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THE ANDHRA PRADESH GAZETTE
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G.376

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,
ANDHRA PRADESH STATE WAQF BOARD,
4th FLOOR, IMDADGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.29/GNT/MC/2015/Z-V.

Date:30-04-2025.

GUNTUR DISTRICT - TENALI TOWN - JAMIA MASJID - COMPLAINTS RECEIVED ON MISAPPROPRIATION OF MOSQUE'S FUNDS BY THE EX-PRESIDENTS OF SELF STYLED MANAGING COMMITTEES - Sri ADAM SHAFI, ASSISTANT SECRETARY & Sri IBRAHIM BAIG, SUPERINTENDENT, APSWB DEPUTED TO CONDUCT DETAILED ENQUIRY AND SUBMIT THE ENQUIRY REPORT - ENQUIRY REPORT SUBMITTED - TAKEN OVER THE WAQF INSTITUTION UNDER DIRECT MANAGEMENT OF WAQF BOARD U/s.65 OF WAQF ACT, 1995.

- Read:**
1. Show Cause Notice issues to Sri Shaik Mabu Subhani, Self Styled President of Managing Committee of Jamia Masjid. Tenali, dated:04-12-2023..
 2. Reply submitted to the Show Cause Notice by Sri Shaik Mabu Subhani, Self Styled President of Managing Committee of Jamia Masjid. Tenali, dated:18-12-2023.
 3. This office order even no., dated:11-01-2024.
 4. Joint report submitted by Sri Syed Adam Shafi & Sri Ibrahim Baig, dated:13-02-2024.
 5. Report of the Inspector Auditor Waqf, Guntur District vide F.No. /Waqf/GNT/Tenali JM/2011, dated:03-10-2024.
 6. Boards Resolution No.85/2025, dated:02-04-2025.

ORDER:-

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The Waqf institution namely Jamia Masjid and its attached (17) shops are existing in D.No.2-1-65, situated at Gandhi Nagar Tenali Town & Mandal, Guntur District is a notified Waqf and got published in the A.P. Gazette No.26, Part-II, dated: 28-06-1962 at Sl.No.1087, the institution is having (17) Shops. The Rule of succession to the office of the Mutawalli is "by Common Consent".

At present the Self Styled Managing Committee is managing the said institution without approval of the Board and several complaints were received against the self styled managing committee for misappropriation of the funds of the Masjid.

In the ref. 1st read above, this office has issued a Show Cause Notice to Sri Shaik Mabu Subhani, Self Styled President of Managing Committee of Jamia Masjid, Tenali Town of Guntur District calling upon to submit explanation within (15) days from the date of receipt of the Show Cause Notice without fail and the individual has submitted his explanation, dated:18-12-2023, which is not satisfactory & convincing submitted in the ref. 2nd read above.

It is submitted that, in the ref. 3rd read above, this office has deputed the officials to conduct detailed enquiry on the complaints received, Accordingly the officials have conducted and submitted their report, dated:13-02-2024.

In the ref. 4th read above, the deputed officials reported that, previously some Mussallies of the mosque formed a executive body and the said executive body have elected some members for managing the institution for a period of (2) years for its management, the said practice is going on so far without prior permission of the Board which is contradictory to the provision and Act. The present dispute is between (2) groups in the mosque, the existing self styled management committee president Sri Sk Mabu Subhani was the Secretary of the earlier self styled Committee but the earlier and existing self styled managing committees were not submitted any Audit reports of the subject mosque.

Further, they stated that, during their enquiry they observed that the Jamia Mosque, Tenali vide Sl.No.1087 and Anjuman Islamia Tenali vide Sl. No.1118 are notified Waqf are different institutions which are located side by side, in main road of Tenali town. It is learnt that the Self Styled Managing Committee has merged the site of Anjuman in the mosque premises and constructed a compound wall and considered it as Mosque site. Previously the A.P. State Waqf Board has constituted a managing Committee to the said Anjuman, Tenali. During Enquiry the following are observed that,

- i. The self styled management committees have failed to submit the Budget as required under Sec.44 of Waqf Act, 1995.
- ii. The Self Styled Management Committees have also failed to maintain a True and full accounts audited by the auditor and also failed to submit the yearly statement as required under Sec.46 of Waqf Act, 1995.
- iii. The Self Styled Committees have failed to pay the Waqf Fund as per Income as required under Sec.72 of Waqf Act, 1995.
- iv. The Self Styled Management committees neglected their responsibilities with the Mussallies and not co-operated the authorities of Waqf Board and Inspector Auditor Waqfs in the enquiry.
- v. The Self Styled Management committees have persistently disobeyed the lawful orders made by the Central Government, State Government and A.P. State Waqf Board under the provisions of the Act of Rule of order made thereunder.

