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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, IMDADAGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.B3 / 01 / ATP / 2003 / Z-IV.

Date: 13-03-2023.

ANANTAPURAMU DISTRICT AND TOWN - JAMIA MOSQUE AND ITS ALLIED WAQF INSTITUTIONS SITUATED AT ANANTAPURAMU TOWN - CERTAIN ALLEGATIONS WERE RECEIVED AGAINST Sri K.M. SHAFIULLA AND HIS SON Sri K.M. SHAKEEL SHAFI, MUTAWALLIES - MATTER IS PLACED BEFORE THE BOARD FOR NECESSARY DISCUSSION AND TO PASS APPROPRIATE DECISION - Sri K.M. SHAFIULLA AND Sri K.M. SHAKEEL SHAFI, MUTAWALLIES KEPT UNDER SUSPENSION U/SEC. 64(5) OF WAQF ACT, 1995 - Sri SHAIK NOOR SAHEB, DY. SECRETARY APPOINTED AS ENQUIRY OFFICER.

Read : 1. Inquiry Report of Smt. Shaik Shereen Begum, Inquiry Officer and Survey Commissioner of Waqf, Tadepalli, Lr. No.1/Estt/ SCW/ Enquiry /Dated:10.02.2023

2. Government Memo No.1987050/IDM/A1/2023, Dated.17.02.2023

3. Government Memo No.1987050/IDM/A1/2023-3. Dated:07.03.2023

4. Interim Report received from the Inquiry Officer/Director, A.P. State Urdu Academy Lr. F.No. SPI-3/APSUA/2023, dated: 03.03.2023.

5. Application addressed to the Hon'ble Chairman, AP State Waqf Board Dated. 22-02-2023

6. Board's Resolution No.735 of 2023, dated:10-03-2023.

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ORDER:

The Jamia Mosque, its allied institution and attached properties are surveyed by the Survey Commissioner, Waqf on 19.11.1955 and notified as Waqf Property and got published at AP Gazette No.26, Part-11 Dt.28.06.1962 at S. No 1133 at Page No 766 and 767 under the Mutawalliship of Sri K. Karimuddin and the rule of succession to the office of Mutawalli specified "by election among the Jamat".

A Complaint Petition addressed to the Government on 08.02.2023 by Sri S. Chand Basha praying for an inquiry on certain irregularities and financial misappropriation of Jamia Mosque funds for showing false accounts in respect of the said institutions. The Government vide Memo. No 1987050/IDM/A1/2023, Dated. 10.02.2023 appointed Smt. Shaik Shereen Begum, Survey Commissioner of Waqf as an Inquiry Officer to enquire into the allegations of illegal appointment of Sri K.M. Shafiulla as Muthavalli, Jamia Masjid and its allied properties. Further the Government vide Memo No 1987050/IDM/A1/2023, dated. 23.02.2023 appointed Dr.N.Ayyub Hussain, Director/Secretary, A.P. State Urdu Academy to cause enquiry on certain irregularities and financial misappropriation of Jamia Masjid and allied Waqf Institutions. Be that as it may, the Enquiry officers submitted their reports to the Government vide reference 1st and 4th cited above.

The Government vide 2nd and 3rd references cited above requested the Chief Executive Officer to take necessary action on the Interim Report of both the Enquiry Officers in accordance with the provisions laid under Waqf Act, 1995.

It is also to submit that an application U/s 70 of Waqf Act 1995 was addressed to the Chairman vide 5th reference cited above, by Sri Shaik Chand Basha S/o Shaik Masood Saab R/o Anantapuramu on 22.02.2023 informing that he is the Mussalli of the Mosque Anantapuramu an interested person in the Waqf and enclosed an affidavit duly notarized along with pay order and the documentary evidence available with him, making grave allegations against the Sri. K.M. Shafiulla, Mutawalli and requested to look into the matter and order a detailed enquiry by appointing an Enquiry officer to conduct regular enquiry against K.M. Shafiullah.

That the above said subject matter was placed before the Board and the Board after carefully examining the interim reports submitted by both the Enquiry Officers appointed by the Government of Andhra Pradesh viz: Smt. Shaik Shereen Begum, Enquiry Officer / Survey Commissioner of Waqfs and Dr. N.Ayyub Hussain, Dir./Secretary, A.P.S.Urdu Academy, has resolved to conduct regular enquiry and therefore to suspend Sri. K.M.Shafiullah and Sri.K.M. Shakeel Safi Mutawallis of the Jamia Masjid and its allied properties to facilitate such enquiry on the following grounds.

