

# II

ANNEXURE

## Cases Heard by the Commission during 2020-2021

S. No.	File No., name, address of the petitioner, date of hearing	Brief of the case	Decision of the Commission in the hearing
1.	<p><b>M/UP/705/306/2017</b></p> <p><b>Smt. Naseem Bano</b> R/o 15 Napier Road, Part-2 Ghas Mandi Dhal, Behind Anjir Wali Masjid Thakurganj, District Lucknow, Uttar Pradesh</p> <p><b>Date of Hearing:</b> <b>25.08.2020,</b> <b>16.12.2020</b></p>	<p>The Commission took cognizance of the representation dated 12.07.2017 of Smt. Naseem Bano. The petitioner alleged that 2400sq. ft. of land was allotted to her in 1998. However, in 2004, LDA gave her possession of only 1400sq.ft. and assured that rest would be handed over after removing illegal encroachment. This has not been done till date.</p> <p>In view of this Commission decided to hold the hearing.</p>	<p><b>25.08.2020</b></p> <p>The Commission after hearing the parties directed Lucknow Development Authority to demolish, as per their own order, the portion of the property Plot no. 15, Napier Road, Part-II, illegally encroached upon and handover the possession to the petitioner and submit report within 30 days.</p> <p><b>16.12.2020</b></p> <p>The Commission after hearing the parties is of the view that the petitioner was made to suffer due to inaction of the LDA in not implementing the order of demolition passed by the Court for obvious reason. The Commission directed LDA to demolish, as per their own order the portion illegally encroached by Shri Suhail on property Plot no. 15, Napier Road, Part-II, and handover possession of 913 sq.ft. to petitioner and report to the Commission within one month.</p>



# NATIONAL COMMISSION FOR MINORITIES

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		The Commission is also of the view that the then officers of LDA have not acted and appear to have supported Shri. Suhail for some obvious reasons which is not acceptable. It was decided to write to the Chief Secretary and DGP of Uttar Pradesh Govt. to setup an enquiry by CID and to take appropriate action against the officials.
<b>UP/309/334/2019</b>  Shri Mohd. Idris Mohalla Jekhwada, Thana Sikandarabad, District Bulandshahr, Uttar Pradesh  Date of hearing: 08.08.2020	The Commission took cognizance of the representation received from the petitioner Shri Idris dated 23.04.2019. The petitioner has alleged that the SHO Sikandarabad is harassing and implicating the petitioner and his relatives in false case. The Commission decided to obtain a report from SSP, Bulandshahr, Uttar Pradesh vide letter dated 16.05.2019 but no reply was received.  In view of the above the Commission decided to hold the hearing.	The Commission after hearing all the parties directed that the petitioner will submit details of the proof of innocence of the four accused persons to Shri Gopal Chaudhary, Addl. SP. The Police on further inquiry will submit action taken report within 10 days to the Commission as to what action has been taken.
<b>DL/319/36/2018</b>  Shri M.S. Randhawa Room 222, Rashtrapati Bhawan, Cabinet Secretariat, Plot No. 3, Sector-10, Dwarka, New Delhi.  Date of hearing: 08.08.2020 and 11.11.2020	The Commission took cognizance of the representation of Shri M.S. Randhawa regarding demarcation and demolition of illegal construction.  In view of the above, the Commission decided to hold the hearing	<b>25.8.2020</b>  The Commission in view of the facts and circumstances directed that the SDM should take action within 15 days and report to the Commission failing which the SDM shall be responsible for appropriate action as recommended by the Commission.

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			<p><b>10.11.2020</b></p> <p>The Commission after hearing both the sides directed SDM, Dwarka and the Dy. Commissioner, Najafgarh Zone, in coordination of each other to carry out the measurement/demarcation of the property at Khasra No. 1/18 measuring 1008 sq.yrds and to remove the encroachment and send report within 45 days. In case any agency is not cooperating in carrying out the action, as directed, the same may be brought to the notice of the Commission.</p>
4.	<p><b>S/DL/801/7/2018</b></p> <p><b>Smt. Amarjit Kaur</b> R/o Baird Road, Doctor Lane, New Delhi.</p> <p><b>Date of hearing:</b> <b>25.8.2020</b></p>	<p>The Commission took cognizance of the representation dated 17.01.2018 of Smt. Amarjit Kaur, Baird Road, Doctor Lane, New Delhi regarding long delay in transfer of Cycle Repairing Shop-CRT No. 23 at Baird Road/Doctor Lane in her name.</p> <p>In view of above, the Commission decided to hold the hearing.</p>	<p>The Commission in view of the request of Shri Ahmad directed the petitioner to file reply of the Report dated 24.8.2020 within a week. The matter was adjourned on the request of the petitioner to file reply.</p>
5.	<p><b>M/DL/319/140/2019</b></p> <p><b>Shri Mohd Akbar</b> R/o B-476, Gali No.20, Khajuri Khas, Delhi-94</p> <p><b>Date of hearing:</b> <b>26.8.2020</b></p>	<p>The Commission took cognizance of the representation dated 26.9.2019 of Shri Mohd Akbar regarding demarcation of his ancestral land situated in village Kilokri.</p> <p>In view of the above, the Commission decided to hold hearing.</p>	<p>The Commission in submission made by the respondent SDM directed to complete the demarcation process within one and a half month and submit report.</p>





