
Fwd: Additional Information Called for(AIC) -2319/12/8/2025

Loveneesh Bhati <loveneeshbhati@gmail.com>
To: VIVEK TRIPATHI <VIVEK302TRIPATHI@gmail.com>

Tue, 10 Feb at 7:27 PM

----- Forwarded message -----

From: <nhr.india@nic.in>
Date: Tue, Feb 10, 2026, 1:22 PM
Subject: Additional Information Called for(AIC) -2319/12/8/2025
To: <dmbhopal@nic.in>, <loveneeshbhati@gmail.com>

**NATIONAL HUMAN RIGHTS COMMISSION**

MANAV ADHIKAR BHAWAN BLOCK-C, GPO COMPLEX, INA, NEW DELHI- 110023

Fax No.: 011-24651332 Website: www.nhrc.nic.in

(Law Division)

Case No.- 2319/12/8/2025

Date : 10/02/2026

To,
THE DISTRICT MAGISTRATE
[A Block Sultania Road Kohefiza](#), Old Secretariat,
BHOPAL MADHYA PRADESH
462001
Email- dmbhopal@nic.in

Sub : Complaint/ Intimation from

LOVENEESH BHATI AND OTHERS
R/O [E4/400, ARERA COLONY, BHOPAL](#)
BHOPAL , MADHYA PRADESH
0
Email- loveneeshbhati@gmail.com , Mob No- 9752156375

Subject: Additional Information Called for(AIC) -2319/12/8/2025.

Sir/ Madam,

I am directed to say that the matter was considered by the Commission on 10/02/2026 and the Commission has directed as follows.:

1. The residents of E4 Arera Colony, Bhopal have submitted their complaint to the Commission, regarding the illegal operation of a newly established liquor shop-cum-bar at Plot No. E 4/21, located in a residential area. The outlet has been situated within 50 meters of a temple (Arya Samaj Mandir) and adjacent to Anushree Children's Hospital, which violates Clause 4.4 of the Excise Policy dated 15.02.2025, mandating a minimum distance of 100 meters from religious places. Additionally, the residents have reported an increase in criminal incidents, including thefts and public intoxication by anti-social elements causing disturbance and fear in the locality. Despite clear violations of state excise norms and public safety concerns, no effective action has been taken. The complainants sought the intervention of the Commission in the matter and requested immediate cancellation of the shop's license by the Bhopal District Excise Committee, sealing of the premises by the Municipal Commissioner, and accountability of the officials involved in issuing the license without due regulatory checks.

2. Vide proceedings dated 28.07.2025, the Bench of the National Human Rights Commission, presided by Shri Priyank Kanoongo, Hon'ble Member, has taken cognizance u/s 12 of the Protection of Human Rights Act, 1993, in the matter. The Registry was directed to issue a notice to the DM, Bhopal, Madhya Pradesh, with directions to get the allegations made in the complaint inquired into and to submit an Action Taken Report within 15 days for perusal of the Commission.

3. Following issuance of condition summons, the Collector, Bhopal, submitted action taken report dated 23.09.2025 wherein it is submitted that four member Inquiry Committee was formed and report is enclosed. The committee concluded that no license was granted for running bar or consuming alcohol at the E-4/21. During inquiry, no running bar was found. Only, sealed liquor bottle are sold at Composite Liquor Shop. Only takeaway facility is available at the shop. It is submitted that the complainant Sh. Rajneesh Pahwa did not want to take action on the complaint; however, the remaining complainants reiterated the allegations and requested to remove the liquor shop. It is further submitted that as per Property Tax receipt of Bhopal Municipal Corporation, the commercial use of the property is valid and there are several other shops are found to be running at the location.

Additionally, it has been submitted that there is no school, college, or temple located within a radius of 100 meters from the liquor shop.

4. Further, the complainants vide communication dated 03.11.2025 reiterated the allegations and submitted that:

i. Complaint of Arya Samaj Temple: In Arera Colony, the Arya Samaj Temple has been conducting havan-pujan and community programs in accordance with Vedic traditions for approximately the last 40 years. The temple has raised objections to the operation of a nearby liquor shop. Although several religious centers are not legally registered as public trusts, they continue to function as centers of widespread public faith. The Hon'ble Prime Minister has also publicly acknowledged and appreciated the social and religious contributions of Arya Samaj. Therefore, refusal by the administration to recognize it as a religious institution is illogical.

ii. Administrative Protection to the Liquor Shop and Its Impact on Public Peace: The inquiry report of the committee reflects undue acceptance of the arguments presented by the liquor shop, while showing gross neglect of the faith, human rights, women's safety, and religious interests of the affected residents. Compliance limited to the shop premises does not automatically control the consequences in the surrounding area, such as crowding, public consumption of liquor, noise, and traffic obstruction. In the interest of public peace, imposing restrictions or closure of the shop under Section 24 of the Excise Act is justified.

Therefore, it is respectfully requested that, on the basis of the above facts and evidence, the legality of the operation of the said liquor shop be reviewed afresh and the shop be relocated to a designated market area (in case no new location is available in Arera Colony, the liquor shop may be shifted to No. 7 Market / Char Imli Market). Further, considering the distress of the residents, appropriate action may be taken against the illegal allotment of the shop and against the officials who have provided protection to it.

iii. Violation of Land Use and Building Permission: The lease of Plot No. E-4/21 located in Arera Colony was allotted by the State Government through the Collector strictly for residential use and for the personal use of the lessee. As per Lease Condition No. 17 and Rule Clause 35, commercial use is prohibited. Therefore, the current use falls under the category of violation of the applicable rules.

iv. Important Judgments of Hon'ble Courts: Illegal construction and commercial use in Arera Colony are adversely affecting the interests of residents and the environment. In this regard, the Hon'ble High Court has directed the Government and the administration to stop constructions being carried out in violation of the Master Plan and building permissions (order and news clippings enclosed). The Hon'ble Supreme Court, in Civil Appeal No. 14604/2024 (order and news clippings enclosed), has directed that, in order to curb illegal constructions (illegal land use), circulars be issued to all Chief Secretaries of States and all Urban Local Bodies to ensure strict compliance with the directions. Failure to comply has been held to amount to contempt of court. The key points are as follows:

i. "Illegal construction cannot be regularized on the grounds of administrative delay or investment made."

ii. "Immediate action is mandatory if violations are found even after issuance of a certificate."

