

**REPORT OF THE VISIT OF NATIONAL COMMISSION FOR MINORITIES
TO FARIDABAD (HARYANA) ON 4th JUNE, 2014.**

To look into the long pending demands of Faridabad Sarb Gurdwara Committee and the issue of illegal encroachment of Qabristan (Muslim Graveyard) in village Rajpur Phulera, District Faridabad, a team of National Commission for Minorities, consisting of the Chairman Mr. Naseem Ahmad and Member Dr. Ajaib Singh, visited Faridabad on 4th June 2014. The team was received by Shri Dharmender Singh, SDM Faridabad and other officials of the district at the Circuit House, Faridabad. S. Inderjit Singh (Chairman), S. Avtar Singh Khurana (President) and other office bearers of Sarb Gurdwara Committee were also present at the Circuit House to welcome the NCM team. The Commission team headed straight to Gurdwara Sukhmani Bhawan, Sector- 16 A, to familiarize with the demand of the Committee for allotment of adjacent vacant plot to the Gurdwara.

2. Gurdwara Sukhmani Bhawan, Sector 16 A- The Committee informed the Commission that finding no positive response from HUDA / Haryana Government even after numerous representations made over the years for allotment of land for Gurdwara, a plot was purchased by the Committee in residential area in Sector 16 A and a Gurdwara was constructed by the Sikh Sangat there. At that time and even after that, no objection was ever raised by the Administration against construction of Gurdwara on a residential plot. There is a vacant plot measuring about 600 square yards adjacent to the Gurdwara which is being used by the Sikh Sangat till now. The Committee on many occasions had represented to the Haryana Urban Development Authority (HUDA) / Govt. of Haryana for allotment of the said vacant plot to the Gurdwara which otherwise cannot be used for any other purpose. The District Town Planner Faridabad, vide its letter dated 19/8/2005, recommended to Senior Town Planner, Gurgaon that the said plot adjacent to the Gurdwara could be allotted to Gurdwara Sukhmani Bhawan, Sector 16-A. The Sarb Gurdwara Committee members informed the Commission that this was the only Gurdwara which caters to the sizeable Sikh population living in Sectors 16, 16 A and

17. Till date, no decision has been taken. The plot in question is in the exclusive possession of the Gurdwara.

3. Visit to Gurdwara Sector 15- Accompanied by the district officials and members of the Sikh body, the NCM team visited Gurdwara situated in Sector-15, Faridabad. Shri Avtar Singh Khurana told the Commission that in 1994, 4 plots measuring 250 square yards each were allotted to the Sikh Sangat where a Gurdwara was built in 1995. Lying in the same vicinity is the land belonging to HUDA, which is temporarily being used by Municipal Corporation / Electricity Department. The Sarb Gurdwara Committee's plea is that the vacant land, which measures approximately 1.5 acres, be allotted to them for construction of Sikh Heritage Centre. They further informed the Commission that 66 community centers are being run by various NGOs / communities in Faridabad whereas not a single piece of land has been given to the Sikhs for a similar purpose. The Commission team was informed by the members of Gurdwara Committee that very close to the site in question APJ School has encroached upon HUDA land measuring 143 X 363 square feet. Alternatively, this land could also be considered for allotment for the Sikh Heritage Centre. They further informed the Commission team that this encroachment has been confirmed and established but no action has been taken so far against the school. The Estate Officer, HUDA told the Commission team that the land adjacent to the Gurdwara has been for maintenance of water works. He was also of the view that the piece of land allegedly encroached, if encroachment is proved, can be considered for allotment for Sikh Heritage Centre.

