



सत्यमेव जयते

Government of India

**TO**

**HON'BLE CHAIRMAN**

**&**

**Secretary**

**CENTRAL WAQF COUNCIL**

A statutory & regulating body u/s 96 of clause (2) of Waqf Act.

GOVERNMENT OF INDIA, NEW DELHI

A REPORT

ON

MISUSE OF OFFICE, FINDINGS, MISMANAGEMENT, CRIMINALITY,  
CORRUPTION & SUGGESTIONS

IN

**TELANGANA STATE WAQF BOARD**

By Hand/courier/Speed Post/Email  
(MOST/URGENT)

By

**Engineer Mohammad Hamid**

(Report/observations pursuant to section 9 and 96 of Waqf Act 1995)

Nagpur

**A REPORT ON**  
**MISUSE OF OFFICES, MISMANAGEMENT, CRIMINALITY, CORRUPTION,**  
**FINDINGS & SUGGESTIONS**

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**By Engineer Mohammad Hamid**

(Part of Report/observations pursuant to section 9 and 96 of wakf Act 1995,)

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Date : 2<sup>nd</sup> Oct, 2018

## INTRODUCTION

During my visit to Telangana Waqf Board, in Hyderabad, as the Member of Central Waqf Council, under Sections 9 and 96 of Waqf Act 1995, as amended in 2013 and as a member of the Fact Finding Committee constituted by the Central Waqf Council on the 19<sup>th</sup> and 20<sup>th</sup> April 2018, the following facts, issues, and irregularities have been brought to my notice. Prior to that I had received a complaint by Email pertaining to the mismanagement of Hussain Shah Wali Dargah Waqf properties at Hyderabad by Telangana Waqf Board. The complainant also informed me that he had also sent the same complaint to the Chief Minister, Telangana and did not receive any response till date.

### **CASE NO: 1**

#### **Dargah Hazrat Shah Khamosh R.A. Property Sold by Telangana Waqf Board Member, Akbar Nizamuddin.**

This is a unique case of daredevilry in sale of 847 acres of waqf property attached to Dargah Hazrath Shah Khamoosh rh. The Dargah is situated at Nampally, and the lands are situated at different villages of erstwhile RangaReddy District. The total area of landed property under this waqf institution is 847 acres.

The Mutawalli shri Qutubuddin Saberi died in the year 1982 and the present Mutawalli Akbar Nizamuddin claiming himself to be the successor and son of late mutawalli filed a case for grant of succession in the same year and by orders of the Joint Collector, Hyderabad, Date : 20-12-1983, granted succession in favour of the applicant. Meanwhile, sale of waqf lands situated at Maqta Khanaji guda,

\Malkajgiri, had started during the life time of late Shri Qutubuddin Saberi and after getting successorship Sri Akbar Nizamuddin started selling these lands on a full scale by granting power of attorney in favour of four persons showing himself as Inamdar of the said lands.

Although, successorship was granted in 1983, the present mutawalli applied to the Wakf Board for grant of mutawalli ship in 1991, when a Secretary from **Electricity Board** was appointed against the rules. The said Secretary granted him mutawalli ship in 1992. Meanwhile, out of the 121.17 Acres of Wakf land in Maqta Khanaji Guda he had sold out a major chunk of this land, even after his appointment as a Mutawalli he continued to sell the said Wakf lands through his GPA's. This gap period was utilized by him to sell the lands in a fraudulent manner by signing on the power of attorney and documents of sale as **Akbar Saberi** in Urdu Script although his signature found on official documents in the Waqf Board is in English Script. The idea was to create an alibi that he had not sold those lands.