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6.	<b>M/JH/302/20/2019</b>  <b>Shri Naeem Ansari,</b> Sub-Judge, Dalsa Garhwa, Jharkhand  <b>Date of Hearing:</b> <b>26.08.2020</b>	<p>The Commission took cognizance of the representation dated 6.06.2019 of Shri Mohd Naeem Ansari regarding alleged harassment and filing a wrong FIR. A report was sought from SP, Garhwa on 19.07.2019 and same was received from SP, Garhwa on 09.10.2019, which was sent to the petitioner for his rejoinder. The petitioner was not satisfied with the response.</p> <p>In view of the above the Commission decided to hold the hearing.</p>	<p>The Commission in view of the pendency of the case before court of Ld. CJM and the fact that the petitioner was neither present nor informed anything about his absence, decided to close the matter since the petitioner is not interested in pursuing his case.</p>
7.	<b>B/UP/319/45/2017</b>  <b>Shri Boudh Bhikshu Mahanam Thera</b>  Address: Maha Karuna Buddh Vihar, Khasra No. 268/3 and 277 Village Hasanpur Bhowapur, Chaudhary Samay Singh Market, Near P.A.C Gate No. 1, Main Link Road, District Ghaziabad, Uttar Pradesh  <b>Date of Hearing:</b> <b>26.08.2020</b>	<p>The Commission took cognizance of the representation dated 15.01.2017 of Boudh Bhikshu Mahanam Thera, District Ghaziabad, Uttar Pradesh wherein petitioner alleged that the GDA has issued the notice to demolish the Maha Karuna Baudh Vihar.</p> <p>In view of this Commission decided to hold another hearing.</p>	<p>The petitioner submitted that as discussed in the hearing dated 05.07.2019 the GDA was asked to consider renovation of the Baudh Vihar as it is in very bad shape. The Commission asked the respondents that various religious structures and unauthorized building have come up on the green land but no action have been taken against them. Hence, the petitioner at least be allowed to renovate the Baudh Vihar.</p> <p>The Commission decided to adjourn the matter for further examination.</p>
8.	<b>M/UP/705/195/2019</b>  <b>Shri Maulana Mehmood Jafar Rizvi</b> R/o: Village and P.o Jarcha, P.S Jarcha, Dist. Gautam Budh Nagar, Uttar Pradesh	<p>The Commission took cognizance of the representation received from the petitioner Shri Maulana Mehmood Jafar Rizvi dated 06.03.2019. The petitioner has submitted that petitioner's grandfather brought a land known</p>	<p><b>26.08.2020</b></p> <p>It seems that the petitioner is not interested or serious in pursuing his complaint/representation to seek redressal of his grievance. The Commission in view of the position decided to dispose of the matter.</p>





