

**CASES HEARD BY THE COMMISSION DURING 2017-2018**

<b>S.No.</b>	<b>File No., Name, Address of the Petitioner Date of hearing</b>	<b>Brief of the case</b>	<b>Decision of the Commission in the hearing</b>
1.	<p><b>M/HR/700/41/2017</b></p> <p><b>Shri Amir Hasan, R/o Village Pingod, Tehsil Hodal, Disttict Palwal, Haryana</b></p> <p><b>Date of Hearings : 1.8.2017 &amp; 5.9.2017</b></p>	<p>The Petitioner, Shri Amir Hasan S/o Shri Munna is a resident of village Pingore, District Palwal, Haryana.</p> <p>The Petitioner has complained against the person of Gujjar Caste for illegal encroachment of Muslim Graveyard and Waqf Property with the help of Estate Officer, Waqf Board. It has been further alleged that certain persons belonging to Gujjar Caste have even illegally built their houses in the graveyard area of Muslims.</p> <p>Petitioner further stated that they are being harassed by aforesaid people and facing difficulty in burial of dead bodies.</p> <p>The Petitioner states that Khasra No. 67/17/2, 77/11/1, 115/2, 116, 117,118, 199, 120 is the Muslim graveyard and the Waqf Property. The</p>	<p><u>1.8.2017</u></p> <p>No representatives from the respondent side attended the matter. The Commission took the matter seriously as NCM has full powers of Civil Court u/s 9(4) of NCM Act to summon the respondent to appear for hearing and any absence without intimation/approval subjects to contempt of the Court. It was, therefore, decided to write a letter to CEO, Haryana Waqf Board to take disciplinary action against the Estate Officer, Waqf Board, Palwal, for not attending the meeting. It has been decided to summon CEO, Haryana Waqf Board, during the next hearing.</p>