In the year 1995, the then Legislative Assembly of AP appointed a House Committee to look in to the state of affairs of the Waqf properties in the State. The House Committee inspected the lands attached to Dargah Shah Khamoosh in Hyderabad and Makhta Khanaji Guda and noticed that most of the lands attached to this Dargah had been sold out and advised the Waqf Board to take action against the mutawalli. Thereupon, the Waqf Board issued him a notice calling for his explanation. As to the state of Affairs of the Waqf lands attached to Dargah Shah Khamoosh situated in :

1. Maqta Kanajiguda , Malkajgiri, 121.17 Acres
2. Maqta Sultanpur. – 400 Acres
3. Saber Gulshan – 9.27 Guntas
4. Maqta Hassan Baig – 69.30 Acres
5. Maqta Mangalanikunta – 266 Acres

In reply to that, the mutawalli submitted that whereas Maqta Kanajiguda was a service conditional inam, but Maqta Hassan Baig did not exist and that Mangalani Kunta and Maqta Sultanpur and Sabir Gulshan were personal inam lands granted in favour of his Great grandfather by the Nizam. It may be noted that except Saber Gulshan lands all the other Maqtas lands are in possession of outsiders and villagers of the places where those Maqtas are situated allegedly having been sold by the predecessors and relations of the Mutawally claiming those Maqta lands as their personal Inam lands.

In reply to the straight question by the Waqf Board as to how encroachments had come up, he gave a roundabout reply saying the possession of these properties was never handed over either to him or to his predecessor mutawallis by the Waqf Board. The fact remains that the mutawallyship of this Dargah and its attached properties has been coming down in the family of the present Muthawally for about hundred years and never the possession of these lands was taken over by Waqf Board in the past and the question of handing over these properties back to Mutawally or His predeccors does not arise.

Based on this reply, the Waqf Board ought to have taken action against mutawalli for the alienations done by him and to remove him from the office and to restore the lands to Waqf Board but for reasons best known to the Board, no action was taken.

It was strange that this person was made a member of the Board in 1996 under the new Act and again in 2001 by the then Telugu Desam Government and after the Congress Govt. Came to power in 2004 he was again made a member in the Board Constituted in 2008 . From then on, he continues to be the member under successive Boards and the most surprising is the membership granted to him under the present TRS Govt. CM, Mr. Chndrashekhar Rao ji against the Waqf Act, which will be discussed at length.

In the Year 2013, Several complaints were made against the mutawalli and the Board appointed an enquiry officer but the mutawalli objected to his appointment and the E.O was changed and another E.O. was appointed, which again was objected to by the Mutawalli. And finally a third E.O. ( Ahmed Ali ) was appointed, which was to his liking.

This E.O. submitted a dubious report saying these lands were inam lands and that they cannot be Waqf, and by way of corruption gave a clean chit to the mutawalli. However, in the month of April 2014, the then Special Officer, Sri. Shaikh Mohammed Iqbal, I.P.S, in the rank of D.I.G, who was appointed as a special officer in January 2014, Placed the mutawalli under suspension and also filed a criminal case against him before the C.C.S which was registered as FIR 110/14. It may be noted that from 2<sup>nd</sup> June 2014 onwards, a new Govt. of TRS party under the leader ship of Sri.K.Chandrasekhar Rao took over and the first thing they did was to remove Mr Iqbal and appointed M J Akbar IFS, as Special officer on 8-8-2014.

This dubious report was not accepted by the Board and after taking legal opinion, they rejected the findings of the E.O. ( Ahmed Ali ) and issued a show cause notice to the mutawalli for his removal. Just after issual of the show cause notice the present Government removed Sri M J Akbar IFS, from the postion of Special Officer Waqf Board.

The mutawalli moved the High court, to stay action on the show cause notice. But the High court, declined to stay the action, However, it directed the Waqf Board to give the mutawalli due opportunity before any action was taken.

But the new Govt. which has an informal alliance with the A.I.M.I.M party. Mr. Akbar Nizamuddin was the Chairman of DARRUS SALAAM Co-Operative BANK, owned by the A.I.M.I.M. somehow, Kept the proceedings under the wraps.

The new Govt. brought in Sri Omer Jalil, I.A.S, as Secretary Minorities Welfare, allegedly, on the recommendation of A.I.M.I.M. This officer is known to have close links with Akbar Nizamuddin. The Secretary, for sometime also acted as Special Officer but later Sri Asadullah, the then CEO was made incharge Special Officer. This Officer also took a tough stand against the muthawalli.