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	<b>Date of hearing:</b> <b>26.08.2020, 16.11.2020</b>	<p>as Tal of Monaal. His grandfather had given part of land for the construction of masjid and kanji house. In 1948, kanji house collapsed and only two rooms remained and the rest were in the form of mosque and plot. It is alleged that land mafia of the village is now trying to grab the land of the petitioner. They have built houses and shops on a part of the land of petitioner.</p> <p>The petitioner again approached the Commission on 29.09.2020 with request to reopen his case.</p> <p>In view of the above Commission decided to hold the hearing.</p>	<p><b>16.11.2020</b></p> <p>The Commission after hearing both the sides decided to forward the complaint of the petitioner to the District Magistrate and SSP, Gautam Buddha Nagar to take appropriate action on the complaint. It was also decided with regard to complaint regarding Abadi area, the petitioner can approach the Civil Court for appropriate remedy. The Commission decided to close the matter at present.</p>
9.	<p><b>M/DL/319/75/2019</b></p> <p><b>Smt. Raisa</b> R/o H.No. 52/2, Gali No.4, First Floor, Babu Nagar, Karawal Nagar, Delhi-110094.</p> <p><b>Date of Hearing:</b> <b>26.08.2020</b></p>	<p>The Commission took cognizance of the representation of Smt. Raisa regarding alleged harassment and police inaction.</p> <p>In view of the above, it has been decided to hold the hearing.</p>	<p>As the matter is pending before Ld. CMM, Rohini as informed by the police and also accepted by the Petitioner's advocate, the Commission decided to dispose of the case as the issues will be considered by the Hon'ble Court at the time of framing of charges.</p>
10.	<p><b>M/UP/302/328/2019</b></p> <p><b>Shri Rafiq-uddin</b> R/o House no.13, NH-24, Dasna, District Ghaziabad, Uttar Pradesh</p> <p><b>Date of Hearing:</b> <b>26.08.2020</b></p>	<p>The Commission received the petition from the petitioner dated 17.08.2019, stating that on 05.02.2019 S.I., Harender Pal Singh along with 4 other police officials broke into his house and physically assaulted the petitioner and sexually harassed his wife. It was stated that petitioner's wife has also filed complaint no. 1317 under section 156(3) on</p>	<p>The Commission supplied a copy of a report dated 21.08.2020 of Circle officer, Sadar, Ghaziabad to the petitioner for filing reply if any, and adjourned the matter.</p> <p>The petitioner and respondent Police admitted that the matter is pending before the Court.</p> <p>As the matter is sub-judice, therefore, it was closed in NCM with the</p>





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		<p>which Chief Judicial Magistrate, Ghaziabad has also issued order to file FIR against S.I., Harender Pal Singh. However, no action has been taken on the same. A report was sought from the Senior Superintendent of Police, Ghaziabad on 16.05.2019 and report has been received from SSP, Ghaziabad on 05.06.2019. The copy of the report was forwarded to the petitioner on 13.06.2019 on which the petitioner submitted a rejoinder dated 17.08.2019 and was not satisfied with the reply.</p> <p>In view of the above, the Commission decided to hold the hearing.</p>	approval of Vice Chairman on 10.11.2020.
11.	<p><b>M/UP/705/343/2017</b></p> <p><b>Mr. S.S. Shaukat Abdi</b> R/o Chairman, Asar Foundation, 50, Dariyabad, Allahabad, U.P.</p> <p><b>Date of hearing</b> <b>29.09.2020</b></p>	<p>The Commission took cognizance of the representation dated 04.08.2017 of Shri S.S. Shaukat Abdi, Chairman, Asar Foundation, 50, Dariyabad, Allahabad, U.P. The petitioner alleged that 200 years old Imambada was illegally demolished by land mafias in connivance with administration.</p> <p>In view of the above, the Commission decided to hold another hearing.</p>	The Commission after hearing both the sides decided to give liberty to the petitioner to pursue the matter for demolition of the illegal construction raised after demolition the 200 year old Imambada. The Commission directed Shri Yadav, Dy S.P. to file the government order/Circular/Rules in the respect of the submission regarding arrest and the Court order on the next date of hearing. The Commission expressed dissatisfaction over non-appearance of the District Magistrate for the hearing as he was granted leave of absence in the previous hearing also.