		<p>petitioner complaint of encroachment is in regard to Khasra No.115 and Khasra No.120 wherein the alleged encroachment has taken place.</p> <p>The petitioner have also approached Central Waqf Council, Ministry of Minority Affairs, Government of India. The Central Waqf Council on representation of Petitioner have asked the Chief Executive Officer, Haryana Wakf Board to the status report in regard to Complaint of Petitioner.</p> <p>The Petitioner has also made a written complaint dated 31.7.2013 to Deputy Commissioner, Palwal, Haryana. However no action has been taken till date.</p> <p>Aggrieved by the above, the Petitioner has approached NCM on 12.7.2017.</p> <p>In view of the above, the Commission decided to hold a hearing and summoned the Estate Officer, Waqf Board, Palwal.</p>	<p><u>5.9.2017</u></p> <p>The Commission decided to issue letter to Deputy Commissioner, Palwal, Haryana to conduct physical verification of the area and to submit status report in regard to illegal occupation and encroachment of Muslim Graveyard and Waqf Property along with the details of the area where construction of boundary wall is feasible. Further, Deputy Commissioner, Palwal shall also assist Respondents in construction of boundary wall to prevent further encroachment.</p> <p>The Proceedings is hereby kept in abeyance till the report from DC, Palwal is received and examined in the Commission.</p>
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<p>2.</p>	<p><b>F.No. M/BR/319/38/2017</b></p> <p><b>Syed Bahadur Abbas Naqvi,G-32, Shaheen Bagh,Kalindi Kunj Road, New Delhi-110025</b></p> <p><b>Date of Hearings : 4.10.2017 &amp; 30.10.2017</b></p>	<p>The Commission took cognizance of the representation dated 25.07.2017 of Syed Bahadur Abbas Naqvi alleging physical attack on Maulana Syed Mohd Kazim and his family members by Wakf land mafia and police.</p> <p>A report was called for from the Chief Secretary and DGP, Bihar vide letter dated 26.7.2017 and reminders dated 10.8.2017 &amp; 18.8.2017. A report dated 31.8.2017 has been received from Principal Secretary, Minority Welfare Department, Govt. of Bihar alongwith a copy of the report dated 28.8.2017 from SSP, Muzaffarpur. As the report did not mention about the allegation of using excessive force and physical torture on Maulana Syed Mohd. Kasim and his family, it has been decided by the Commission to summon DM, Muzaffarpur, SSP, Muzaffarpur and CEO, Shia Wakf Board.</p>	<p><u>4.10.2017</u></p> <p>None of the officers attended the hearing on 4.10.2017. The Commission took serious objection to this and decided to reschedule the hearing on 30.10.2017.</p> <p><u>30.10.2017</u></p> <p>A Committee to investigate and conduct physical verification will be formed in the Commission. In the meantime, the respondent may also submit their detailed report.</p>
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<p>3.</p>	<p><b>F.No: M/DL/30/0074/11</b></p> <p><b>Shri Zahrul Hasan, Manager, Anjuman-e- Haideri, Dargah Shah-e- Mardan, Ali Ganj, Jor Bagh, New Delhi-110003</b></p> <p><b>Date of hearing :30.10.2017</b></p>	<p>The Commission took cognizance of the representation dated 27.07.2017 received from Shri Zahrul Hasan, Manager, Anjuman-e- Haideri, Dargah Shah-e-Mardan, Ali Ganj, Jor Bagh, New Delhi alleging that goons and persons of land mafia group, in connivance with police and DDA officials forcibly entered Dargarh Shah-e-Mardan with the intention of illegally occupying the Dargah. Petitioner stated that the aforementioned goons and land mafia started digging and fencing work in Dargah in the presence of police. In view of this, the Commission had sought clarification from the Commissioner of police, New Delhi vide letter dated 3.8.2017.</p> <p>Further another complaint vide letter dated 10.8.2017 was received by the Commission from the Petitioner wherein it has been alleged that the Police in collusion with land mafia trespassed, looted tent material and threatened the Petitioner</p>	<p>The proceeding are hereby adjourned till the documents are received both the parties. During the next hearing, NDMC, DDA and L&amp;DO may also be summoned to clarify the facts of the case.</p>
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<p><b>4.</b></p>	<p><b>M/UP/107/401/2014</b> <b>Shri Rafiq Ahmad,</b> <b>M/s. Aman Industries,</b> <b>Banrkhan Road,</b> <b>In front of Old</b> <b>Bank of Baroda,</b></p>	<p>not to perform any functions for forthcoming independence Day Programme. The Commission again sought clarification from the Commissioner of Police, New Delhi vide letter dated 10.8.2017.</p> <p>A report dated 30.08.2017 was received from Delhi Police. The report was sent to the Petitioner for rejoinder, if any. The Petitioner vide letter dated 27.07.2017 informed that Delhi Police has submitted an incorrect report.</p> <p>In order to verify facts and to enable Commission to decide the complaint, the Commission summoned the Respondent and Petitioner.</p> <p>The Commission took cognizance of the representation dated 18.06.2017 of Shri Rafiq Ahamd, R/o Banjaran Qasba, Nawabganj, Tehsil Nawabganj, District Bareilly, UP, regarding discrimination in the recovery of loan amount &amp;</p>	<p><u>6.12.2017</u></p> <p>The proceeding is hereby kept in abeyance. The next date of hearing shall be 9<sup>th</sup> January, 2018. The Respondent Bank will produce the original</p>
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<p><b>Indhjageer, Nawabganj, Bareilly.</b></p> <p><b>Date of hearing : 06.12.2017 &amp; 29.01.2018</b></p>	<p>confiscation of property of M/s Aman Industries and asked the AGM, Bank of Baroda to examine the charges and send report on the matter.</p> <p>The Respondent has duly filed report dated 17.07.2017 before the Commission.</p> <p>That the Petitioner has filed rejoinder dated 28.08.2017 wherein the Petitioner has submitted that the Bank has committed fraud while auctioning the property of the Petitioner and have requested the Commission to direct the Bank to transfer back the aforesaid property along with reasonable compensation.</p> <p>In view of above, the Commission decided to hold a hearing.</p> <p>The Commission took cognizance of the</p>	<p>records/documents of the case to the Commission before the next meeting.</p> <p><u>29.01.2018</u></p> <p>The Commission directs the Respondent Bank to produce before the Commission, complete original records/documents pertaining to the facts of the case in the next date of hearing.</p> <p>The Commission further directs District Collector, Bareilly Region, UP to submit valuation report for the year 2008-12. Further, Shri B.N. Khanna and M/s Shri Bankey Bihari Industries may also be summoned to appear in person before the Commissioner in the next date of hearing to enable commission to decide the matter.</p>
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<p>5.</p>	<p><b>F.No. M/UP/705/306/2017</b></p> <p><b>Smt. Naseem Bano, 15, Napier Road, Part-2, Ghas Mandi, Thakurganj, Lucknow</b></p> <p><b>Date of Hearings : 21.12.2017, 15.02.2018 &amp; 14.3.2018</b></p>	<p>representation dated 12.07.2017 of Smt. Naseem Bano, Lucknow. The petitioner alleged that 2400 Sq.ft of land was allotted to her in 1998. However, in 2004, LDA gave her possession of 1400 Sq.ft. and assured that rest would be handed over after removing illegal encroachment. This has not been done till date.</p> <p>A report has been received from Secretary, LDA dated 17.11.2017 stating that Smt. Naseem Bano was allotted plot No.15, at Napier Road under Scheme -2 whose area was at that time mentioned as 2400 Sq.ft with remarks that “There is an encroachment on the plot so exact calculation is not possible. Correct lease plan will be given only after removal of encroachment. This lease plan is for casting purpose only.” Accordingly, Ms. Bano deposited the amount and she was allotted 1487 Sq.ft area and the registration for the same has also been done. It has been stated that as per rule of LDA, only one property can be allotted against</p>	<p><u>21.12.2017</u></p> <p>The Commission hereby recommends that the Respondent must remove the illegal encroachment from the Petitioner’s Plot and give possession of remaining area to the Petitioner by valid registration within 30 days from the date of this order. The Commission also recommends that the State Government of Uttar Pradesh may direct the concerned authorities appropriately so that the required action is completed on time.</p> <p><u>15.2.2018</u></p> <p>The Hon’ble Chairman observed during the course of hearing that due to fault on part of LDA, both the parties are suffering and LDA must find amicable solution to settle the issue. A Senior Officer of LA and authorised to take any decision may be present in the next date of hearing to find amicable settlement of the issue.</p>
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6.	<p><b>F.No. S/RJ/605/34/2015</b></p> <p><b>Shri Balwant Singh</b>  <b>New Delhi-110070</b>  <b>B-10/7478,Vasant Kunj</b>  <b>New Delhi-110070</b></p> <p><b>Date of hearing : 15.2.2018</b></p>	<p>The Commission took cognizance of the representation dated 27.7.2015 and rejoinder dated 13.2.2017 of Shri Balwant Singh regarding desecration and vandalisation of Gurudwara Sahib at Bana Singh ki Dhani, village Bafee, Tehsil, Mundawar, District Alwar.</p>	<p>The Commission observed during the course of hearing that access to water and easement right of the Petitioner may have been affected. Accordingly, to settle the issue Respondents may find amicable solution to provide access to water and easement right to the Petitioner.</p>