4. Visit to NIT-The NCM team then proceeded to NIT. The Sarb Gurdwara Committee had requested for allotment of 5 acres of land for construction of a school way back in 1975. The land in question here belongs to the Rehabilitation Department. A large portion of 24 acres of the said land has been illegally encroached upon and jhuggi clusters have come up on this land which is known as Rahul Colony. The encroachment is still continuing. The Gurdwara Committee's contention is that the vacant portion of this land, which is approximately 5 acres in size, may be allotted to them so that a

school could be constructed here which would cater to the needs of the Sikh students in particular. According to them, there was a dire need for a school for learning of Punjabi language. The SDM informed the Commission that the occupants of the jhuggis took the matter to the High Court. The Hon'ble High Court, in its verdict dated 18.7.2013, opined that if the occupants were ready to buy the land at the existing market rate, they may be given preference, but this process should be completed within nine months of pronouncement of the judgment. The Sikh Committee informed the Commission that the time limit set by the Hon'ble High Court has expired and the land in question is free of any court stay now. They were even agreeable to the allotment of only 3.5 acres of this land. The Commission team was also informed that lease of about 5 acres as above was even got registered many years ago, but possession was not given to the Sarb Gurdwara Committee.

5. Meeting with Muslim Delegation at Circuit House- Shri Irfan Ahmad Khan, Member Grievance Committee and Shri Abdul Azeez Khan informed the Commission that there are about 22 Muslim families who are natives of village Rajpur Phulera. There is a Qabristan in the village, a Wakf property, which till recently was being used exclusively by the Muslim community. He further told that there are about 125 families of *Sapera* community living in the village who also have a tradition of burying the dead bodies. Although they have been allotted a separate piece of land for cremation/ burial of their dead, but they are hell bent upon burying the dead bodies in the Qabristan reserved for Muslim community. The matter was taken to the village Panchayt which also ruled in favour of the Muslim community. But the opposite party is adamant and have even filed a case in the court, in spite of allotment of a separate plot for burial. The village Panchayt has been made a party in this case. Chairman NCM told the delegation that taking the matter before the court is, in a way, good for the Muslims because the court will decide the case on merit. He further advised the SDM that the Qabristan is a property of Wakf Board and it can not be interfered with by the village Panchayt or any other community as such. Hence, Wakf Board be made a party in the court case. Chairman NCM advised the petitioners to submit all the relevant documents of the

court case (filed by *Sapera* community) before the Commission at the earliest so that a considered view could be taken in the matter.

6. Meeting with Deputy Commissioner and other senior officials at Gymkhana Club,

Faridabad- The NCM team held detailed discussions with Deputy Commissioner Shri Vijay Singh Dahiya, Shri Satpal Singh Estate Officer HUDA, Shri A.K.Gulati, Superintending Engineer HUDA at Gymkhana Club, Faridabad. Shri Dharmender Singh SDM Faridabad, Shri R.K.Garg Tehsildar and other officials were also present. Office bearers of Sarb Gurdwara Committee, which included its Chairman S. Inderjit Singh, President S.Avtar Singh Khurana, Gen. Secretary S.R.S.Rana, Joint Secretary S. K.S.Nagi, S. Sucha Singh President Gurdwara Sector 15, S. S.S.Banga, S.Amarjit Singh, S.Brijmohan Singh and S.Khazan Singh were also present. S. Avtar Singh Khurana once again presented his case before the Commission and District Administration. The Deputy Commissioner informed the Commission that he was not aware of the demands made by the Sikh Sangat as he had joined at Faridabad only recently. Chairman NCM advised the Sarb Gurdwara Committee to hand over all the relevant documents to the Deputy Commissioner within 10 days. He further asked the Deputy Commissioner to consider and resolve these long pending issues in a meeting of the concerned departments within one month.He also observed that even if some issues pertain to HUDA or the Municipal Corporation exclusively, taking up of all the issues in a meeting to be chaired by the Deputy Commissioner will greatly facilitate resolving of these long pending issues. The Chairman, NCM also felt that so far these matters have perhaps not been attended to seriously.

The Commission team returned to the Headquarters in the afternoon.

(Dr. Ajaib Singh)
Member

(Nasem Ahmad)
Chairperson