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13.	<b>M/DL/801/12/2019</b>  <b>Ms. Sanjida Khatoon</b> H/No. 175/79A, Gali No.3, Gulshan Chowk, Punjabi Basti, Baljeet Nagar, New Delhi-110008  <b>Date of hearing:</b> <b>29.9.2020</b>	<p>The Commission took cognizance of the representation of Smt. Sanjida Khatoon regarding alleged harassment and threat to life to her and her family members.</p> <p>In view of the above, the Commission decided to hold a hearing.</p>	<p>The Commission after hearing the petitioner in detail, decided to seek a report from the Police, particularly the SHO, Anand Parbat as to what action was taken by them on the detailed complaint of the petitioner received on 12.02.2020 vide DD No. 37A</p>
14.	<b>S/UP/319/727/2019</b>  <b>Mohan Singh S/o Shri Amreek Singh,</b> R/o Village Hathmana, Paragna Chouhmala, Tehsil Bahedi, District Bareilly, Uttar Pradesh  <b>Date of hearing:</b> <b>10.11.2020, 30.12.2020</b>	<p>The Commission took cognizance of the representation dated 13.08.2019 of Shri Mohan Singh regarding demolition of historical Gurudwara Sahib, Bahedi, Bareilly, U.P. A report was sought from District Collector, Bareilly, Uttar Pradesh on 22.10.2019 followed by a reminder dated 12.12.2019.</p> <p>The report was received from the Chief Engineer (Development and Departmental Head) Development, Public Works Department, Uttar Pradesh, wherein they have informed that the issue in question does not pertain to them. This matter comes under the purview of NHAI.</p> <p>In view of the above, the Commission decided to hold the hearing.</p>	<p><b>10.11.2020</b></p> <p>In view of the submissions made, the Commission decided to call NHAI who is the appropriate authority in this matter as well as District Magistrate, Bareilly. The matter was fixed for 30.12.2020.</p> <p><b>30.12.2020</b></p> <p>The Commission after hearing both the parties directed NHAI to explore the possibility to shift the road towards opposite sides in order to save the school and the Gurudwara. An affidavit was filed by the owner of the property who is on the opposite side of the school and Gurudwara expressing his no objection if his land is acquired to save school and Gurudwara. The affidavit was taken on record. The District Magistrate, Bareilly was directed to cooperate with the NHAI for this purpose. The respondent NHAI was given 30 days' time to explore the possibility of saving the Gurudwara and school and report back to the Commission.</p>





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15.	<b>M/HR/700/41/2017</b>  <b>Shri Amir Hasan</b> R/o: Village Pingod, Tehsil Hodal, District Palwal, Haryana  <b>Date of hearing:</b> <b>16.11.2020</b>	<p>The Commission took cognizance of the representation of Shri Amir Hasan. The petitioner complained against a person of Gujar caste for illegal encroachment of Muslim graveyard and Waqf property with the help of Estate Officer, Waqf Board. It was further alleged that certain person belonging to Gujar caste have illegally built their houses in the graveyard area of Muslims.</p> <p>In view of the above, Commission has decided to hold the hearing.</p>	<p>The Commission after hearing the parties directed as follows:</p> <p>(i) That within 15 days execution is to be filed by the board and in another 15days execution will be cleared by the SDM and construction of wall should commence within next 15days and report be filed within 45days to the Commission.</p> <p>(ii) The Commission directed the SDM to pass appropriate order in the contested mutation petitions at the earliest.</p> <p>(iii) The concerned SP was directed to protect life and liberty of the petitioner. The Police were also directed to inform the Commission as to what action was taken by them in FIR no. 727/20.09.2018 and FIR no. 732/20.09.2018.</p>
16.	<b>M/MP/104/00014/2020</b>  <b>Shri Mohd Ishaq Qureshi</b> R/o 48/2, Labriya Bheru, Indore, Madhya Pradesh  <b>Date of Hearing:</b> <b>18.01.2021</b>	<p>The Commission took cognizance of the representation dated 19.05.2020 of Shri Mohd Ishaq Qureshi regarding illegal termination from service. A report was sought from Chairman, Airports Authority of India on 28.07.2020 and same was received from Regional Executive Director, Airports Authority of India, Western Region on 10.09.2020 stating</p>	<p>The Commission after hearing the parties is of the view that the respondent was not able to satisfy that there was no discrimination against the petitioner. The Commission directed the respondent to allow the petitioner to work with them to which the respondent fairly agreed but requested the Commission to give an advisory to petitioner to work</p>





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		<p>that AAI had received multiple complaints against Mohd Ishaq Qureshi from contractual staff for alleged misconduct, disturbing working environment and manipulation of their overtime allowances. It was informed that the allegation of replacing Mohd Ishaq Qureshi as he belongs to Minority community is false as AAI has terminated the service of both the employees against whom complaint were made (Mohd Ishaq Qureshi and Kamlesh Chauhan). Copy of reply was sent to the petitioner vide Commission's letter dated 18.09.2020 but he was not satisfied.</p> <p>In view of the above the Commission decided to hold the hearing.</p>	properly and not to indulge in any activity that may cause hindrance. The Commission advised petitioner to conduct himself appropriately as per work norms and work diligently.
17.	<p><b>M/MP/103/00025/2020</b></p> <p><b>Shri Ahtesam UI Haque</b> R/o Central Frontier HQ. ITBP, PO-Kokta, Kana Saiya, District Bhopal, M.P.-462022</p> <p><b>Date of Hearing:</b> <b>18.01.2021</b></p>	<p>The Commission took cognizance of the representation dated 30.08.2020 of Shri Ahtesam-UI Haque, Sub-Inspector, ITBP regarding mental and financial harassment at Central Frontier, HO ITBP, Bhopal. A report was sought from the Director General, ITBP, New Delhi on 15.09.2020 and same was received from Sub-Commandant (Establishment), I.T.B.P. vide his letter dated 23.10.2020 stating that petitioner was sanctioned outliving permission but during the physical checking of Frontier</p>	<p>The Commission after hearing the parties and after perusal of documents is of considered view that official at Bhopal had bias and discrimination against the petitioner. The then DIG without confirmation of the punishment of severe reprimand by the JAG issued order of doubtful integrity of the petitioner and directed concerned authority to incorporate the severe reprimand order in his APAR which was wrong and shows an element of discrimination. The Commission recommended to the</p>





