Case No	621	of 2	0	20	24
T.K	. Dwibedi &	oth	ers		

Name of the Complainant

Sl. No.	Date	Order passed by the Commission	Office action taken with date
	30.08.2024.	This complaint has been filed by Advocate Sri T.K.Dwibedi and others through HRC Net. Allegation of the complainant reads as follows; "Illegally and arbitrarily Evicted Divyang street vendors on Saturday staged a dharna in front of the Bhubaneswar Municipal Corporation (BMC) office, demanding rehabilitation in a vending zone but nothing is done for the same as the BMC officials are demanding bribe for the same. 01. That, 23 illegally evicted Divyanga Street Vendors alleged that the BMC had evicted them from the Market Building area. Hearing their problems, the Commissioner assured them to Complaint provide shops at Ghatikia but nothing is done so far violating their human right crafted in article 23 of UDHR. 02. That, No opportunity every given to them before forcefully evicted them violating the human right crafted in Article 10 of the UDHR. 03. That, they have been deprived of their job, trade and profession thus their fundamental right crafted in Article 19(a) (g) is	
		also violated and the BMC chairman the appointed private person to that bribe can be extorted from these vendors for providing of the Vending Zone." On such allegation of the complainant, report	
		was called for, from the Commissioner, Bhubaneswar	
		Municipal Corporation.	
		Pursuant to the order of this Commission,	
		Commissioner, Bhubaneswar Municipal Corporation	
		has submitted the report. The report of Commissioner	
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	Case No of 20	0
Name of the Cor	nplainant 621 2024 T.K.Dwibedi & others	-
Sl. No. Date	Order passed by the Commission	Office action taken with date
Contd.30.08.2024	"1. That the aforesaid case has been filed by Sri T.K Dwibedi before the Hon'ble Court of Odisha Human Rights Commission alleging that 23 nos of Dibyanga street vendors have illegally and arbitrarily evicted from the Market Building area without proper rehabilitation for which their Human Rights as well as constitutional rights have been violated. 2. That after receipt of the Notice from the Hon'ble Odisha Human Rights Commission, Bhubaneswar the matter was enquired by the Deputy Commissioner, (Vending Zone), Bhubaneswar Municipal Corporation and the following observations are submitted. 3. That as per the field inquiry report on the allegation of the petitioners Dibyanga Street Vendors for eviction inside the Market Building Area without rehabilitating them it is humbly submitted that the vendors who were doing business inside the Market Building Area were evicted due to traffic congestion and sanitation hazards. 4. That the Central Market Association of Market Building has signed an agreement with the Bhubaneswar Municipal Corporation, Bhubaneswar not to issue any permission for business by mobile vendors inside the market building area which has been declared as a "NO VENDING ZONE". 5. That the Bhubaneswar Municipal Corporation has also declared that the area of the Market Building and all roadside footpaths of BMC as a "NO VENDING ZONE" for the greater interest of the General Public. 6. That the allegation made by the Complainant is false and fabricated. After the eviction of the differently abled vendors inside the Market Building area, BMC allowed space for 23 nos. of differently abled vendors near the Market Building area to do temporary business till an alternate arrangements is made. Report-B annexed as Annexure-1 in reply to the Complaint Petition.	

