

**Govt. of India**  
**National Commission for Minorities**  
Lok Nayak Bhawan, Khan Market, New Delhi-3

**Petitioner:** Ms. Noor Fatima

**Respondent:** Principal Secretary, Dep't. of HRD, Govt. of Bihar and District Magistrate, Siwan, Bihar.

**File No. M/BR/20/0017/09-NCM**

**The Bench of the NCM met on 9.11.2011 consisting of:**

- (i) Shri Wajahat Habibullah, Chairperson
  - (ii) Smt. Syeda Imam, Member
  - (iii) Shri Vinod Sharma, Member
2. Joint Secretary and Senior Research Officer assisted the bench.

**Brief record of hearing held in the Conference Room of the National Commission for Minorities held on 09.11.2011 at 11.00 A.M.**

**3. Present** (at NIC centre DM's office, Siwan):

- I. Shri Lokesh Kumar Singh, District Magistrate, Siwan, Bihar;
- II. Ms. Noor Fatima, W/o Late Mohammed Nazir, Vill. Qutub Chhapra, Post, Bakerganj, Distt. Siwan, Bihar assisted by Ms. Zeba Parveen, granddaughter Smt. Noor Fatima

Shri Anjani Kumar Singh, Principal Secretary, Dep't. of HRD, Bihar was absent.

**Facts:**

4. Ms. Noor Fatima had made a representation on 15.8.2009 to this Commission inter alia stating that her husband Shri Mohammed Nazir, who was working as Head Master in a Primary School in Ferozpur, Distt. Siwan, Bihar died on 18.08.1975 and despite lapse of a period of 34 years family pension and other retirement dues have not been released to her.

**Discussion:**

5. Chairman initiated the discussion stating that after hearing both the parties on 12.4.2010 the NCM had earlier recommended that the Government of Bihar provide financial help to the petitioner. The recommendations of the Commission were forwarded to the Principal Secretary Human Resource Development, Government of Bihar. The Principal Secretary reported that Smt. Noor Fatima had been sanctioned pension under the Laxmibai Pension Scheme from 01.01.2011 and this amount is equivalent to National Old Age Pension Scheme, for which petitioner was not eligible, not being BPL. The Principal Secretary also reported that gratuity and GPF as provided under Vidhva Labh Scheme has been paid to petitioner.

6. The Petitioner has again made a representation stating that she is still awaiting the money though she has been sanctioned pension long ago. The Commission desired to know the present status in releasing the amount. The District Magistrate said this had not been done because petitioner could not open the required saving account. However, **he assured that the pension amount from January 2011 to August 2011 would be released to Smt. Noor Fatima within a week and status report will be sent to NCM by 20.11.2011.** The Commission directed the District Magistrate to explore the possibility of sanctioning pension from May 2010 the month following the date of decision of the last hearing in NCM. The matter regarding the release of other benefits such as gratuity, PF, Insurance amount etc. also came up for discussion. The petitioner informed the Commission that she had received only Rs.1200/- after the death of her husband, which she was not sure was in settlement of which of her husband's final dues. She also reiterated that she had been reduced to penury and should be given benefits from the date of her husband's death.

**Decision notice:**

7. The Commission advised that the status of the case be reported to NCM by 20.11.2011 after crediting the amount of pension to Smt. Noor Fatima. It was also decided that the District Magistrate will verify from the District Education Officer regarding settlement of dues of petitioner's late husband and send a report after consultation with petitioner, detailing the settlement made, and if any amount included in the settlement remained to be credited to her.

8. The Commission wishes to place on record its displeasure with Secretary, Dep't of Human Resource Development, Govt. of Bihar for failure to be present despite arrangement for videoconference. This comment be communicated to the Chief Secretary, Govt. of Bihar

Sd/-  
(Wajahat Habibullah)  
Chairperson

Sd/-  
(Syeda Imam)  
Member

Sd/-  
(Vinod Sharma)  
Member

Authenticated true copy. Additional copies of order shall be supplied on application.

Ms. Esther Kar  
(Jt. Secretary)  
09.11.2011