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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD,
4th FLOOR, IMDADGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.**

F.No.02 / M / NLR / 2017 / Z-IV / Supply.

Date: 28-02-2023.

SPSR NELLORE DISTRICT - A.S.PETA (V & M) MANDAL - DARGAH OF SYED SHAH HAJI KHWAJA RAHMATULLAH SAHEB (NAYAB -E- RASOOL), MASJID AND ITS ATTACHED PROPERTIES - EXTENSION OF SUSPENSION PERIOD OF Sri S.G.N HAFEEZ PASHA, SAJJADANASHEEN CUM MUTAWALLI (UNDER SUSPENSION) BEYOND (10) DAYS AND APPOINTMENT OF REGULAR ENQUIRY OFFICER.

Read : 1.This Office Board's proceedings of even No., dated:17-02-2023.

2. This Office Notice of even No. dated: 20-02-2023 to Sri S.G.N Hafiz Pasha, suspended Mutawalli.

3. Explanation of the suspended Mutawalli, dated: 22-02-2023 submitted before the Enquiry Officer on 23-02-2023 through his counsel.

4. Board Resolution No.705 of 2023, dated: 28-02-2023.

ORDER:

The Waqf institution namely Dargah of Syed Shah Haji Khwaja Rahmatullah Saheb Peer (Nayab -e- Rasool), Sunni Mosque and its attached landed properties Ac.26.24 cents situated at A.S. Peta Village and Mandal of SPSR Nellore District, is a notified Waqf property and got published in A.P. Gazette No.18-A, Part II, dated: 02-05-1963 at Serial No.09.

On receipt of several complaints against Sri S.G.N Hafeez Pasha, Mutawalli of Dargah Hzt Syed Shah Haji Khwaja Rahmatullah Saheb (Nayab -E-Rasool), Masjid and its attached properties at A.S.Peta (V&M), SPSR Nellore District levelling allegations of Moral turpitude, mismanagement, misappropriation, lack of transparency, etc., the Board in its meeting held on 16-02-2023 has resolved vide resolution No.704/2023, dated:16-02-2023 to suspend the incumbent Mutawalli for (10) days U/sec. 64(5) of Waqf Act, 1995 and issued orders vide reference 1st read above. Subsequently, the subject institution was taken under the direct management of the AP State Waqf Board, Vijayawada and Sri.Shaik Mohammed Hussain, Supdt., APSWB was appointed as Executive Officer to manage the day to day affairs of the subject institution. As per the decision of the Board the undersigned Chief Executive Officer, A.P. State Waqf Board, Vijayawada was appointed as enquiry officer to conduct enquiry on the above mentioned various allegations and irregularities.

In pursuance of the proviso under sub-section (5) of Section 64 of the Waqf Act, 1995, a notice vide ref. 2nd read above, dated: 20-02-2023 was issued so as to provide an opportunity to the suspended Mutawalli to appear before the under signed on 23-02-2023 at 2:30 PM in the O/o. AP State Waqf Board, 4th Floor, Imdadhghar Complex, Vijayawada, to submit his explanation with subsequent documentary evidence if any. As such Sri Somaraju, Advocate filed vakalat on behalf of the suspended Mutawalli and submitted explanation, vide ref.3rd read above, dated: 23-02-2023. He has also requested for grant sufficient time so as to submit a detailed reply.

On perusal and examining the contents of the reply and also after personal hearing of the Counsel of the suspended Mutawalli, it is found that the explanation specified by him is not satisfactory and convincing.

As such, it is found requisite and necessary to continue the suspension period beyond 10 days since the matter requires a detailed enquiry through an Enquiry Officer on the allegations, irregularities and complaints which are of serious nature as his

continuance in the office of Mutawalli may hamper the enquiry proceedings which require verification of all records, documents, accounts etc., in respect of the subject institutions.

Consequently, the matter was placed before the Board in its meeting held on 28-02-2023. The Board after detailed discussion and in consequent to the findings of the Enquiry officer and as per available record resolved vide resolution No.705/2023, dated:28-02-2023 as under:

The opinion of the Enquiry Officer / CEO, is hereby accepted and the suspension of Sri SGN Hafeez Pasha, Mutawalli of Dargah of Syed Shah Haji Khwaja Rahmatullah Saheb (Nayab - e - Rasool) and Mosque, A.S.Peta (V&M), SPSR Nellore District considering the prima facia of moral turpitude, mismanagement and lack of transparency in affairs, the Board is hereby extended beyond (10) days till further decision of the Board.

Subsequently Sri.A.K. Nazeer Saheb, Retd., Additional Director, Sericulture/E.O is appointed as Enquiry Officer to conduct detail enquiry U/sec.71 of Waqf Act,1995 duly following provisions of the Sec.24 of AP Waqfs Rules, 2000.

To continue Sri.Shaik Mohammed Hussain, as Executive Officer / Superintendent to Dargah of Syed Shah Haji Khwaja Rahmatullah Saheb (Nayab - e -Rasool), Mosque and its attached properties at A.S.Peta (V&M), SPSR Nellore District under direct management of AP State Waqf Board to manage the affairs of the said institution till further orders.

In view of the Resolution of the Board, the suspension of Sri S.G.N Hafeez Pasha, as Mutawalli of Dargah of Syed Shah Haji Khwaja Rahmatullah Saheb (Nayab - E-Rasool) (Rh), Masjid and its attached properties situated at A.S.Peta (V&M), SPSR Nellore District is hereby extended beyond ten (10) days under sub-section (5) of Sec 64 of Waqf Act,1995 considering the prima facia of moral turpitude, mismanagement, lack of transparency in affairs, etc., in the interest of the subject Waqf institution.

Similarly, as per the Resolution of the Board Sri. A.K.Nazeer Saheb, (Retd.,) Addl. Director Sericulture / E.O is hereby appointed an Enquiry Officer to conduct detailed enquiry U/s.71 of Waqf Act,1995 duly following the Rules.24 of A.P. Waqf Rules, 2000 on the complaints of moral turpitude, mismanagement, lack of transparency in affairs, etc.,

Accordingly, Shaik Mohammed Hussain, Supdt., APSWB, Vijayawada who appointed as Executive Officer to Dargah of Syed Shah Haji Khwaja Rahmatullah Saheb (Nayab - e -Rasool), Mosque and its attached properties at A.S.Peta (V&M), SPSR Nellore District under direct management on behalf of Waqf Board shall continue to manage the day to day affairs of the subject institutions till further orders.

L. ABDUL KHADIR,
Chief Executive Officer,
A.P. State Waqf Board, Vijayawada.

To

Sri S.G.N Hafeez Pasha,
Mutawalli (Under Suspension)
Dargah of Syed Shah Haji Khwaja Rahmatullah Saheb Peer
@ Nayab -E- Rasool and Masjid, A.S.Peta (V&M), SPSR Nellore District.
(through the E.O. of the subject Dargah).

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