The Dy .Chief Minister,Sri Mahmood Ali was extra sympathetic to Akbar Nizamuddin.This duo reinstated him in November 2016 though without financial powers, appointing the Joint Collector Ranga Reddy District as the Enquiry officer and in February 2017, when the new Board was formed this muthawalli was made a member of the Board against the Waqf Act.

The first resolution that the Board of which Akbar Nizamuddin contiunes to be member passed, was to remove Sri Asadullah from the Board under the pressure from Akbar Nizamuddin and in subsequent meetings restored financial powers of the muthawalli against the orders of the Government. Although a period of two years has gone past the enquiry by the Joint Collector has not even commenced. In this historical background we examine the case as follows.

## **REPORT**

One Sri. M.K Hassan and Sri. Osman Bin Mohammed Alhajri filed complaint against Sri. Akbar Nizamuddin, the delinquent Muthawalli of Dargah Hazrath Shah Khamoosh and another Dargah, levelling allegations of omission and commission, misappropriation, breach of trust, inducement, cheating, wrongful misconduct, wrongful gain for himself and wrongful loss to the Waqf Board on the basis of certain public documents wherein it appeared that the delinquent had appointed GPAs and sold away 121.17 Acres of Waqf land in Sy. No. 373,375, 376,378, and 386 of Maqta khanajiguda, and having represented himself as inamdar of the above lands and for having filed inam appeal in File NO. E1/4578/98 before the joint collector Rangareddy District styling himself as inamdar which amounted to setting up an adverse title against the Waqf Board that due to his misconduct, Smt. B. Padmavathi and two others filed WP No. 15895/2010 claiming rights on the basis of the Encumbrance Certificate issued by the Registration Department pursuant to the alleged sale effected by the delinquent Muthawalli and also basing on the appeal preferred by him in 2002 before the joint Collector, Rangareddy District.

The delinquent was placed under suspension vide reference No. OS/Z1/T/Hyd/2009 Dt.02.05.2014 duly appointing the CEO as Enquiry Officer. Later on, about three Enquiry Officers were changed and finally, Sri Ahmed Ali was appointed as Enquiry Officer on 16.10.2014, who submitted his enquiry report on 23.01.2015, which being a flimsy and partisan report, was rejected by the Waqf Board and Show Cause Notice was issued to the delinquent vide Reference No. 05/Z1/T/HYD/2009. Finally the Govt. vide GO Rt No. 267- Minority Welfare (Estt.1) – dated -13-12.2016 reinstated the mutawalli and appointed Joint Collector RR Dist. as Enquiry Officer to conduct De Novo Enquiry into the allegations levelled against the delinquent Sri Akbar Nizamuddin.

## **BACKGROUND :**

The House Committee of the AP Legislative Assembly, in 1995, visited Dargah Hazrat Shah Khamoosh, Nampally, Hyderabad and the properties attached to Ehata Ameer Ali Shah, Afzal Gunj in Hyderabad District, inspected the said properties and in its first report submitted to the speaker on 10.01.1997, directed that the AP State Waqf Board should take steps for protection of 865.37 acres of landed properties attached to the former Dargah situated in various villages of Rangareddy District and the house properties and muligi attached to the Dargah at Gole Bungalow, Afzal Gunj situated at Lad Bazar, behind Mecca Masjid, Hyderabad and to take steps to evict the encroachers and to recover the properties illegally alienated. Thereupon, a Memo of AP State Waqf Board No. 35/HYD.III.J2.SNTC/95 dated 20-02-1999 was issued to Sri Akbar Nizamuddin by the AP State Waqf Board to submit a report with regard to the current state of affairs of the said properties. In reply to the said memo, he submitted a vague reply dated 19.05.1999 saying the landed properties mentioned in the Gazette dated 16.08.1984 were never given in his possession being the the Muthawalli or even to the predecessor Muthawalli at any point of time and he admitted the Maqta Sultanpur admeasuring 400 acres, Maqta Ameerguda admeasuring 8.30 acres, and Maqta Khanajiguda admeasuring 121.17 acres were service conditional inam lands and the Mangalani Kunta admeasuring 266 acres is Madad Maash lands and he further stated that there is no Maqta Hassan Baig and that it was wrongly published in the Official Gazette.