- vi. Misappropriates are fraudulently deals with the subject Waqf property i.e., the mosque and Anjuman.
- vii. The then committee filed complaints before the S.H.O., against the existing Self Styled management Committee.
- viii. The President, Self Styled Committee explanation is not in proper manner.

Further, the enquiry officers has noticed that there are two groups quarrel in the mosque and they are not followed by the Waqf Act, and they have formed their own committees and have maintaining the institutions as they wish and like. The Committee failed to collect the rents from the defaulters. There is a need to audit the details of the accumulated expenditure in relating to the institution by an Auditor. This office has already issued a notice to the President of Self Styled Managing Committee on 04-12-2023 and given an opportunity to explain the reasons, but his reply is not in proper.

Further, the enquiry officers have opinioned that if the institution to be organized with the peaceful manner it is necessary to take over the institution under the direct management of the AP State Waqf Board for improve the income of the institution, and for taking action against Rent defaulter as per the Waqf Act 1995, by issuing notices U/s 54 (1), for eviction and the defaulted tenants, and to protect the Waqf property.

It is submitted that, in the ref. 5th read above, the Inspector Auditor Waqfs, has submitted his report vide in F.No. /Waqf/GNT/Tenali-JM/2011, dated:03-10-2024, wherein he reported that, a representation was received from Sri Mr. M.A Hameed Baig, Advocate, dated:16-02-2024 and stating the practical problems facing by the Mussallies of the subject Mosque because of disputes between the two self style Managing Committees.

Further, the I.A. Waqfs has submitted that, there are huge disputes between the two self styled managing committees. The applicant has also alleged that the tenants of the shops, attached to the Mosque have given the commercial shops to sub-lease which is against the Waqf law. The original tenants are paying meager amount to the Mosque and collecting huge rents from the sub-tenants. The clashes in between the two groups lead to file the cases on each other which have defamed the dignity of the Mosque. The said Mosque is said to be about (100) years old.

Further, these types of un-wanted incidents are creating law and order problems and disturbing the peaceful atmosphere of the Mosque, keeping in view the above statement of the applicant and facts stated by the local Mussallies. In this connection, the I.A. Waqfs has opinioned that the subject Mosque may be taken into the Direct Management of A.P State Waqf Board till the formation of new Managing committee, as per the procedure, and Regulations 2009.

The above said matter was placed before Board in its 3rd meeting held on 02-04-2025, and the Board has passed resolution No.82/2025, dated:02-04-2025 vide reference 6th read above, wherein it is unanimously resolved to take the subject institution and its attached movable and immovable properties under direct management of Waqf Board U/sec.65 of Waqf Act, 1995 to manage the institution in better and peaceful manner, improve the income of institution, resolve disputes between the two self styled committees, protect the sanctity of the Masjid, provide better

facilities to the Mussallies of the Masjid and the Inspector Auditor Waqfs, Guntur District is hereby appointed as Executive Officer to look after the day to day affairs of the subject Waqf institution and its attached movable & immovable properties till further orders.

Accordingly, the subject institution and its attached movable and immovable properties are taken over under the Direct Management of the A.P. State Waqf Board, and the Inspector Auditor Waqfs is hereby appointed as Executive Officer and directed to take the subject institution and its attached properties in to Direct Management and due process as per Waqf Act, 1995 and to look after the day to day affairs of Jamia Masjid and its attached (17) shops are existing in D.No.2-1-65, situated at Gandhi Nagar, Tenali Town & Mandal, Guntur District, till further orders and report compliance.

SHAIK MOHAMMAD ALI,
Chief Executive Officer (FAC),
A.P. State Waqf Board, Vijayawada.

To,
Sri K.S. Muqthair Basha,
Executive Officer / Inspector Auditor Waqfs,
Jamia Masjid and its attached (17) shops,
D.No.2-1-65, Gandhi Nagar,
Tenali Town & Mandal,
Guntur District.

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