hence instructed me to appear before them for enquiry on 23rd Feb 2013 at 11am failing which they will initiate action under clause 9 of section 3 SC/ST act 1989. Later he sends another similar notice on 6th Mar 2013.

(This notice of Deputy Superintendent of Police, CRE cell is based on the request of Secretary, Karnataka State SC/ST Commission dt 18.12.2012 to the Additional Director General of Police, Civil Right Enforcement cell(CRE cell) requesting them to conduct a detailed enquiry against my caste status).

On 21st Feb 2013, Secretary, District Social Welfare Board, Bangalore sends a notice informing me to bring certain documents in order to obtain Caste Validity Certificate (Sindutva Pramana Patra). He also sends 6(six) such similar notices on later dates.

(This notice of Secretary, District Social Welfare Board, Bangalore is based on the request of Secretary, Karnataka State SC/ST Commission dt 18.12.2012 to the Deputy Commissioner cum Chairman, District Caste Verification Committee, Bangalore requesting them to conduct a detailed enquiry against my caste status)

Why did the Secretary, District Social Welfare Board, Bangalore send me notices repeatedly informing me to obtain Caste Validity Certificate (Sindutva Pramana Patra) when they themselves have already issued it & sent the same to HAL in 1998 itself?

On 27th Feb 2013, Deputy General Manager(Security & Fire), HAL, Bangalore Complex submits the report dt 27.02.2013 related to my Caste verification which was undertaken by the Deputy Manager(Security)-Intelligence wing, HAL to the Chief Manager(HR)Bangalore Complex. This report is later forwarded to Addl General Manager(HR),HAL Corporate office on 21st March 2013.

(The above is based on the written complaint of Mr.Dhanraj & 08 other employees on 6th Sep 2012 to the Chief Vigilance Officer, HAL Corporate office requesting to verify my caste status).

The report of the Deputy Manager(Security)-Intelligence wing endorses the following relevant points,

- (1) Caste Validity Certificate was issued to Sri R.Bala Saravana Kumar by the District Caste Scrutiny Committee, Bangalore on 24.03.1998. Sri R.Bala Saravana Kumar belongs to Adi Dravida community which is recognized as Scheduled Caste.
- (2) Sri R.Bala Saravana Kumar had got appointment in HAL, Overhaul Division of Bangalore complex against reservation. As per the requirement, he had produced Caste certificate and the Caste validity certificate.
- (3) The complainants i.e. Mr Dhanraj & 08 others are also employees of HAL & all belongs to SC/ST community. If these complainants have any grievance on the Caste status of Sri R.Bala Saravana Kumar, they should approach Court of Law, where the case can be heard and decided as per the provisions of the constitutional law.
- (4) Hon'ble Supreme Court has passed an order in the case of Kum. Madhuri Patil Vs Add Commisioner on 2nd September,1994Equivalent citations: 1995 AIR 94, 1994 SCC(6) 241 stating that the decision given by the Caste Scrutiny Committee shall be final conclusive only subject to proceedings under Article 226 of the Constitution of India. No suit or other proceeding before any other authority should lie.

It is a known fact now, that Mr Dhanraj & 08 others had given a written complaint to Chief Vigilance Officer, HAL Corporate office enclosing copies of 27 pages of confidential documents related to me and my siblings for verifying my Caste status. This Complaint along with all enclosures was received, handled & forwarded by several senior officials of HAL, Corporate Office and HAL, Bangalore Complex.

Such being the case,

- (1) Why did not even a single official of either HAL, Corporate Office or HAL, Bangalore Complex question Mr.Dhanraj or the remaining 08 employees as to, how they got possession of these confidential documents which is supposed to be in the safe custody of HR depts of four separate divisions?

Contd...

(2) When a middle Management official i.e Deputy Manager (Security)- Intelligence wing knows the Law that “ If any one has a grievance on the Caste status of an person, whose Caste is already verified & has been issued Caste Validity Certificate by the Caste Scrutiny Committee, They should approach the Court of Law”, Then, why did these so called highly educated & well versed Senior Officials of both HAL, Corporate Office and HAL, Bangalore Complex first of all receive, entertain & forwarded the complaint?

(3) Whether these Senior Officials were really ignorant or did all these officials colluded with the complainants to target me?



On 12th Mar 2013, I gave a written request to Additional General Manager(HR) Bangalore complex to verify the authenticity of the complainant (Mr. Bhim Rao Navlekar) & the complaint. AGM(HR)BC forwards the request to Chief Manager (HR) Overhaul Division.

This is further forwarded to Senior Manager(Security) Overhaul Division on 19th Mar 2013 with a copy to Deputy Manager(Security) Intelligence Wing, Bangalore complex wherein, it is requested to verify the authenticity of the alleged complainant (Mr. Bhim Rao Navlekar) & the complaint.

On 21st Mar 2013, Deputy General Manager(Security) Bangalore complex forwards the verification report of the alleged complainant Mr.Bhim Rao Navlekar which was undertaken & submitted by Deputy Manager(Security) Intelligence Wing to Chief Manager(HR) Overhaul Division.

The Verification Report of the Deputy Manager(Security) Intelligence Wing endorses that the Complainant and the Complaint is not genuine.

HAL VIGILANCE MANUAL

ORGANIZATION AND POLICY(Volume-1)

5. Complaint Handling

The Commission has issued instructions that no action is to be taken by the administrative authorities, as a general rule, on anonymous/pseudonymous complaints received by them. When in doubt, the pseudonymous character of a complaint may be verified by enquiring from the signatory of the complaint whether it had actually been sent by him. If he cannot be contacted at the address given in the complaint, or if no reply is received from him within a reasonable time, it should be presumed that the complaint is pseudonymous and should accordingly be ignored. However, if any department/organisation proposes to look into any verifiable facts alleged in such complaints, it may refer the matter to the Commission seeking its concurrence through the CVO or the head of the organization, irrespective of the level of employees involved therein.

The HR heads of Corporate office, Bangalore complex & Overhaul Division who had received & forwarded the complaint of Mr. Bhim Rao Navelakar are all highly educated & well versed with the complaint handling policy as mentioned in “**HAL VIGILANCE MANUAL**”.

Such being the case,

- (1) When all the officials who dealt with the complaint are well aware that no action is to be taken by the administrative authorities, as a general rule, on anonymous/pseudonymous complaints received by them, why did they initiate action?
- (2) Why did not even a single official who forwarded the complaint verify the authenticity of the complaint & the complainant as mentioned in the manual before initiating further action?
- (3) Even if the complaint was pseudonymous & had some verifiable facts, why was the matter not referred to the Central Vigilance Commission seeking its concurrence through the CVO or the head of the organization as stipulated in the manual before initiating further action?



By early 2014, Inspector of Police, CRE cell initiates verification of my Caste status.

On 22nd May 2014, I gave a Letter in the office of ADGP, CRE Cell seeking an appointment & on the same day I met ADGP, CRE Cell and appraised him that "My Caste verification has been undertaken by CRE cell & that, myself & my family members have cooperated & coordinated in the enquiry when ever sought by the investigating officer in the hope that, enquiry will be conducted in an unbiased manner, but I have now received reliable information that several influential persons including a senior official in CRE cell are influencing the enquiry which is in the final stages with a malafide intention.

I requested the ADGP, CRE Cell for an unbiased enquiry & report and also requested him to personally go through the all the documents collected during the enquiry before passing any decision to which, the ADGP, CRE Cell informed me that he will personally call & speak with investigating officer to know the actual facts pertaining to my caste status & then in my presence, he instructed his staff to inform the investigating officer to meet him.

I then left the place with lot of hopes.

On 23rd May 2014, The Investigating Officer cum Inspector of Police, CRE Cell submits my Caste Verification report along with all the documents collected during the enquiry to the Superintendent of Police, CRE Cell, wherein he has endorsed finally that, I am a Christian.

On the same day, Superintendent of Police, CRE endorsing the same forwards the report along with his views to ADGP, CRE Cell.

On 30th May 2014, An outsider not related to HAL “Claiming to be an Office Bearer of some external SC / ST organization” submits an written complaint to ADGP, CRE cell along with several enclosures wherein, he has stated that, I & my younger Brother, belong to Christian religion & hence requested to cancel the Caste certificate of both & also to recommend Dismissal of both of us to HAL.

While doing so, he has enclosed copies of several confidential documents related to service records of my father numbering around 10(Ten) pages.

It may kindly be noted that, HAL is the sole custodian of this documents & later copies of the same was sent by HAL during my Caste verification to CRE Cell authorities only on 7th May 2014.

(Based on this, On an later date, CRE cell authorities initiate Re-Verification of my younger Brother)

Contd...

As on 30th May 2014 (The day the complaint was given), only HAL & CRE authorities were custodians of the said documents which was enclosed by the complainant. Neither HAL nor the CRE authorities had provided the copies to him under RTI act. Then, how did the documents which is supposed to be in the safe custody of HAL & CRE authorities land in the hands of an outsider?

Did the outsider steal the confidential documents from the safe custody of either HAL or CRE authorities?



Did the HAL or CRE authorities willfully in active collusion with the outsider provide the confidential documents to the outsider to harass me & my family?

Only an thorough investigation will reveal the facts.