		<p>The reports received from DM, Alwar dated 12.01.2017 and SP, Alwar dated 14.01.17 were sent to the petitioner for rejoinder, if any. Based on the rejoinder dated 13.02.2017 reports were again sought from DM and SP, Alwar. Reports from DM vide letters dated 31.8.2017 and 15.9.2017 along with a report of SP, Alwar dated 6.9.2017 have been received. The petitioner has again submitted rejoinder dated 18.12.2017.</p> <p>In view of this, the Commission decided to hold a hearing.</p>	<p>In view of this, the hearing is adjourned till a report is received from the Respondents.</p>
7.	<p><b>F.No. S/HR/319/2/2018</b></p> <p><b>Shri Lakhwinder Pall Singh</b>  <b>S/o Shri Santhok Singh</b>  <b>H.No. 951- Sector-13</b>  <b>Kurukshetra</b>  <b>Haryana</b></p> <p><b>Date of hearing : 28.2.2018</b></p>	<p>The Commission took cognizance of the representation dated nil of Shri Lakhwinder Pal Singh. He has alleged that some anti-social elements have attempted to capture his land. These elements hit him on 6.12.2017. He approached the Police but SHO didn't take any action against the accused. Further SHO abused him and used derogatory language against the Sikh religion.</p>	<p>Shri Jagdish Rai, DSP submitted a report in the matter to the Commission. However, in order to enable to decide the matter, the Commission felt that the SP's presence is required in the hearing. He was, therefore, asked to be present in the next date of hearing.</p>

		<p>Shri Lakhwinder Pal Singh approached the SP, but nothing has been done by the police.</p> <p>The Commission called a report from the Principal Secretary, Home Department, Govt. of Haryana vide letter dated 2.1.2018, but report is yet to be received.</p> <p>In view of this, Commission decided to hold a hearing.</p>	
8.	<p><b>F.No.C/MH/319/54/2016</b></p> <p>Sh Jude D'Souza, Dilkush Terrace 1<sup>st</sup> Floor 5A, Dr Peter Dias Road, Bandram Mumbai 400050</p> <p><b>Date of hearing : 14.3.2018</b></p>	<p>The Commission took cognizance of the representation dated 19.4.2016 of Shri Jude D'Souza regarding harassment of his wife by the Dena Bank zonal office Mumbai and reinstatement at Bandra Branch as Chief Manager. The Dena Bank vide their letter dated 21.9.2016 informed that the suspension of petitioner's wife Ms Celine D' Souza has been revoked on 16.9.2016 and she reported to duty on 21.9.2016.</p>	<p>The Hon'ble Chairman observed during the course of hearing that it is a clear case of harassment of a Christian lady by the Bank officials. The inquiry proceeding shall be completed immediately and outcome of inquiry shall be shared with Commission.</p> <p>In view of above, the hearing is adjourned till the inquiry proceeding is completed.</p>

		<p>Subsequently the petitioner vide representation dated 16.11.2016 informed that though the Dena Bank revoked suspension of Ms Celine D' Souza however, dues for the period of suspension were not paid.</p> <p>The Commission vide its letter to Dena Bank dated 08.12.2016, 10.2.2017, 06.3.2017, 19.6.2017, 31.7.2017, and 06.9.2017 to the General Manager Dena Bank, Bandra, asked to submit a report in the matter. However, no reply was received nor all outstanding dues including PF for the 6 month suspension and all increments due etc. were released.</p> <p>In view of this, the Commission decided to hold a hearing.</p>	
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