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Updated on 18 Septem

Civil Rights : 'Discrimination' suit against NYPD challenges its 'no turban policy'

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Amric Singh Rathour, a New Yorker who was apparently fired by the New York Police Department (NYPD) for refusing to remove his turban and trim his beard along with the Sikh Coalition, filed a federal lawsuit on March 4, charging the NYPD with religious discrimination and challenging its "no turban policy."

Filed in the U.S. District Court for the Southern District of New York in Manhattan, the complaint names NYPD commissioner Raymond W. Kelly, the NYPD and City of New York as defendants. It charges the three of them with religious discrimination, negligence, harassment/intimidation, false imprisonment/retaliation and emotional distress.



Represented by his counsel Ravinder Singh Bhalla, Rathour addressed a press conference at the Interfaith Center of New York in Manhattan on March 4. Also present at the press conference were members of the Sikh Coalition, Sikh police officers from London, U.K., and Ontario, Canada, and representatives from Interfaith and the Muslim, Hispanic and Buddhist communities.



The complaint filed in the court details the manner in which Rathour was "repeatedly pressured" to remove his turban. Among other things, he was told that he should "make a change" so that his turban and beard "come off." "I felt I was being punished because I am a Sikh," Rathour said at the press conference.

As per the complaint, copies of which were made available to the media, Rathour had applied for the position of a Level II Traffic Enforcement Agent (TEA) officer of the NYPD in or around late 2000. Rathour's counsel Bhalla said as part of the application process, his client had cleared the physical examination, psychology examination, civil service written examination, as well as a 'background check.'

On June 18, 2001, Rathour was sworn in as officer of the NYPD, Bhalla said. At the ceremony, Rathour, in accordance with his religious beliefs, wore his turban and maintained his uncut beard, he added.



On June 19, 2001, when Rathour arrived for his first day of training, he was told by an NYPD official that TEA officers are required to wear a hat over their head as a mandatory part of their uniform. When Rathour objected, he was told that he may keep his uncut facial hair, but would have to forego the turban, Bhalla said. Rathour then submitted a religious accommodation request form to the NYPD's Equal Employment Office, which, on June 28, 2001, was disapproved. "Rathour then refused to comply with his supervisor's requests to remove his turban because they unreasonably interfered with the practice of his religion. As a direct result of this refusal, NYPD officials, in the course of Rathour's training, subjected him to acts of harassment, intimidation and retaliation," Bhalla said. He was also held captive in an empty room and told he would not be permitted to attend training classes as "he was not in uniform," the counsel said.



Subsequently, Rathour was granted a hearing at the Equal Employment Opportunity regarding his request for a religious accommodation, Bhalla said. "At the hearing on July 31, 2001, Rathour was told that the NYPD would not grant him an 'exemption' to the hat requirement. And that whatever head covering he may wear would have to be covered by a uniform hat, and that his turban would not fit under it. With regard to the beard, he was told that he would have to trim his beard no longer than to one millimeter of his skin," Bhalla said.