On 3rd Jun 2014, DIG, CRE Cell who was the Offg ADGP, CRE Cell on that day forwards my Caste Verification report to the Deputy Commissioner & Chairman, DCVC for further necessary action.

While doing so, without neither relying on verification report nor on the documents submitted by his subordinates, he suppresses crucial & valid documents and deliberately endorses an biased opinion to frame me.

It is pertinent to mention that the role of CRE Cell in Caste Verification arises only on 2(Two) occasions as stipulated in Karnataka SCs,STs & OBC (Reservation in Appointment etc) Rules 1992.

Section 7: Issue of Validity Certificate

Sub section 7(4): On receipt of application for issual of Caste Validity Certificate, when the District Caste Verification Committee even after enquiry finds that the claim is doubtful & is not in a position to come to conclusion, **it shall refer the matter to Directorate of Civil Rights Enforcement for a detailed investigation and report.**

Section 7(A): Prosecution for obtaining false Caste Certificate

Sub section 7(A)2 : On receipt of the order rejecting the claim of the applicant for grant of Validity certificate from the Caste Verification Committee, **the Directorate of Civil Rights Enforcement shall take steps to prosecute such claimant who has obtained false caste certificate.**

When I don't fall under the above both category, Under what provisions of the law did the CRE Cell, first of all receive the complaint & proceeded to conduct an enquiry?

Needless to say, even though they have proceeded & conducted enquiry in violation of the law, when they don't consider their own enquiry report & the documents collected during the enquiry, but hasten to submit a biased report bowing to pressure & to please some vested interests, what was the need of conducting an eyewash enquiry ?



On 12th Jun 2014, when ADGP, CRE Cell is on leave and when my caste verification is still pending in the office of Deputy Commissioner & Chairman, DCVC, To please the vested interests, DIG, CRE Cell sends a letter to HAL recommending my Dismissal.

This above letter by DIG, CRE Cell is in contrast violation of the written instructions given by ADGP, CRE Cell on 30th May 2014 which is mentioned in my file proceedings, wherein the ADGP, CRE Cell has specifically mentioned that “Only after the receipt of decision of District Caste verification committee, letter to HAL may be sent”

On 16th Jun 2014, District caste verification committee (DCVC) consisting of Deputy Commissioner & 3 others pass a resolution wherein, they have endorsed that, I belong to Christian community & hence my caste status as SC(AD) is rejected. They have also falsely recorded that, the school records & Transfer certificate (TC) of my 3(Three) siblings have been altered even without any such findings/evidence recorded either by CRE or DCVC.

When I was neither aware nor present, the said resolution falsely state, that I was present in the said proceedings whereas in reality, **the file notings of DCVC which was obtained under RTI Act reveals that, no such proceedings took place on that particular day.** It was in reality a created document and signatures obtained from all of them by the member Secretary who is the district Social Welfare Officer.

On 17th Jun 2014, when ADGP, CRE Cell is still on leave and when my caste verification is still pending in the office of Deputy Commissioner & Chairman, District Caste Verification Committee, DIG, CRE Cell in his over enthusiasm to please the vested interests sends a second letter to HAL recommending my Dismissal.

(Both the letters written by DIG, CRE Cell to HAL recommending my Dismissal are in contrast violation of several Hon'ble High Court of Karnataka Judgments & also of Karnataka SCs, STs & OBC (Reservation in Appointment etc) Rules 1992 that, "CRE Cell does not have powers to recommend Dismissal")

On 18th Jun 2014, When I go to the office of Secretary, District Social welfare Board, Bangalore to enquire the status of my Caste verification, I am given a copy of notice dt 06-06-2014, wherein I am specifically informed for the 1st time to bring some documents & appear before District Caste Verification Committee on 16-06-2014 to prove my Caste antecedents, but the said notice was suppressed & deliberately not sent to me.

(When all the earlier 7(Seven) notices sent by Secretary, District Social welfare Board, Bangalore through registered post is received and also acknowledged by me, Then how & why is this particular notice dt 06-06-2014 not delivered to me?)

On 23rd Jun 2014, adhering to the notice, I gave a written request enclosing some documents to Secretary, District Social Welfare Board & DCVC, seeking few days time to submit the remaining documents due to personal exigencies.

In the above written request, I have specifically & clearly mentioned that, “I have received their notice dt 6th Jun 2016 only on 18th Jun 2016 in their office”.

On 25th Jun 2014, The Deputy Commissioner cum Chairman, District Caste Verification Committee, Bangalore passes orders invalidating my Scheduled Caste “ADI DRAVIDA” certificate.

While doing so, without any justification or any findings/evidence recorded either by CRE cell or DCVC, he whimsically states that, “I have fabricated my Scheduled Caste “ADI DRAVIDA” certificate dt 10.02.1994 and also that, my father has fabricated his Scheduled Caste “ADI DRAVIDA” certificate dt 06.10.1989”.

contd.....

When the DCVC headed by Deputy Commissioner & 3 members have already passed an resolution on 16th Jun 2014 stating that, I belong to Christian religion & hence my Caste status as SC(AD) is rejected and had also falsely recorded that the school records & TC of my 3 siblings have been altered, **Then what was the need for the Deputy Commissioner to pass another separate order with a different version on 25th Jun 2014 by stating that, I and my father have fabricated the caste certificates?**

As the Deputy Commissioner is a signatory to both the above, does he stand by his resolution dt 16.06.2014 or his order dt 25.06.2014, since both the findings are different and contrary?

Anyway the facts remains that, both the documents are created.

For stating that, I have fabricated my caste certificate, The Deputy Commissioner cum Chairman, DCVC, Bangalore relies on an endorsement dt 25.03.2014 given by the Tahsildar, Bangalore south to Inspector, CRE cell during my Caste Verification in 2014 wherein, it is stated that “Documents pertaining to the issual of my Caste certificate is not available in the office of Tahsildar, Bangalore south”.

On a later date, the same Tahsildar in reply to an RTI application filed by me stated that, “Documents pertaining to the issual of Caste certificate of all SC/ST candidates in the year 1993-1994 is not available in the office of Tahsildar, Bangalore south”.

This clearly reveals that, the office of Tahsildar, Bangalore South has not only misplaced/lost my documents but also the documents of all candidates who were issued SC/ST caste certificates in the year 1993-1994.

The actual fact remains that, The office of the Deputy Commissioner cum Chairman, District Caste Verification committee have conducted an elaborate enquiry during my Caste verification in 1997 based on request of HAL(My Preliminary Appointment). During the enquiry process, they have collected several vital documents related to my caste certificate. Based on the same Caste certificate only, the Deputy Commissioner cum Chairman, District Caste Verification committee had verified & issued me “Caste Validity Certificate in 1998”. They have endorsed & approved all the above documents. All this documents are available even today in their office.

Such being so, **How & why did he endorse that, I have fabricated my Caste Certificate? Did he do so under someone's pressure or did he do so to please some vested interests or did he do so for monetary gains?**

Only a thorough Investigation can reveal.

Contd.....

For stating that, my father has fabricated his caste certificate, the Deputy Commissioner cum Chairman, District Caste Verification Committee, Bangalore refers to an endorsement dt 28.05.2014 given by the Tahsildar, Bangarpet taluk wherein, it is stated that “Information pertaining to the issual of Caste certificate of my father is not available in the office of Tahsildar, Bangarpet” This endorsement is given by Tahsildar, Bangarpet taluk in a reply to an RTI application filed by one Mr. D.T.Umesh, Channapatna Police quarters, Ramnagara District.

- (1) Who is this Mr D.T.Umesh & in what way is he connected to this case and how did he get the details pertaining to my father’s Caste Certificate?
- (1) In what way is the Deputy Commissioner, DCVC related to Mr D.T.Umesh?
- (2) How did the Deputy Commissioner of Bangalore urban get hold of an endorsement given by the Tahsildar of Bangarpet taluk in reply to Mr. D.T.Umesh of Channapatna Police quarters, Ramnagara District? What is the link between these three persons?

(4) Why did not the Deputy Commissioner directly write a letter to the Tahsildar, Bangarpet seeking documents pertaining to issuance of my father's Caste certificate in the same manner as CRE authorities wrote in my case to Tahsildar, Bangalore south?

(5) Why does not the Tahsildar, Bangarpet, reply to Mr.D.T.Umesh's RTI application contain/mention the date of receipt of Mr.D.T.Umesh's RTI application?

At a later date, When I had filed an RTI application seeking copies of all the applications/documents related to my father which was received by the Tahsildar, Bangarpet, It was observed after receipt of the documents that, there is no such RTI application filed by one Mr.D.T.Umesh.

(It may kindly be noted, that HAL enclosing my father's Caste certificate along with a covering letter had sent it for Verification twice in Jan 1990 & Jun 1990 to the District Magistrate, Kolar who in turn forwarded it to the concerned Tahsildar, Bangarpet. HAL sent 14(fourteen) reminders to the District Magistrate, Kolar for the same. Based on the verification report of the Bangarpet Tahsildar, The District Magistrate, Kolar endorses & sends it to HAL twice, once in 1990 & another in 1993 stating that my father belongs to Scheduled Caste(AD).