1. That, though the income of the Waqf institutions is very high, but they are showing a meager amount.
2. That, they are misappropriating the donation funds received in the name of institution. That most of the donation funds are never reflected in the accounts of the Waqf Institutions. Further the boxes of chanda on Friday prayers at Eidgah Masjid are not opened in public but are opened in the closed rooms.
3. That, as per the preliminary enquiry report submitted it is found that the Musallies and the tenants of Waqf institution and public at large most of them are against the continuation of Sri. K.M.Safiullah and his son Sri K.M Shakeel Safi as Mutawallis and the same is also against the rule of succession mentioned as 'Election by jamath' in the Survey Commissioner's report.
4. That, they continuously neglected their duties and committed malfeasance.
5. That being the active member of the Board he is influencing the appointments of Mutawallis in Anantapuramu District. Sri. Shakeel Safi is also taking an undue advantage of his father's position.
6. That most of the Local people and residents of Anantapuramu Town placed their grievances subject to the confidentiality and requested the Inquiry officer not to disclose their names.
7. That the tenants on oath informed inquiry officer that the rents collected from them are not properly reflecting in the accounts of Waqf institution. Further the person who is giving receipt is also not authenticated.
8. That he submitted reports with false figures to the Waqf Board in respect of property tax, electricity consumption charges, and other debit transactions.
9. That he removed Mr Shoukat Ali treasurer from the construction committee Eid Gah Masjid shopping complex so as to hide his misappropriation collected in the name of Mosque.
10. That they are not taking any safeguard measures to protect the Waqf and its allied institutions.
11. That not only the subject property being exploited in the hands of them, but also the other Waqf properties were being exploited.
12. That using his dominant position they are misusing the funds of the Waqf institution and also causing loss to the Waqf revenue.
13. That part of the Eidgah ground admeasuring an extent of Ac.2.00 Cents is being utilized for commercial purpose without the knowledge of Waqf Board.
14. That, he is not physically fit to look after the affairs of the Jamia Masjid and its allied properties. Moreover, he is above 80 yrs of age suffering from various health related issues.

In view of the above foregoing, the Board has found that the gravity of allegations made against the Mutawalli warrant regular enquiry and to facilitate the same there is necessity for immediate suspension. The gravity of the allegations and serious nature of attributions made on various aspects of the Mutawalli needs immediate seizure of record for conducting detailed regular enquiry. The continuation of the Mutawalliship by him at this juncture would aggravate the prevailing uneasy and uncomfortable tensions in that area. Further, resolved to suspend Sri K.M. Shafiulla and Sri. K.M Shakeel Safi, Mutawallis for a period of (10) days U/s 64(5) of Waqf Act, 1995 and appointing Sri. Sk Noor Saheb, Deputy Secretary, APSWB as an Enquiry officer.

The Board further resolved that, during the suspension period, Sri.Shaik Hyder Basha, Superintendent shall be appointed as Executive Officer for the subject institution and its allied properties to manage the day to day affairs of the subject institutions and its allied properties taking the charge of the subject institution under the Direct Management of AP State Waqf Board U/Sec 65 of the Waqf Act, 1995 and subsequent rules therein.

Accordingly, Jamia Masjid and its attached allied (4) institutions namely 1.Namaz Katta Mosque 2.Arabic school, 3.Masoombi Makan (Ashoorkhana) 4.Shamsheer Dargah situated at Anantapuramu town with all the attached properties are taken under the Direct Management of the AP State Waqf Board by placing the Mutawalli Sri KM Safiulla and Sri KM Shakeel Safi under suspension for a period of (10) days with immediate effect Under Section 64(5) of the Waqf Act,1995 and Sri. Shaik Noor Saheb, Deputy Secretary, A.P. State Waqf Board, Vijayawada is hereby appointed as Enquiry officer to conduct enquiry on the above mentioned irregularities and various allegations.

Sri.Shaik Hyder Basha, Superintendent, APSWB is hereby appointed as Executive Officer to take charge of Jamia Masjid and the allied properties under direct management of AP State Waqf Board, Vijayawada U/sec.65 of Waqf Act, 1995 and subsequent rules therein and to manage the day to day affairs of the subject Waqf institutions until further orders.

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

To

- 1.Sri K M Safiulla,
- 2.Sri K M Shakeel Safi
Mutawallies (Under Suspension),
Jamia Masjid and its allied properties, Anantapuramu Town & District.
(Through Staff / messenger of A.P.S.W.B).
- 3.Sri. Shaik Noor Saheb, Deputy Secretary, A.P. State Waqf Board, Vijayawada.
- 4.Sri.Shaik Hyder Basha, Superintendent, APSWB.

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