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Order passed by the Commission	Office action taken with date
7. That further, BMC will do its best to allot KIOSKS to eligible differently abled vendors, whenever any vending zone comes up in a suitable area. 8. That the BMC Authority has never assured any person to allot the KIOSKS at the Ghatikia Vending Zone. 9. That the differently abled vendors who are allowed space near the Market Building area are continuing in that place and space. Bhubaneswar Municipal Corporation has not taken any steps for eviction from that space. 10. That it is also observed from the report that out of 23 vendors, some differently abled vendors are still doing business and they have no objection. 11. That it is also found from the verification report that, some of the vendors have sold their space provided to them to General Vendors. 12. That since the petitioner is demanding a permanent shop and it is not possible to allot shops to a disproportionate no. of differently abled persons immediately. It is once again reiterated that only eligible differently abled vendors will be suitably relocated and till that time they can continue their vending business in the place permitted near market building area." On receipt of report, order was passed on	
"Report received from the Commissioner, Bhubaneswar Municipal Corporation, Bhubaneswar along with the enclosures be sent to the petitioners to submit their response by the next date. Place the matter on 30.08.2024." The report was communicated to Adv. Mr.T.K.Dwibedi vide letter no.13357 dated 12.07.2024.	
	7. That further, BMC will do its best to allot KIOSKS to eligible differently abled vendors, whenever any vending zone comes up in a suitable area. 8. That the BMC Authority has never assured any person to allot the KIOSKS at the Ghatikia Vending Zone. 9. That the differently abled vendors who are allowed space near the Market Building area are continuing in that place and space. Bhubaneswar Municipal Corporation has not taken any steps for eviction from that space. 10. That it is also observed from the report that out of 23 vendors, some differently abled vendors are still doing business and they have no objection. 11. That it is also found from the verification report that, some of the vendors have sold their space provided to them to General Vendors. 12. That since the petitioner is demanding a permanent shop and it is not possible to allot shops to a disproportionate no. of differently abled persons immediately. It is once again reiterated that only eligible differently abled vendors will be suitably relocated and till that time they can continue their vending business in the place permitted near market building area." On receipt of report, order was passed on 28.06.2024, which reads as follows; "Report received from the Commissioner, Bhubaneswar Municipal Corporation, Bhubaneswar along with the enclosures be sent to the petitioners to submit their response by the next date. Place the matter on 30.08.2024." The report was communicated to Adv. Mr.T.K.Dwibedi vide letter no.13357 dated 12.07.2024.

Name of the Complainant __

Case No. 621 of 202024 T.K.Dwibedi & others

Sl. No.	Date	Order passed by the Commission	Office action taken with date
Contd.30.08.2024	Reply submitted by Adv.Mr.T.K.Dwibedi reads as follows;		
		""То	
		The Odisha Human Rights Commission Bhubaneswar, Odisha.	
		The Law Department Government of Odisha Bhubaneswar	
		Subject: Complaint Petition CUM legal notice u/s 80 of CPC, 1908 for serious misconduct, abuse of power, illegal acts and omission, unbecoming of public servants, running OHRC for mere formalities and engagement in the rampant Corruption.	
		and issuing this legal notice before filing a PIL against you before the Hon'ble Orissa High Court to issue certain writs including the writ of Quo- Warranto.	
		Sirs,	
		We have received a Form 8 prescribed under the Regulation Nol. 17(A) on Dt. 24-07-2024 which was issued vide Letter no.13357/OHRC Dt. 12-07-2023 towards a fake order passed by the OHRC on 28-06-2024 in the OHRC case No.621 of 2024.	
		01. That, the order is perverse and illegal as it contains no signature of the passing member of the bench but the section officer forged the sign. of the Chairman after putting a blank paper on it.	
-		 That, the order is authenticated by the same section officer impersonation of the Registrar. 	
		03. That the order did not contain the litigating parties.	
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0	Case No.	of 20 2024	
	02	7024	
Name of the Complainant	T.K.Dwib	edi & others	

SI. No.	Date	Order passed by the Commission	Office action taken with date
ntd.30.08.	2024	O4. That, the order intimating the complaint to reply where half paper was supplied and half papers were impounded by the office of the OHRC under a deep- rooted criminal conspiracy, intentionally, dishonestly, fraudulently, and for wrongful gain, and the same cannot be replied at all.	
		So, the OHRC and the State Government are requested to stop this illegality and arbitrariness and run the OHRC to achieve the object of the statute under which it has been constituted and reply within seven days or be ready to face the law of the land."	
		From the aforesaid letter of Mr.Dwibedi, the	
		complainant, it appears that deficiency was	
		there while communicating the report for his	
		response, but Mr. Dwibedi instead of making	
		request to supply the paper in details, has given	
		notice under Section 80 CPC.	
	2	This order be communicated to	
		Mr.Dwibedi to submit the reply whether he	
		owes the letter which is so called Sec.80 C.P.C.	
		notice inasmuch as this Commission wants to	
		deal with the same appropriately for extending	
		such threat to a quasi judicial body in	
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Case No. 621 of 20 2024 T.K.Dwibedi & others

Name of the Complainant

I. No. Date	Order passed by the Commission	Office action taken with date
Contd.30.08.2024	accordance with law. Unless such reply is received by 25.11.2024, this Commission shall presume that Mr.Diwbedi has owed the letter and accordingly dealt with the same in accordance with law.	
	Put up on 25.11.2024.	
	JUSTICE S.PUJAHARI CHAIRPERSON	
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