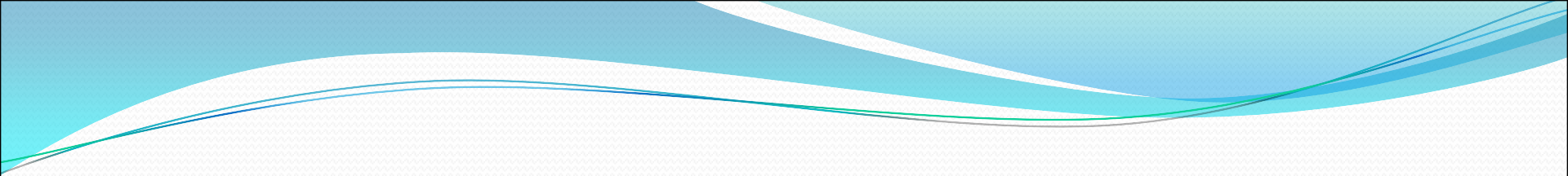
All these documents should be in the safe custody of Tahsildar, Bangarpet only.

On 30th Jun 2014, I filed a Writ Petition in Hon'ble High Court of Karnataka praying for quashing of CRE letter to HAL recommending my Dismissal.

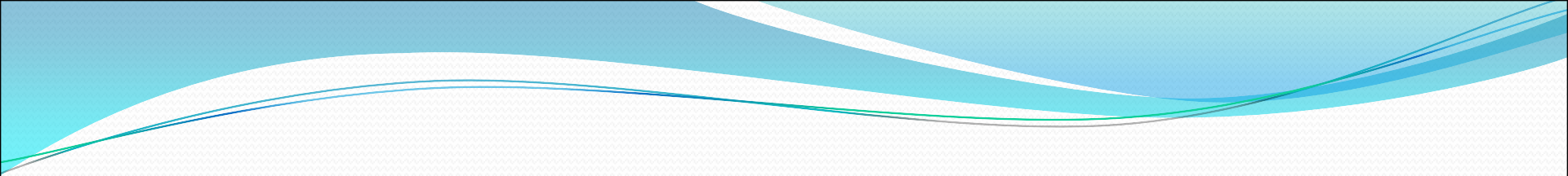
On the same day, I submit the remaining documents to Secretary, District Social welfare Board & District Caste verification Committee, Bangalore as informed vide their notice dt 6th Jun 2014.

On 1st Jul 2014, My writ petition in Hon'ble High Court of Karnataka is disposed of by mentioning that “ No person can be condemned without hearing. The dispute with regard to the status of Caste is pending before the Caste Verification Committee under relevant rules and till the Caste certificate issued in favor of the petitioner is recalled & cancelled, It is not open for HAL to initiate action”.

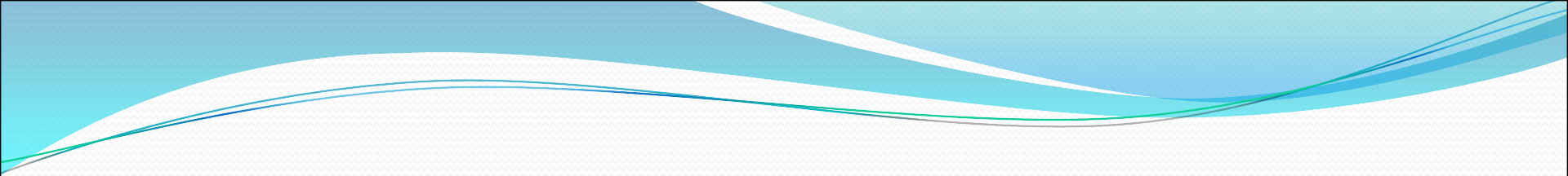
On the same day, i.e. 1st Jul 2014, Section Superintendent, CRE Cell raises Note in my file proceedings stating that “On 25-05-2014, Deputy Commissioner & Chairman, District Caste Verification Committee has passed orders invalidating my “ADI DRAVIDA” Scheduled Caste certificate and also stated that, “I have fabricated my Caste Certificate & hence recommended my Dismissal from HAL”.



On the same day, i.e. 1st Jul 2014,
Administrative Officer (AO) , CRE Cell
approves the note recommending my
Dismissal to HAL.




On the same day, i.e. 1st Jul
2014, DIG of Police, CRE Cell approves
the note recommending my Dismissal
to HAL.



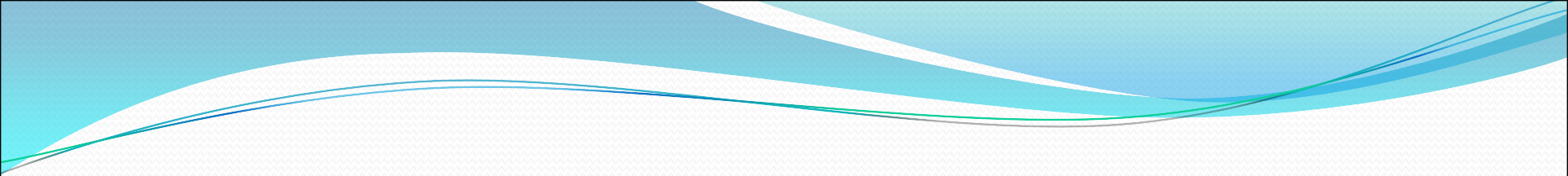
On the same day, i.e. 1st Jul
2014, ADGP, CRE Cell approves the
note recommending my Dismissal to
HAL.

On the same day, i.e. 1st Jul
2014, ADGP, CRE Cell enclosing the
DCVC order, endorses a letter to HAL
recommending my Dismissal.

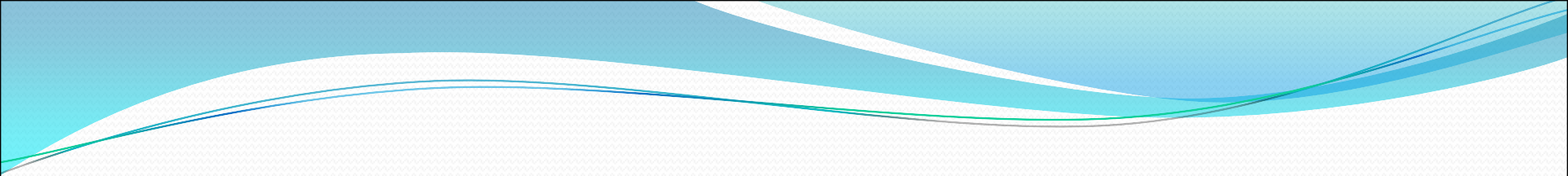


On the same day, i.e. 1st Jul 2014, the letter recommending my Dismissal is sent by hand to HAL through CRE staff.

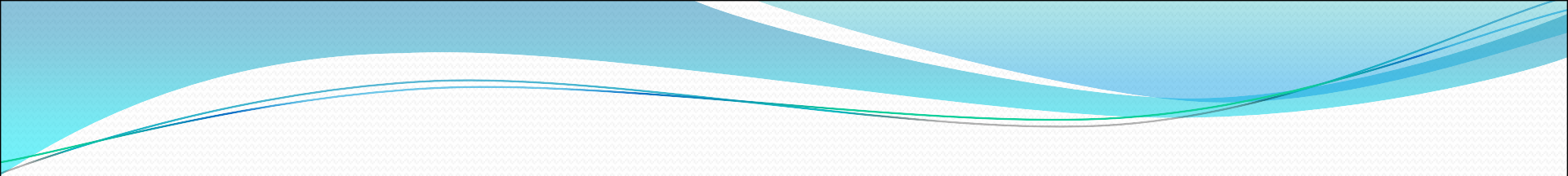
(why was the letter sent by hand & not by registered post & What was the urgency of sending the letter on the same day?)



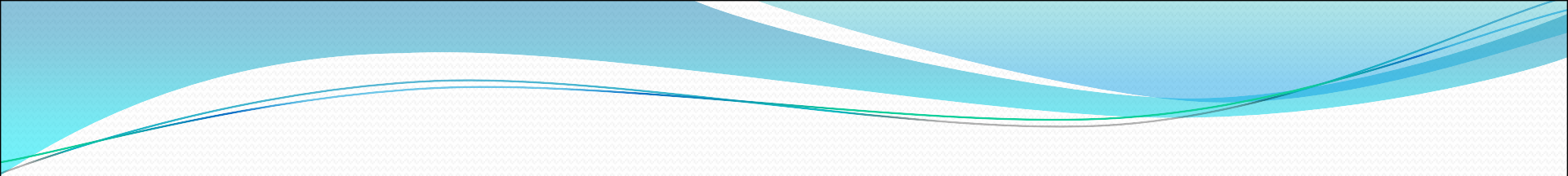
On the same day, i.e. 1st Jul 2014,
based on the oral instructions from DIG
of police, CRE cell, the concerned clerk
of CRE Cell raises another note in my file
proceedings for initiating criminal
proceedings against me.



On the same day, i.e. 1st Jul 2014,
Section Superintendent, CRE Cell
approves the note for initiating
criminal proceedings against me.