After giving this vague reply he again failed to submit a report to the Waqf Board with regard to the status of the lands whether they are free of encroachment, free of alienation, and free of any other claims of the third parties. He failed to give a survey number-wise report pertaining to the agricultural lands attached to the Dargah Shah Khamoosh to the Waqf Board, which, as Muthavalli, he was expected to do, more particularly when he was asked to do.



He also failed to mention the current status of the urban properties attached to Dargah Hazrat Peeran Hussaini situated at Afzal Gunj and Lad Bazaar. All these vague replies came up only when a memo was issued to him in 1999 and again in 2014 when a memo No. F.No. 42/BUD/ACCTS/HYD/RTIA/2009 dated 22.04.2014 was issued to him duly indicating that an extent of 865.37 Acres of lands is attached to Dargah under his mutawalliship. He also forgot the fact that the Towaliatship of the said Two Dargahs has been coming down in his family from the date of creation of the Waqf, as such the question of handing over the lands to Muthawavalli doesn't arise.

Moreover, after he was appointed as Muthavalli in 1992, he requested the Waqf Board to make certain corrections in the Gazette notifications and accordingly, the Gazette notification was issued carrying out the corrections as suggested by him. Even at that time. He did not raise the pleas that the agricultural lands, attached to Dargah Hazrath Shah Khamoosh were not handed over to him, which a person of ordinary prudence would do in similar circumstances.

Let us examine the status of the lands attached to Dargah Hazrath Shah Khamoosh in the light of the Waqf Act 1995, The Inams Abolition Act of 1955 and the other relevant Revenue laws. According to Waqf Act 1995 Section 3 (r) “ Waqf Means the permanent dedication by a person professing Islam, of any movable or immovable property for any purpose recognised by the Muslim law as pious, religious or charitable and includes –

- (i) A Waqf by user but such Waqf shall not cease to be a Waqf by reason only of the user having ceased irrespective of the period of such cesser ;
- (ii) “grants”, including mashrut-ul-khidmat for any purpose recognised by the Muslim law as pious, religious or charitable;

- (iii) A Waqf-alal aulad to the extent to which the property is dedicated for any purpose recognised by Muslim law a pious, religious or charitable, and “Waqf” means any person making such dedication;
- (iv) ‘Waqf deed’ means any deed or instrument by which a Waqf has been created and includes any valid subsequent deed or instrument by which any of the terms of the original dedication have been varied.

According to sec 2. Andhra Pradesh (Telangana Areas) Abolition of Inams Act, 1955.

“Inam” means land held under a gift or a grant by the Nizam or by any jagirdar, holder of a Samsthan or other competent grantor and confirmed by virtue of a muntakhab or other title deed, with or without the condition of service and coupled with the remission of the whole or part revenue thereon and entered as such in the village records and includes:-

- i) Arazhi makhta, arazi agrahar and seri inam: and
- ii) Lands held as inam by virtue of long possession and entered as inam in the village records :  
Provided that in respect of former jagir areas, the expression inam shall not include such lands as have not been recognised as inams by the Government after the abolition of jagirs”

It is very clear from the definition of Waqf as given under section 3(r) of the Waqf Act of 1995 all religious inams are Waqf. And according to section 3 of the Inams Abolition Act of 1955 all inams shall be abolished and shall vest in the Government from 01-11-1973 and the inamdars for non-religious inams shall be given Occupancy Rights Certificates and in case of service conditional inams attached to

religious institutions ORC shall be given to the Waqf Board in the name of Religious Institutions.

It is also seen that the Mutawally Akbar Nizamuddin has approached the Inams Tribunal claiming himself to be inamdar of lands attached to Dargah Shah Khamoosh without disclosing the fact that this inam lands are service conditional inam lands. Here also he cheated the Waqf Board.

A perusal of the Gazette No 30-A Supplement to Part –II dated Thursday, August 16, 1984 the afore noted properties comprising the four Maqtas are Waqf property.