Present Observations and Directions of the Commission:

5. The Commission has considered the material placed on record. Considering the submission of the Collector and complainant, it appears that the action taken report is silent on the legality of said liquor shop and the committee tried to justify by quoting that there are several other commercial shops running in the area and its just a "take away" shops. The complainant submitted that as per Lease Condition No. 17 and Rule Clause 35, commercial use is prohibited. There is temple nearby and also a hospital. Further, the complainant quoted the directions of the Hon'ble Supreme Court and High Court. In support of the submission, the complainant enclosed the documents.

6. In view thereof, the Collector, Bhopal, Madhya Pradesh, is directed to re-examine the legality of the liquor shop at Plot No. E-4/21 in light of the land-use conditions of the lease deed, Master Plan and building permissions. The Commission makes it clear that the while considering the issue, the Inquiry Officer or the Committee shall not rely solely on property tax records of the BMC to justify commercial use. The IO or Committee shall independently verify whether such use is permissible under the original lease conditions? During the Inquiry Officer or Committee, shall give prior notice to the complainants and shall take all evidence on record, if any, submitted by the complainant.

7. If any violation of lease condition or directions of the Hon'ble Supreme Court is found, appropriate action be taken including relocation or closure of the liquor shop. The Collector, Bhopal, shall ensure that Inquiry Officer or Committee has followed the procedure established by law during the inquiry and further ensure that report is submitted within four weeks.

8. Despite the directions of the Commission dated 19.12.2025, the authority had not submitted the requisite reports in the matter.

9. The Commission takes it seriously and directs its registry to issue a final reminder to the Collector, Bhopal, MP, for submission of a requisite report within a period of four weeks, failing which the Commission would be constrained to invoke its coercive power u/s 13 of the PHR

Act,1993.

2. It is therefore, requested that the additional/ complete report as directed by the Commission in the matter be sent latest by 20/03/2026, for further consideration by the Commission.

3. ***Any communication by public authorities in this matter may please be sent to the Commission through the HRCNet Portal (<https://hrcnet.nic.in>) by using id and password already provided to the public authorities (click Authority Login). Any Audio/ Video CDs/ pen drives etc. may be sent through Speed Post/ per bearer. The reports/ responses sent through email may not be entertained***

Your's faithfully

Sd/-

Brijvir Singh

ASSISTANT REGISTRAR (LAW)

M-4 Section

Ph. No. 011-24663290

CC to

Brijvir Singh

ASSISTANT REGISTRAR (LAW)

M-4 Section

Ph. No. 011-24663290

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 4. For general information, follow us at twitter handle (https://twitter.com/India_NHRC) and subscribe YouTube channel of the Commission at <https://www.youtube.com/NationalHumanRightsCommission> .

*****Previous Proceeding(s)*****

Case No.: 2319/12/8/2025

Action Name: Additional Information Called for(AIC)

Action Date: 19/12/2025

Action Due Date: 26/01/2026

1. The residents of E4 Arera Colony, Bhopal have submitted their complaint to the Commission, regarding the illegal operation of a newly established liquor shop-cum-bar at Plot No. E 4/21, located in a residential area. The outlet has been situated within 50 meters of a temple (Arya Samaj Mandir) and adjacent to Anushree Children's Hospital, which violates Clause 4.4 of the Excise Policy dated 15.02.2025, mandating a minimum distance of 100 meters from

religious places. Additionally, the residents have reported an increase in criminal incidents, including thefts and public intoxication by anti-social elements causing disturbance and fear in the locality. Despite clear violations of state excise norms and public safety concerns, no effective action has been taken. The complainants sought the intervention of the Commission in the matter and requested immediate cancellation of the shop's license by the Bhopal District Excise Committee, sealing of the premises by the Municipal Commissioner, and accountability of the officials involved in issuing the license without due regulatory checks.

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ii. Administrative Protection to the Liquor Shop and Its Impact on Public Peace: The inquiry report of the committee reflects undue acceptance of the arguments presented by the liquor shop, while showing gross neglect of the faith, human rights, women's safety, and religious interests of the affected residents. Compliance limited to the shop premises does not automatically control the consequences in the surrounding area, such as crowding, public consumption of liquor, noise, and traffic obstruction. In the interest of public peace, imposing restrictions or closure of the shop under Section 24 of the Excise Act is justified.

Therefore, it is respectfully requested that, on the basis of the above facts and evidence, the legality of the operation of the said liquor shop be reviewed afresh and the shop be relocated to a designated market area (in case no new location is available in Arera Colony, the liquor shop may be shifted to No. 7 Market / Char Imli Market). Further, considering the distress of the residents, appropriate action may be taken against the illegal allotment of the shop and against the officials who have provided protection to it.

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7. If any violation of lease condition or directions of the Hon’ble Supreme Court is found, appropriate action be taken including relocation or closure of the liquor shop. The Collector, Bhopal, shall ensure that Inquiry Officer or Committee has followed the procedure established by law during the inquiry and further ensure that report is submitted within four weeks

8. List after four weeks.