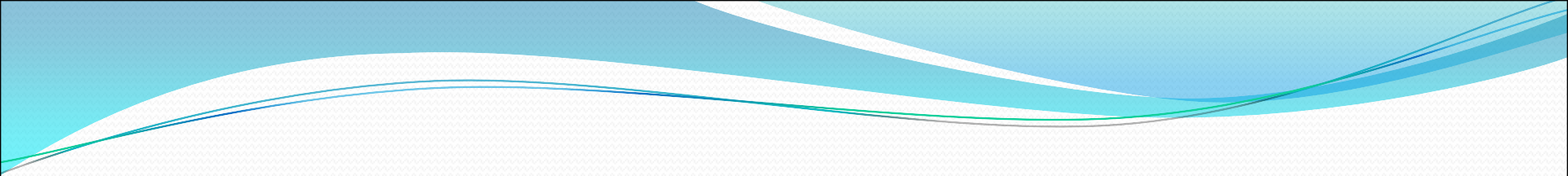


On the same day, i.e. 1st Jul 2014,
DIG of Police, CRE Cell approves the
note for initiating criminal
proceedings against me.



On the same day, i.e. 1st Jul
2014, ADGP, CRE Cell approves the
note for initiating criminal
proceedings against me.

On the same day, i.e. 1st Jul 2014, Sub
Inspector of police, CRE Cell sends an
written communication to Inspector, Ulsoor
Gate Police Station requesting to file an FIR
against me under section IPC 420, 465, 468
& 471.



On the same day, i.e. 1st Jul 2014
at 6.30 pm, Inspector, Ulsoor Gate
Police Station file an FIR under section
IPC 420, 465, 468 & 471 against me.

On the same day, i.e. 1st Jul
2014, Management of HAL issues me
the Dismissal Letter at 7.00pm.

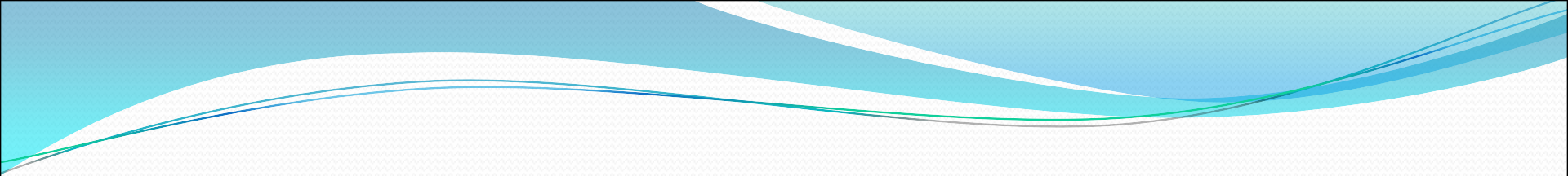
(This is the 1st time ever, HAL Management has
dismissed any employee so hastily, that too the General
Secretary of HAL SC/ST Assn within 5 hrs on the same day
after receipt of CRE letter by hand and also without any
notice.)

Even though the Hon'ble Supreme Court in a similar caste verification case has held in the case of Vishwanatha Pillai Vs. State of Kerala & Ors. Date of Judgment 07/01/2004 [2004 AIR 1469, 2004(1) SCR360 that, no notice is necessary, It is pertinent to kindly note that, **In 2(Two) similar cases of Caste Verification, Management of HAL, Bangalore after receipt of negative report from District Caste Verification Committee had earlier issued Show cause notices to the concerned seeking explanation as to, Why they should not be dismissed?**

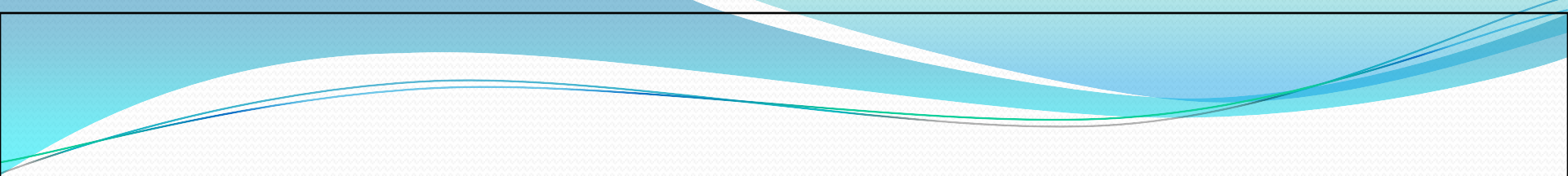
(1) In the 1st case, After receipt of letter from ADGP, CRE Cell to HAL on 6th Nov 2008 recommending Dismissal of an employee of Aero Engine Division, Management of HAL had issued a "Show cause notice" to the concerned employee on 14th Nov 2008 seeking explanation as to why he should not be dismissed?

(2) In a recent case, On receipt of a negative report dt 16th Nov 2009 from District Caste Verification Committee, Mandya, Management of HAL issued a "Show cause notice" after 4½ years i.e. on 24th Jun 2013 to the concerned officer who was working in **HAL Corporate Office** seeking explanation as to why she should not be dismissed?

Such being the case, **Then why did HAL Management applied different yardstick and hastened to Dismiss me i.e. the General Secretary of HAL SC/ST Assn straightaway on the same day instead of issuing me "show cause notice"?**

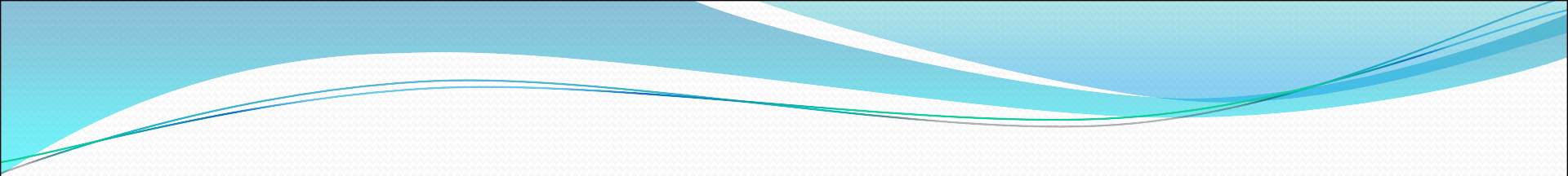


On the same day i.e. 1st July 2014,
ADGP, CRE cell addresses a letter to
Superintendent of Police, CRE Cell
instructing him to initiate criminal
proceedings against my father.

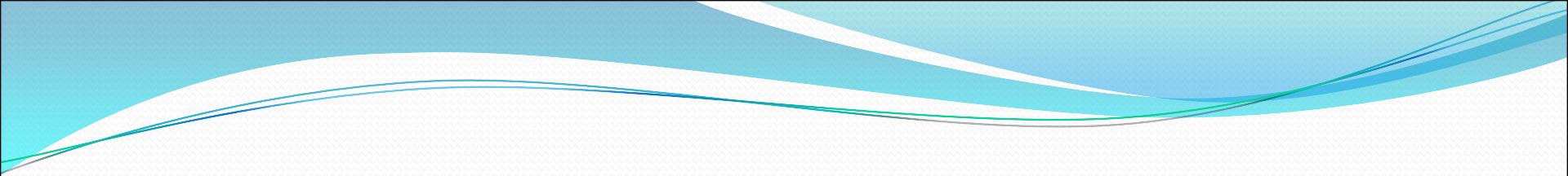


On the same day, i.e. 1st Jul 2014,
I abscond leaving my family behind.

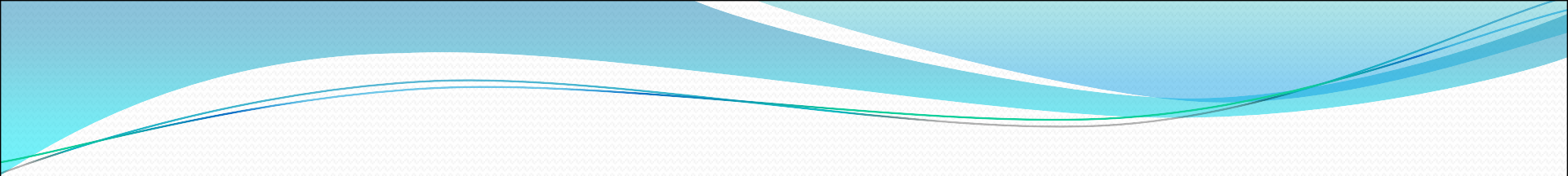
On 2nd July 2014, DIG of Police, CRE cell addresses a letter to Superintendent of Police, CRE Cell instructing him to carry out Caste Verification of my siblings & my children.



On the same day i.e. 2nd July 2014,
Deputy Superintendent of Police, CRE Cell,
Bangalore along with his staff comes to my
residence enquiring about my whereabouts.
Later also, they come in search of me.



On the same day i.e. 2nd July 2014,
Chief Manager(HR), Overhaul Division, HAL
sends an written communication to the ADGP,
CRE Cell, mentioning that, I have been
Dismissed from the services of the company.



On the same day i.e. 2nd July 2014,
Secretary, District Social Welfare Board
officially sends the DCVC order dt 25.06.2014
invalidating my Caste certificate through
registered post to my residence.

On 3rd July 2014, HAL Management sends a Caveat notice to my residence.