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		<p>Vigilance team, family of the applicant was not found in his rented accommodation and accordingly his along with 6 other similar outliving permission cases were cancelled. Therefore, Shri Ahtesam UI Haque was found guilty as per provisions under Sec-Act-38(c) and 43 of ITBP Act-1992. However, outliving permission along with HRA was restored/sanctioned to him w.e.f. 01.10.2019 vide office order no. 3529 dated 25.09.2020.</p> <p>In view of the above the Commission decided to hold the hearing.</p>	<p>Director General, ITBP Shri S.S. Deswal to initiate departmental enquiry against the then DIG who issued the impugned order dated 18.08.2020 and send a report to the Commission at earliest.</p>
18.	<p><b>M/DL/705/200/2013</b></p> <p><b>Ms. Imrana Khan</b> R/o1632, Dakhani Rai Street, Darya Ganj, New Delhi.</p> <p><b>Date of hearing:</b> <b>22.02.2021</b></p>	<p>The Commission took cognizance of the representation dated 18.1.2021 of Ms. Imrana Khan regarding acquisition of land by the DDA opposite Jahaz Mahal at Khasra No. 115/13, Ward No. 8, Mehrauli and property at Khasra No. 167 village Ladha Sarai, Jain Mandir, M.G. Road, Delhi.</p> <p>In view of the above, the Commission decided to hold a hearing.</p>	<p>The absence of the respondent (DDA) in the hearing was viewed seriously by the Commission.</p> <p>The Commission in view of the submission decided to call Ministry of Rehabilitation and DDA with record details of how the property were acquired. The Petitioner was also directed to obtain status report from the Court on the SLP and Civil Suit and submit it to the Commission.</p>





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19.	<b>M/DL/102/00077/2020</b>  <b>Ms. Bushra Begum</b> R/o 1833, Lal Darwaza Sirkiwala, Lal Kuan, Delhi-110006.  <b>Date of hearing:</b> <b>18.03.2021</b>	<p>The Commission took cognizance of the representation dated 15.9.2020 of Ms. Bushra Begum regarding alleged harassment and not approving scholarship form.</p> <p>In view of the above, the Commission decided to hold a hearing.</p>	<p>The Commission after hearing both the sides directed the petitioner to submit application addressed to Directorate of Education, Govt. of NCT of Delhi, Private School Section with correct date of birth of the child and the School will endorse the application and documents for change of date of birth of the child and spelling of father's name and also help the petitioner, as and when required, in this matter of change of date of birth and spelling of father's name.</p>
20.	<b>M/DL/102/0019/2020</b>  <b>Ms. Ayesha Ahmed</b> R/o G-23/B, Haji Colony, Near Bismillah Masjid, Gaffar Manzil, Ex.II, Jamia Nagar, New Delhi-110025.  <b>Date of hearing:</b> <b>19.3.2021</b>	<p>The Commission took cognizance of the representation dated 15.12.2020 of Ms. Ayesha Ahmed regarding ambiguity in MPT admission by Amar Jyoti Institute of Physiotherapy (University of Delhi).</p> <p>In view of the above, the Commission decided to hold a hearing.</p>	<p>The Commission after hearing both the sides was of the view that at the time of admission concerned people have violated instructions given at time of counselling. It was admitted by the respondent that one boy was not in possession of OBC-NC certificate but was given admission by violating their own instruction at the cost of the petitioner, who was denied admission. The Commission observed that injustice was done against petitioner and she should be given admission by the respondent institute to undo the injustice done to her who belongs to Minority community, since a favour was given to some student who was not having requisite certificate at the time</p>





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		<p>of counselling. The Commission directed that action against persons who were seemingly involved in malpractice must be initiated and the perpetrator of injustice to a Minority female student must be brought to book and action be taken by filing FIR against them.</p>