



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

File No.- NCST/ATY-1045/TS/12/2023-APCR

Date : 23.01.2024

To,

Shri Sandeep Shandilya,
Commissioner of Police
Hyderabad City
Avanti Nagar, Basheer Bagh,
Hyderabad -500029 (Telangana)
Email: cp-hyderabad@tspolice.gov.in

Sub: Representation received from Smt. N. Geeta, W/o Shri Prabhakar, Vikranti Theater, Pillar No. 1325, Mulgi No. - 5-2-28 & 29, Jam Bagh, Hyderabad, Telangana regarding harassment, threatening, torturing and extortion committed against her by the accused.

Sir,

I am directed to enclose herewith a copy of the Minutes of the Meeting held on 03.01.2024 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action. It is requested that compliance report may be submitted to this Commission within 30 days positively for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully,

(एच.आर मीना /H.R. Meena)
अनुसंधान अधिकारी/ Research Officer
Email ID : hari.rammeena@ncst.nic.in

Copy to:-

NIC

Smt. N. Geeta,
W/o Shri Prabhakar,
Vikranti Theater, Pillar No. 1325,
Mulgi No. - 5-2-28 & 29, Jam Bagh,
Hyderabad -500001 (Telangana)


NATIONAL COMMISSION FOR SCHEDULED TRIBES
Case File No. NCST/ATY-1045/TS/12/2023-APCR

Minutes of Meeting chaired By Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 03.01.2024 in the case of Smt. N. Geeta, W/o Prabhakar, Vikranti Theater, Pillar No. 1325, Mulgi No. - 5-2-28 & 29, Jam Bagh, Hyderabad, Telangana regarding harassment, threatening, torturing and extortion committed against her by the accused.

Date of Meeting: 03.01.2024
List of Participants is Annexed.

The Commission has received a representation dated 21.10.2022 from Smt. N. Geeta, W/o Prabhakar, Vikranti Theater, Pillar No. 1325, Mulgi No. - 5-2-28 & 29, Jam Bagh, Hyderabad, Telangana through Addl. PS to Minister, Tribal Affairs vide Note dated 07.02.2023 regarding attack on her fruit shop, demolishing the shop followed by harassment, threatening, torturing and extortion committed against her by the accused. She stated that she runs a fruit shop, she was being harassed by some local goons, so she lodged an FIR against them. Due to the registration of the FIR, now they want to take revenge. The petitioner is in apprehension of attack by the goons and requesting for providing possession/ allowing her to run the shop which was provided to her family by the then Nawab's family about 75 years ago.

2. The Commission took up this matter with Commissioner of Police, Hyderabad City, Telangana vide notice issued on 13.04.2023.
3. In response to Commission's Notice dated 13.04.2023, a report dated 25.04.2023 has been received from the Commissioner of Police, Hyderabad and it was reported that there is no evidence to prove the allegations made by the complainant. Hence, this case has been submitted as lack of evidence for the time being. If any evidence comes forth in future, the case will be re-opened and action will be taken accordingly. The final report also submitted before the Hon'ble Court by treating the case as "lack of evidence" and issued proceedings accordingly. The investigation outcome is also informed to the complainant through Notice under due acknowledgement and the same has submitted before the Hon'ble Court.
4. On examination of the reply of the Commissioner of Police, Hyderabad City the Commission fixed a Meeting on 03.01.2024 with the Commissioner of Police, Hyderabad City.
5. On behalf of the Commissioner of Police, Assistant Commissioner of Police, Sultan Bazar was present in the Meeting. The petitioner was also present in the Meeting.
6. The matter was discussed in detail. The petitioner submitted before the Commission that she was running a fruit business in the name and style as "Bismillah Fruit House" situated at Door Bearing No. 5-2-28 & 29, Jam Bagh, Hyderabad since long time (about 75 years). Initially, her mother was running the shop and that later her mother had handed over the shop to the petitioner and since last over 40 years, she personally is running the same, as absolute owner and as a disciple of Hazrath Ghouse Azam Dastagir. Her mother had


अनंत नायक/ANANTA NAYAK
सदस्य/Member


installed the green flag (panjasha), and regularly doing the fateha annually every year without fail and feeding several persons with delicious biryani, sweets etc. That the adjacent owners Adnan Izzuddin, Salman, Nawab Khan, Imran, Irfan, Asif, Iqbal & Khaja Moinuddin have colluded with each other. Ultimately on 02.08.2022, about 50-60 anti-social elements, rowdy elements, local police and other officials with other GHMC officials managed by the accused persons trespassed into her mulgi and started abusing her in filthy languages and with the help of local police, they forcibly snatched her cell phone and also money box and also damaged the shop. She has lodged a complaint at the Police Station, Afzalgunj and a case was registered. But no action has been taken by the Police authorities.

The Additional Commissioner of Police informed that in the year 2014, the landlords Mr. Izzuddin and others let out their old house for rent, to M/s Chandrakanth Brothers partnership firm represented by Manilal and Lalith Kumar. Since then, there is a dispute between the tenants and landlords. As per the documents available, the complainant Smt. N. Geetha was running her shop styled as Bismillah fruit house in the same property. She might be sub tenant with the original tenants Manilal and others. The Landlords approached the Hon'ble Civil Court, vide OS No. 947/2014 in Hon'ble 25th Addl Chief Judge, City Civil Court, Hyderabad on 3 December, 2021. When the tenants failed to vacate the premises, owners filed the execution petition before the court vide DP No. 215/2022. The Hon'ble court issued warrant vide EA No. 131/2022 and EP. No. 215/2022 on 06.07.2022 and issued order for providing police protection to Bailiff for executing the warrant by delivering possession to the owners. On 2nd August, 2022, as per the directions of the Hon'ble Court, Bailiff executed the warrant and handed over the peaceful possession to the plaintiff. Accordingly, the Bailiff Shri Chittibabu approached SHO PS Afzalgunj for police protection as per order of Hon'ble 25th Addl. Chief Judge, City Civil Court, Hyderabad to execute the warrant, for taking physical possession of Scheduled property. SHO, PS Afzalgunj along with force followed Bailiff and reached scheduled property. On reaching Bailiff announced and explained the Hon'ble Court Order to Smt. N. Geeta. At the time of taking possession of Scheduled property, the complainant has not co-operated with Bailiff. A panchnama was also made at that time.

7. After hearing the matter, the Commission observed/recommends that:

- Action for possession of the said property/shop from the petitioner has been taken by the Police as per Hon'ble Court order.
- Evidence/documents of ownership/gift deed in favour of petitioner or her family members in respect of said property/shop may be submitted by the petitioner to the Commission. The petitioner was earlier advised to approach the competent court in Appeal if such records are available with her.
- The Police authorities to take immediate action as per law on the complaint from the petitioner on her alleged caste base harassment.

Action taken report may be submitted to the Commission within 30 days.


(ANANTA NAYAK)
MEMBER

National Commission for Scheduled Tribes

अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

NATIONAL COMMISSION FOR SCHEDULED TRIBES
Case File No.- NCST/ATY-1045/TS/12/2023-APCR

List of participants

National Commission for Scheduled Tribes

Shri Ananta Nayak
Hon'ble Member

Shri R.K. Dubey
Deputy Director

Shri H.R. Meena
Research Officer

Shri Radhakanta Tripathy
Spl. Rapporteur.

Officers from O/o Commissioner of Police, Hyderabad

Shri A.C. Bala Gangi Reddy
Asst. Commissioner of Police,
Sultan Bazar Division, Hyderabad

Petitioner

Smt. N. Geeta