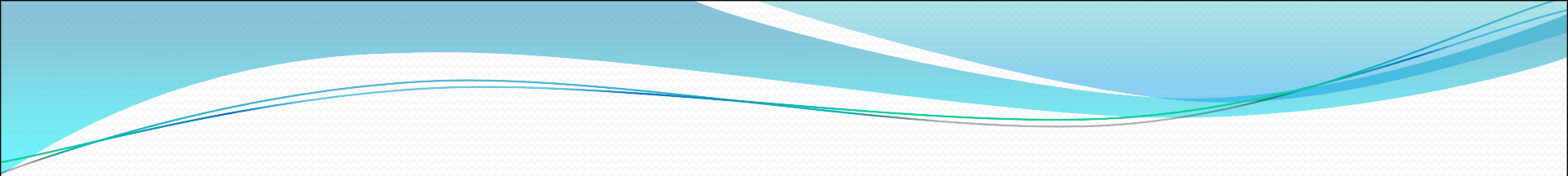
Caveat is filed by HAL management in Hon'ble High Court of karnataka anticipating that I will challenge my Dismissal and in the event of me doing so, HAL should be made a party to the proceedings and they should also be heard so before the Hon'ble court passes any order.

(This is the 1st time ever, HAL Management exhibiting over enthusiasm has voluntarily filed a caveat in a Dismissal case related to Caste verification)

On 4th July 2014, my
Dismissal is published in a leading
Kannada News Paper “Kannada
Prabha”.

On 8th July 2014, HAL Management sends a eviction notice to my residence informing me to vacate my Quarters. Later, they also sent several such notices repeatedly.

(This is the 1st time ever, HAL Management is issuing a eviction notice for vacating Quarters to anyone within a week of Dismissal)



On 9th July 2014, my Bail application was heard in City fast track Court- IV, but orders was reserved for 15th July 2015.

Anticipating that I will be granted bail as CRE staff were also present during my bail hearing, On 11th July 2014, Mr S.B.Malikarjuna, Inspector, CRE Cell adds additional 08 (Eight)sections under IPC 120B, 177, 181, 198, 201, 419, 466 & 3 clause (I)(IX) SC/ST POA to my FIR & files an Memo before the court of 6th ACMM requesting that my case be shifted to CCH-17(SC/ST).

- 1) When on 1st Jul 2014, Sub Inspector of police, CRE cell had sent a written communication to Inspector, Ulsoor Gate Police Station requesting to file an FIR against me under section IPC 420, 465, 468 & 471, Why did not Mr. S.B. Malikarjuna, Inspector, CRE cell include this additional sections of IPC 120B, 177,181,198,201,419,466 & 3 clause (I)(IX) SC/ST POA in the same written communication on 1st Jul 2014 itself?
- 2) Why did Mr. S.B.Malikarjuna, Inspector, CRE cell add additional sections of IPC 120B, 177,181,198,201,419,466 & 3 clause (I)(IX) SC/ST POA on 11th Jul 2014 only i.e. only after my Bail hearing on 9th Jul 2014?
- 3) After FIR with 4(Four) IPC sections was already filed on me on 1st Jul 2014, Without conducting any further investigations & evidence, What was the need for Mr. S.B. Malikarjuna, Inspector, CRE cell to add additional 8(Eight) sections?
- 4) Section 6 of “The Karnataka SC/ST & other BC(Reservation of Appointments, etc) Act 1990” stipulates:
Sec 6. Cognizance of offences:- No prosecution for an offence under this Act shall be instituted except by, or with the sanction of, the State Government.
If so, did CRE authorities obtain the sanction?
- 5) Since he has also added section 3 clause (I)(IX) SC/ST POA against me, why did he file memo when section 7 of SC/ST (POA) Rules,1995 stipulates that, any offence committed under the above act shall be investigated by a police officer not below the rank of Deputy Superintendent of Police.



On 15th July 2014,
City Fast track court-IV
grants me anticipatory Bail.

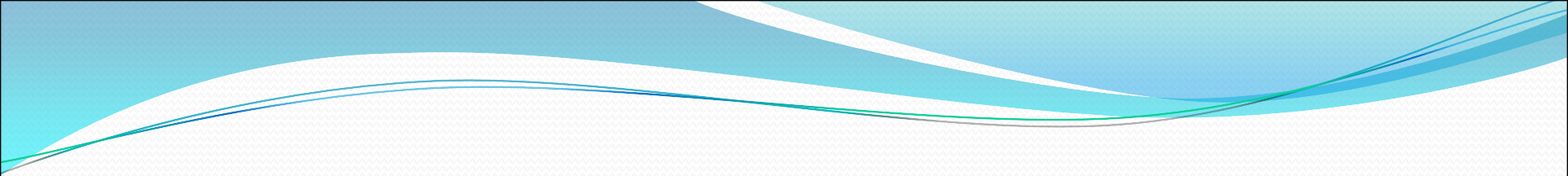


On 16th July 2014,
I return home.

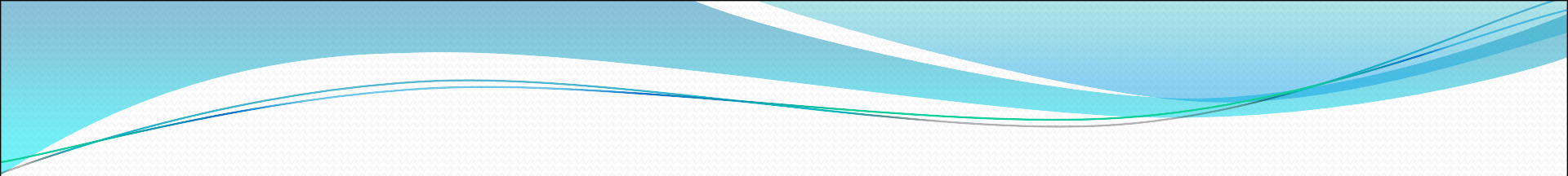
On 2nd Aug 2014, Shri S.B.Malikarjuna, Inspector, CRE cell files a application/memo in the Hon'ble Court of C.C.H-17 praying for issual of arrest warrant against me. While doing so, he has misguided the Hon'ble Court by stating that (1)CRE has to obtain my school records,(2) CRE has to take statement from my siblings & (3) CRE has to cancel my Caste certificate dt 10.02.94.

It may be noted that, all the above statements filed by Shri S.B.Malikarjuna, Inspector, CRE cell are completely baseless & false, since with reference to point no 1 & 2, CRE has already obtained the complete School records and statements of me & my siblings during the Caste enquiry itself which was conducted by their own Inspector, CRE cell. Regarding (3) point, the need for cancellation of my Caste certificate does not arise as the Deputy Commissioner & Chairman, District Caste Verification Committee in his order dt 25th June 2014 has already mentioned that " I have created the Caste certificate & hence the cancellation of my Caste certificate does not arise".

All the above original documents are in their custody only.



Based on the application/memo filed by Shri S.B. Malakarjuna, Inspector, CRE cell, On 4th Aug 2014, Sessions Court (C.C.H-17) issues Non-Bailable Warrant against me, which has to be executed by 16th August 2014.



On 12th Aug 2014, my younger brother, gave a written representation to ADGP,CRE cell requesting to provide copies of complaints, if any, which was received by CRE related to his caste verification along with all enclosures. At a later date, He further submits several such requests to other CRE officials at later dates, but the same was not considered.

On 16th Aug 2014, Mr S.B.Malikarjuna, Inspector, CRE cell informed on mobile to come to CRE office, KG road for taking my statement. After I reached the spot around 11am, he took me to Dy SP, CRE cell who immediately called DIG, CRE cell on his mobile & informed him that I have come following which DIG, CRE cell instructed him to take me into custody & bring me to CRE HQ situated at 1st floor, Technical board bldg near SJP polytechnic.

Immediately 2(Two) CRE staff wer positioned next to me. They then took me in car in which Mr S.B.Malikarjuna, was seated in the front next to the driver & I was made to sit in the backseat in the middle between 2(Two) CRE staff. Before our vehicle, there was a police jeep in which the Dy SP was seated in the front.

They then took me to CRE HQ & after reaching there, Dy SP went to the cabin of DIG and informed him that, they have brought me following which, he instructed them to produce me in the concerned court for custody & after instructing so, he left the office. They then took me to office of SP and after briefing him, they then seated me in CRE office. All along, 2(Two) CRE staff were deputed to guard me.


Meanwhile, My Advocate Shri Prakash Shetty who had arrived by then vehemently spoke to the concerned CRE staff stating that, they are constantly & blatantly violating the law deliberately only to harass me by taking me into custody when I am already on anticipatory bail & for adding additional 8(Eight) sections in FIR without conducting any further investigations after FIR was filed preliminarily.

Subsequently, Shri S.B. Malakarjuna, Inspector, CRE Cell was making hectic efforts in preparing the paperwork for producing me in the concerned Court. They also took my statement regarding my Caste status which I have also endorsed.

At around 5pm, ADGP, CRE Cell arrived following which the CRE staff went & briefed him all the developments. Later my Advocate also met him & briefed him the facts. ADGP, CRE Cell then instructed them to release me.

Immediately Shri S.B. Malakarjuna, Inspector, CRE Cell then files an application/memo in Session Court(C.C.H-17) misleading the Court, that they had obtained an arrest warrant from this Hon'ble court to produce me by 16.08.2015 and also added that they are unable to do so as I was absconding & sought 15 days time to produce me & also requested for an alternate date.

I was released around 6pm the same day.



Based on the application/memo filed by Shri S.B. Malakarjuna, Inspector, CRE cell on 16.08.2015, On 25th Aug 2014, Sessions Court (C.C.H-17) issues non-bailable warrant against me which has to be executed by 18th Sep 2014.

On 16th Sep 2014, My Advocate Shri.B.M.Irishad Ahmed filed a Writ petition in Hon`ble High court of Karnataka praying for Quashing of DCVC orders, Criminal proceedings & for my Re-Instatement.

On the same day i.e. 16th Sep 2014, Shri S.B.Malikarjuna, Inspector, CRE cell informed me on mobile that, my anticipatory bail has to be regularized to regular Bail & instructed me to come to CRE cell office, KG Road with my elder brother along with his pay slips & 2 photos for surety. (Prior to this, he had also called me several times stating the same) After we reached, he along with his staff took us to Ulsoor gate Police station stating that, the bail formalities has to be done in that station only as my FIR has been filed in that station. After reaching Ulsoor gate Police station, There he created some documents showing as if


- (1) CRE cell have arrested me.
- (2) That they, after arresting me handed over my custody to Ulsoor gate Police and
- (3) That CRE cell once again took me back into their custody from Ulsoor gate police station.

Contd.....

They, then made my elder Brother sign a printed format wherein, it is mentioned that I have been taken into custody & that my elder brother has been informed about it.

They then take me back to CRE cell, KG Road & from there, they take me to Sessions Court (CCH-16) & produced me there. Shri S.B.Malikarjuna, Inspector, CRE cell files an application/ memo in the court wherein, it is stated that I have been arrested on 16th Sep 2014 at 3.15 pm & sought 14 days Judicial custody once again falsely stating that they have to obtain mine & my siblings school records & statements & hence requested that I should not be granted bail.

Mean while, my Advocate Shri.Prakash Shetty who had arrived by then submitted before the Hon'ble court that, I have already been granted anticipatory Bail & that additional 8(eight)sections have been added in FIR only to arrest me & harass me & also added that investigations are already completed by CRE & hence there is no need for my custody following which, I was enlarged on Interim Bail for one day & the case was posted for next day as the Regular Session Court CCH-17(SC/ST) was on leave that day.



On 17th Sep 2014, I appeared before the Sessions Court(CCH-17). Interim Bail was extended till 20th Sep 2014. Later, I had to appear several times in the above court during my hearings and every time, my Interim bail was extended further.

On 20th Sep 2014, HAL filed its objections to my Writ Petition in Hon'ble High Court of Karnataka through an affidavit sworn by the General Manager, Overhaul Division wherein, he has blatantly suppressed crucial facts and brazenly misled & misguided Hon'ble High Court of Karnataka by stating that "After my initial appointment, HAL requested the District Magistrate/Collector, Bangalore south on 05.05.1997 for verification of my Caste Certificate and that, HAL sent several reminders for the same on several dates, HAL received the verification report from District Caste Verification Committee dt 25.06.2014 and an letter dt 01.07.2014 from ADGP, CRE cell stating that, I belong to Christian community and hence, I was Dismissed according to laid down rules".

It's shocking that, as per the above submission, HAL requested my Caste Verification on 05.05.1997 but it received my Caste Verification report only on 01.07.2014 i.e. after a period of 17(Seventeen) years.

The actual facts suppressed by the General Manager is that, My Caste verification was already carried out in 1998 based on the request of HAL & that, the District Caste Verification Committee after a detailed enquiry sent my Caste Validity Certificate on 24.03.1998. Only after the receipt of Validity certificate, HAL issued me appointment letter on 11.07.1998 and later, I was even given promotion 4(Four) times by HAL to higher posts. My original Caste Validity Certificate is still in the custody of HAL.

It may kindly be noted that, The above false submission by General Manager in Hon'ble High Court of Karnataka is an criminal offence under sec 191 & sec 192 and is punishable under sec 193 of Indian Penal Code (IPC).

On 9th Oct 2014, An outsider claiming to be a member of some external SC/ST Association named “Reservation Protection Committee” & Advocate submits an written representation to Tahsildar, Bangarpet Taluk to take action against my father. While doing so, he encloses (Thirty Three (33) pages) copies of confidential service records of my father along with DCVC order dt 25.06.2014 & my Dismissal letter dt 01.07.2014.

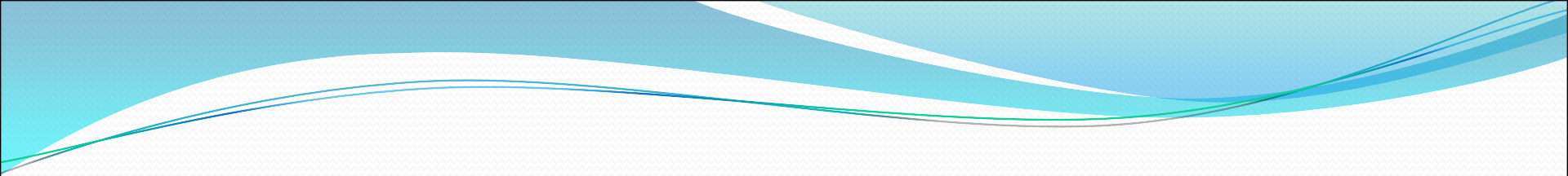
All this documents are supposedly to be in the safe custody of either CRE or DCVC authorities as on that day, when the representation was submitted.

Based on the above representation, The Tahsildar, Bangarpet taluk on a later date initiates Caste verification of my father.

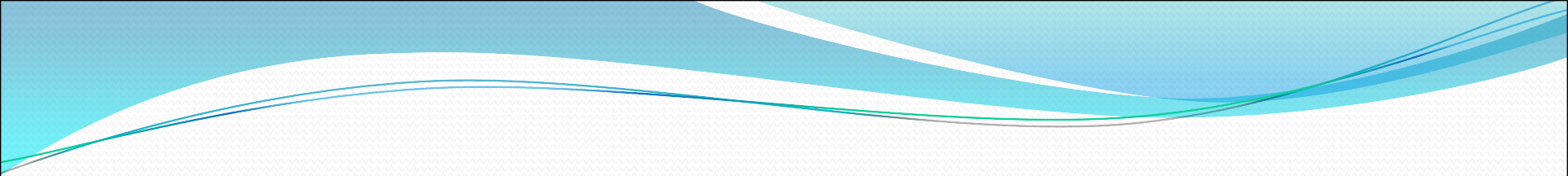
Later, to an RTI application filed by me to CRE Cell & DCVC, seeking information whether anyone has applied & sought my Caste Verification report & its related documents, the PIO of CRE Cell as well as DCVC has replied “NO”.

If such is the case, **how did these documents which are supposed to be in the safe custody of CRE & DCVC land in the hands of a stranger?**


Only a thorough investigation will reveal whether the said person has stolen the documents from the safe custody of CRE or DCVC or whether either CRE or DCVC authorities have willfully provided the documents to harass me & my family members.



On 21st Oct 2014, After several hearings of my Writ Petition, Hon`ble High Court of Karnataka stays the Order passed by District Caste Verification Committee and further mentioned that for the present, there shall not be stay of the Dismissal order.

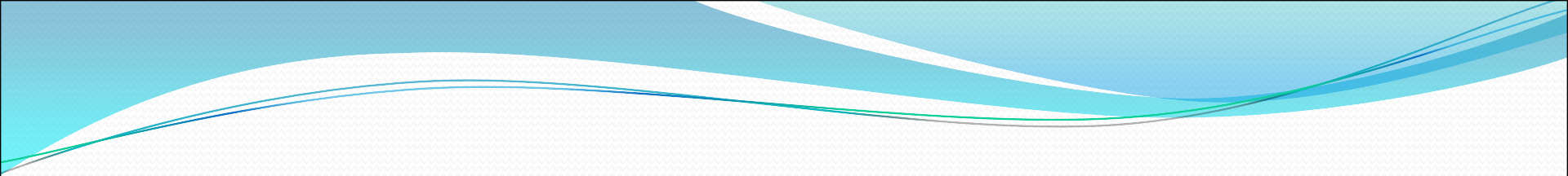


On **7th Nov 2014**, During my writ petition hearing in Hon`ble High Court of Karnataka, Spl. Govt. Advocate made an submission that, they will withdraw the DCVC order dt 25.06.2014 & sought 2(two) weeks time & the said time was provided by Hon`ble High Court of Karnataka for withdrawing the DCVC order, but unfortunately after this hearing, My Case was later posted to a different bench in the Hon`ble Court.

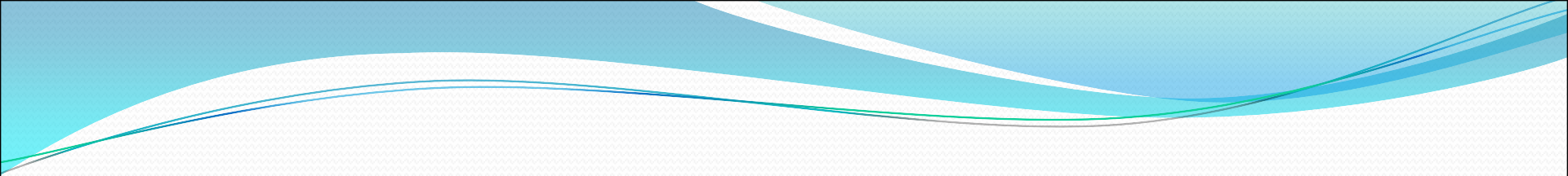


On 10th Nov 2014, ADGP, CRE Cell enclosing my complete Caste Verification report along with all the documents collected during the verification sends an written communication to the Deputy Superintendent of Police, CRE Cell, Tumkur wherein, he instructs the Deputy Superintendent of Police ,CRE Cell,Tumkur to once again carryout Re-Verification of my Caste status & submit a report.

On 10th Nov 2014, Inspector of Police, CRE cell sends an written notice to my Younger brother, wherein he has informed that, they have received a complaint against my brother's caste status & hence called upon my brother to appear for an enquiry to CRE office, KG road with certain documents on 13.11.2014. Later, the Inspector sends another similar notice on 4th Dec 2014.

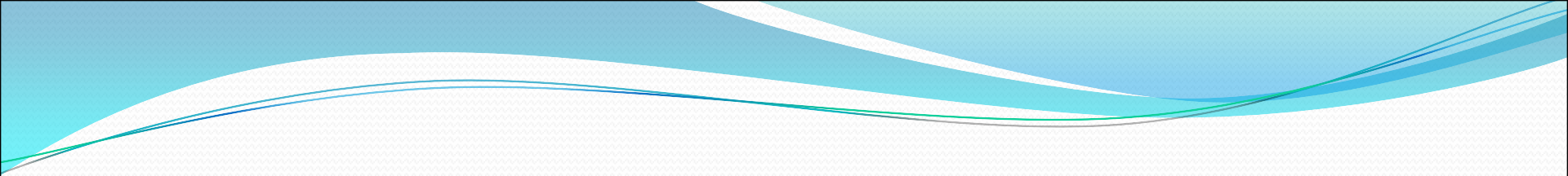


After several hearings, On 11th Dec 2014, Sessions Court(CCH-17) grants me Regular Bail and the case was postponed to 23rd Jan 2015.

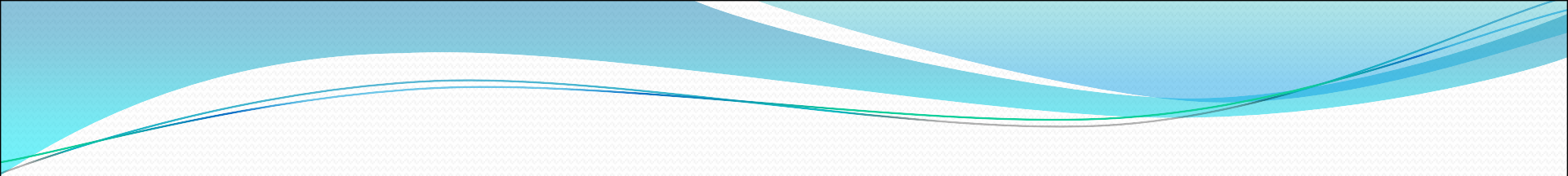


On 12th Dec 2014, My Advocate Shri B.M.Irshad Ahmed sends legal notices to ADGP, CRE cell & Inspector of Police, CRE cell questioning the legality of notices issued by Inspector, CRE cell to my younger brother pertaining to his caste verification.


After several hearings, On 6th Jan 2015, Hon`ble High Court of Karnataka upheld that, I belong to SC “ADI DRAVIDA” caste and quashed the orders passed by the District Caste Verification Committee, Criminal Proceedings initiated against me & passes orders to HAL for my Re-Instatement with all consequential benefits within a week after receipt of the Judgment copy.



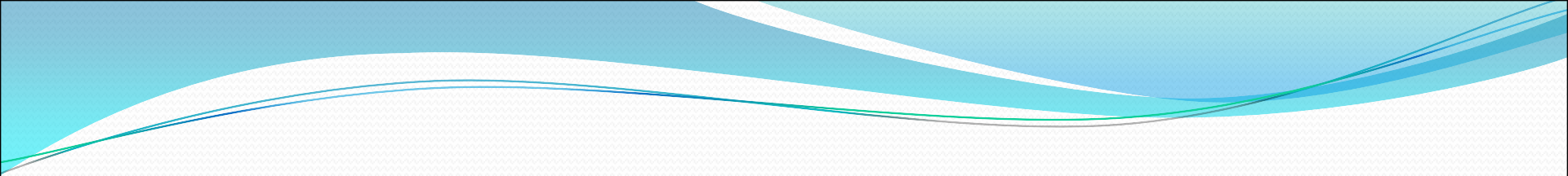
After receipt of Hon'ble High Court of Karnataka order, enclosing the same, On 22nd Jan 2015, I gave a written request to Chief Manager (HR) Overhaul Division requesting to Re-Instate me with all consequential benefits at the earliest .



On 27th Jan 2015, Management of HAL issues me the Re-Instatement letter at 4.00pm.



On 28th Jan 2015, I reported to duty in Overhaul Division & On the same day, I gave a request to Chief Manager (HR) Overhaul Division for payment of backwages/arrears from the date of my dismissal till the date of my Re-Instatement as per the Judgement of Hon'ble High Court of Karnataka.

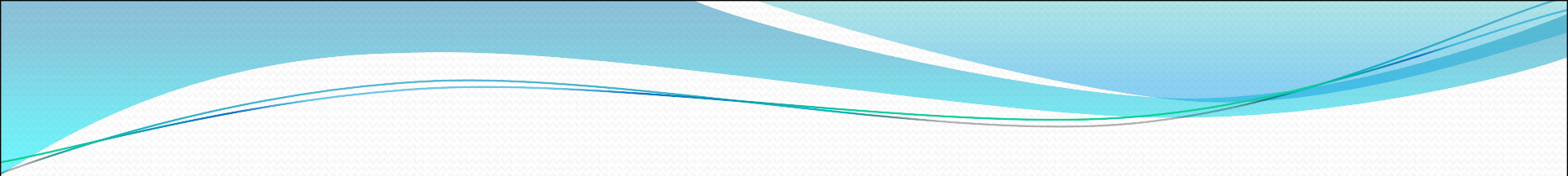


On 2nd Feb 2015, Management of HAL issues me a letter wherein, they have denied me the backwages/arrears quoting that, I have not served the organization during the said period.

On 4th Feb 2015, Deputy Superintendent of Police, CRE Cell, Tumkur submits my Caste Re-Verification report along with all the documents which was collected during my Re-Verification to ADGP,CRE cell.

The Caste Re-Verification report submitted by the Dy SP, CRE Cell, Tumkur endorses that “My father & all his children belong to Scheduled Caste, Adi Dravida”

On 11th Mar 2015, I enclosing the Judgement of Hon'ble High Court of Karnataka submitted written representations to (1)Special Tahsildar, KGF, (2)Tahsildar,Bangarpet Taluk (3)Deputy Commissioner & Chairman, District Caste Verification Committee, Kolar and (4) Secretary, Social Welfare Department & DCVC, Kolar to drop the illegal proceedings initiated against my father.



On 10th Apr 2015, I filed Contempt
petition seeking criminal proceedings against
Chief Manager (HR) Overhaul Division for
non-compliance of Hon'ble High Court of
Karnataka order related to Payment of
backwages.

On 28th Apr 2015, Division bench of Hon'ble High Court of Karnataka after hearing both the parties passed an interim order stating that, "All consequential benefits were directed to be paid to the petitioner. The employer has no reason to withhold the backwages on the ground that he did not perform the duties. His caste certificate was cancelled for no fault of the petitioner. His service was terminated because his caste certificate was cancelled".

Hon'ble Court also stated that "The employer is a Government Organization. It is expected that the Government Organization shall function as a role model".

Stating so, The Division bench of Hon'ble High Court of Karnataka passed an interim order directing HAL Management to pay the Backwages for the period 01.07.2014 to 28.01.2015 within one week after the reopening of the court i.e. after the annual vacation & relisted the matter two weeks thereafter for the compliance report by HAL Management.

On 4th Jun 2015, HAL Management remits my Back wages / Arrears for the period 01.07.2014 to 28.01.2015 to my Bank account and issues me an letter endorsing that, I have been paid backwages as per the interim orders of Division bench of Hon'ble High Court of Karnataka following which, On 22nd Jun 2015, Division Bench, Hon'ble High Court of Karnataka dropped the contempt petition against HAL.

On 10th Aug 2015, HAL Management filed an IA(Interlocutory Application) in Hon'ble High Court of Karnataka through an affidavit sworn by another General Manager of Overhaul Division seeking clarification of Hon'ble High Court of Karnataka order dated 06.01.2015 to the effect that, I am not entitled for Backwages.

While doing so, General Manager, Overhaul Division have one again suppressed crucial facts and misled & misguided Hon'ble High Court of Karnataka by stating that " I joined the services of HAL on 10.03.1997 as Inspector on contract basis and thereafter upon completion of the contract period, I was offered appointment as Inspector, Quality control department on 10.03.1998 and HAL upon receiving the Caste Verification report dt 25.06.2014 from the District Caste Verification Committee dismissed me from service on 01.07.2014.

It's shocking that, as per the above submission, HAL received my Caste Verification report from the District Caste Verification Committee only on 25.06.2014 i.e. after a period of 17(Seventeen) years of me joining HAL.

The actual facts suppressed by the General Manager is that, My Caste verification was already carried out in 1998 based on the request of HAL & that, the District Caste Verification Committee after a detailed enquiry sent my Caste Validity Certificate on 24.03.1998. Only after the receipt of Validity certificate, HAL issued me appointment letter on 11.07.1998 and later, I was even given promotion 4(Four) times by HAL to higher posts. My original Caste Validity Certificate is still in the custody of HAL.

It may kindly be noted that, the above false submission by General Manager in Hon'ble High Court of Karnataka is a criminal offence under sec 191 & sec 192 and is punishable under sec 193 of Indian Penal Code (IPC).

On 17th Aug 2015, After hearing both the parties, Hon'ble High Court of Karnataka held that “There is no need to clarify or modify the said order dt 06/01/2015 and such an application is indeed not maintainable in a disposed matter”.

Stating so, Hon'ble High Court of Karnataka dismisses the IA (Interlocutory Application) filed by HAL Management.

On 3rd September 2015, ADGP, CRE cell sends an written communication to HAL, wherein it is stated that, “As per the Caste verification undertaken by CRE authorities, my younger brother belongs to SC “ADI DRAVIDA” caste & hence, the caste verification of my younger brother is closed”.

On 4th September 2015, ADGP, CRE cell sends an written communication to HAL, wherein it is stated that, “Based on request of Karnataka SC/ST Commission, Caste verification of Sri R. Bala Saravana Kumar was undertaken by Dy Superintendent of Police, CRE cell and that, the verification report submitted by the Dy SP states that, Sri R. Bala Saravana Kumar belongs to SC “ADI DRAVIDA” caste & also Hon’ble High Court of Karnataka, after several hearings in WP 45128/2014 have quashed the DCVC orders & all consequent orders and passed orders in favor of Sri R. Bala Saravana Kumar.

As such, as per the verification report, It is proved beyond doubt that, Sri R. Bala Saravana Kumar belongs to SC “ADI DRAVIDA” caste & hence the caste verification of Sri R. Bala Saravana Kumar is closed in this office”.

(1) When in 1990, Based on the request of HAL, The District Magistrate, Kolar carries out Caste verification of my father through the Tahsildar, Bangarpet & endorses that, he belongs to SC "ADI DRAVIDA".

(2) When in 1993, based on a second request of HAL, Once again, The District Magistrate, Kolar carries out Caste verification of my father through the Tahsildar, Bangarpet & endorses that he belongs to SC "ADI DRAVIDA".

(3) When in 1994, Tahsildar, Bangalore south after necessary verification issues me Caste certificate endorsing that, I belong to SC "ADI DRAVIDA"

(4) When in 1998, After my appointment in HAL, based on the request of HAL, The District Caste Verification Committee after conducting my caste verification upheld that, I belong to SC "ADI DRAVIDA" & issued me "Caste Validity certificate"

(5) When in 2015, Hon'ble High Court of Karnataka upheld that, I belong to SC "ADI DRAVIDA" caste & quashed the DCVC orders, criminal proceedings & ordered for my Re-instatement.

(6) When in the same 2015, Double bench of Hon'ble High Court of Karnataka upheld that, I belong to SC "ADI DRAVIDA" caste & passed orders for releasing of my back wages.

(7) When in the same 2015, Hon'ble High Court of Karnataka upheld that, I belong to SC "ADI DRAVIDA" caste & dismissed the IA filed by HAL to the effect that, I am not entitled for back wages.

(8) When in the same 2015, i.e. after my Dismissal, Inspector, CRE Cell, carries out Caste verification of my younger brother, and establishes that he belongs to SC "ADI DRAVIDA" caste,

(9) When in the same 2015, i.e. After my Dismissal, Deputy Superintendent of Police, CRE Cell, Tumkur, carries out once again Re-verification of my Caste and establishes that, My father & all his children belong to SC "ADI DRAVIDA" caste,

Then, based on what & why, Did the CRE authorities & District Caste verification committee & HAL Management all in collusion, come to the conclusion in 2014, that "I do not belong to Scheduled Caste (SC)" and Dismissed me, arrested me twice & subjected me & my family to severe miseries, hardships, humiliations, risks, difficulties, financial constraints, mental & physical trauma.

Is it for

" BEING GOOD & DOING GOOD " ?

process of caste verification

As per Central/ State Government guidelines, Caste Verification are undertaken during any appointment for Govt jobs & for admission in educational institutions for “Reserved posts” to ensure that only genuine SC/ST/OBC candidates secure Reservation as laid down in law.

This Caste verification is a must & should be carried out in the initial stage at the time of Appointment or Admission only. In the initial stage itself, if the concerned authorities have any doubt about the genuinity of the candidate’s “Caste”, let them verify much more meticulously umpteen number of times, but after once verified & certified, they should not harass the individuals at later stages based on frivolous complaints. Still, if any affected persons has any grievance on the caste status of already verified persons, they should approach the Court of law only, that too with evidence for Re-Verification.

It may kindly be noted that, conducting Caste Verification of persons, who have been already verified by legally constituted committee & has been issued Caste Validity Certificate is totally illegal & amounts to harassment. This is in contrast violation of Karnataka SCs,STs& OBC (Reservation in Appointment etc) Act 1990 & Rules 1992 and also of Hon’ble Supreme Court & Hon’ble High Court of Karnataka Judgments.

The authorities of CRE cell as well as the Social welfare dept are also well aware of the above said law and they have also quoted the same in some cases that, “District Caste Verification Committee (DCVC) after issual of Caste Validity Certificate does not have powers for Review”.

After receipt of any complaint, even though CRE authorities instruct their staff to carry out Caste Verification according to Writ Petition 18012/89 of Karnataka High Court which reiterates the same instructions/guidelines as laid down by Supreme Court in Kum. Madhuri Patil Vs Addl Commissioner on 2nd September, 1994, but the authorities themselves act in contrary to the laid down instructions.

During my ordeal of 7 months, I have come across several instances of Re-Verification of Caste being conducted on several persons and some cases of Govt officials who are on the verge of retirement & some cases of even already retired officials.

If the above persons were not genuine, the officials who verified & issued those Caste Validity Certificates after their initial appointment/admission should be punished stringently or if they are genuine, the officials who are verifying them now should be punished more stringently.

I have also witnessed several genuine candidates caught & suffering presently in this web of Illegal scam conducted in the name of “**Re-Verification of Caste**” by few corrupt officials of this two responsible state government dept i.e. Civil Rights Enforcement Directorate(CRE cell) & Social welfare dept. The above officials of this two responsible Government departments are **running a parallel Government with utter disregard and disrespect to law of the land by misusing their noble & worthy departments & official position to settle personal vendetta of vested interests and probably for monetary gains.**

If any person having a grudge/personal vendetta against an already Caste verified person colludes with this corrupt officials & gives an written complaint, they start conducting re-enquiry without any authority & jurisdiction and later, they submit an negative report which can be finally challenged only in the Court of Law. These corrupt officials even initiate re-enquiry based on anonymous & pseudonymous complaints and even without verifying the genuinity of the complaint & the complainant.

In some cases, they subject the innocent genuine SC/ST members & their families to severe harassment & mental trauma for several months/years & finally submit a report endorsing that, They belong to “SC or ST”.

After me & my family undergoing severe miseries, hardships, humiliations, risks, difficulties, financial constraints, mental & physical trauma, I was left with only 2(Two) options either to

Accept this corrupt system as my fate

Or

Expose this corrupt system & fight it.

For the sole reason to prevent & protect genuine SC/ST victims & their families who are now being subjected to illegal Re-Verification of Caste from facing and undergoing the hardships what I have encountered & endured, I have now decided to expose this corrupt system & fight it more rigorously.

Hence, all genuine SC/ST persons who were verified & certified initially by due process of law, but are now caught in this web of another Re-verification process of Caste by corrupt officials based on frivolous complaints due to personal vendetta, may contact me to create a common platform to fight against this social evil.

Finally, If honest & bold persons who come forward for fighting against Corruption & Injustice and for uplifting the downtrodden are subjected to such harassment by persons with vested interests for their personal & selfish gains like what I have encountered & endured, Who will come forward to fight against Corruption & Injustice and for uplifting the downtrodden & how will our Country prosper & the downtrodden improve?

But still, I request all citizens to come forward and raise your voice & boldly fight against any Injustice & Corruption you witness instead of only forwarding, sharing it & showing your sympathy in FaceBook, Twitter, Watsapp & Youtube or holding candle lights vigils. If you do not reach out to others fight against any Injustice & Corruption, no one will reach you, when you face a similar situation, which each one of you will certainly face one or the other day.

“The world suffers a lot, not because of the violence of bad people, But because of the silence of good people.”

Napoleon

Do not expect someone to come & solve all this. Be the Change you want to see in the world. So kindly leave your comfort zone and get down & fight for the future of yours, your children's & our glorious nation.



It is far better to live like a lion
for a single day rather than to live
like a jackal for hundred years.

Tipu Sultan



I do not want any protection to me and/or my family in this regard, but If me and/or my family are subjected to any harm/harassment or if any false cases are foisted against me and/or my family, then all the above mentioned persons are only totally responsible for it.

R.Bala Saravana Kumar,
General Secretary,
HAL SC/ST E & O Association,
HAL,
Bangalore.

Mob: 9886750405

***Email : halscstbala@gmail.com**





The

Struggle

still

continues.....

Thank you