A perusal of his reply dated 19-05-1999 submitted in response to the noticed issued by the Waqf Board Dt : 20-2-1999 reveals that he has explicitly made an admission that Maqta Sultanpur admeasuring 400 Acres, Maqta Ameerguda admeasuring 8.30 Acers, and Maqta Khanajiguda admeasuring 121.17 acres are service conditional inam lands and that Mangalani Kunta admeasuring 266 acres is madad mash lands which again is nothing but service conditional inam. Basing on his own admission of these maqtas being service conditonal inams it is established that Read with section 3(r) of the Waqf Act 1995 and section 2(c) of Inam Abolition Act 1955 these lands are undisputedly Waqf lands.

#### **FIR 110/2014**

This criminal case was registered by the then Special Officer against Sri Akbar Nizamuddin but surprisingly this case was closed by the police after three years in an absurd manner demonstrating their ignorance of Waqf laws and the revenue laws like Inam Abolition Act.

They used several expressions in their closure report which were a mockery of their understanding of the relevant laws. It is also informed to me that they have not given any opportunity to the Waqf Board officials to present their case. Whatever little meetings took place between the Waqf Officials and the investigating officer the former were snubbed and were asked to produce the basis on which the gazette was published. In a ridiculous manner the IO has held that gazette itself is unauthorized. Although the Supreme Court has laid down that “ Once a Waqf Always a Waqf” and it also a settled law that once a property is notified as Waqf in the Officials Gazette, as per Indian Evidence Act, the Gazette itself becomes conclusive proof of the property being Waqf.

It is obvious that the police department has spent more energy on giving clean chit to delinquent Mutawally rather than on trying to understand the law governing the Waqf. I was shown a certified copy of A Muntakab Kitabul-Awakaf which says that Makhta Khanajiguda was recorded as Waqf basing on Waqf Naama Dated : 3<sup>rd</sup> Abaan 1324 fasli (3<sup>rd</sup> October 1914) This document was the basis for the Gazette No : 30A Dated : 16-08-1984 and the police people have conveniently and mischievously ignored this document and dishonestly gave a clean cheat to the Mutawally. In my view it is a fit case for

Initiating a CBI enquiry against the police officers as well as the Mutawally for the reason that the value of this property Illegally sold by the Mutawally runs into thousands of Crores of Rupees. Since the State Government is totally with the Political Party to which Akbar Nizamuddin belongs the police case was illegally closed for obvious reasons.

### **Enquiry by Joint Collector Rangareddy**

The Government vide their orders issued in GO Rt No. 267-Minority Welfare (Estt.1) – dated -13-12-2016. Appointed the joint collector Rangareddy district as enquiry officer by name instead of by designation. According to orders Sri Sunder Abnor Joint Collector Rangareddy was officiating at the time of issuing the Government order.

He wrote several letters to the Waqf Board to produce the documents to enable him to conduct the Enquiry. The then CEO TSWB who was well versed with the facts of the case was transferred by the Government. The net effect of this transfer was that the enquiry did not proceed an inch. After one year or so Sri Sundar Abnor was transferred and Sri Harish was posted as joint collector Rangareddy district. Sri Harish requested the Government to modify the orders appointing him as enquiry officer in place of Sundar Abnor but the Government have not responded to his letter so far. It is obvious that the Government don't want to take the enquiry further. As long as the present regime will be in power this enquiry is not likely to happen.

## **RECOMMENDATIONS**

- 1) The Central Waqf Council may request the Government of India to cause a CBI Enquiry against :
  - i)The CM, Chandrashkhar Rao ji, Telangana State and File FIR against him.
  - ii)The Government of Telangana for having allowed a damage of about Rs 2000/- Crores worth of Waqf properties attached to Dargah Hazarath Shah Khamoosh and their complicity in shielding the culprit.
  - iii)An Enquiry against the police officers responsible for fraudulent closure of FIR 110/14 of CCS Hyderabad.
  - iv) Enquiry against the Mutawally afresh by the CBI.
  - v) All grants and financial assistances to Telangana State Waqf Board may be stopped.

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**Case No. 2**  
**Hazrat Hussain Shah Wali Scam**

- 1) Hazrat Hussain Shah Wali R.A Waqf land admeasuring 1658 Acres  
Estimated cost Rs 100000/- Crores (One lakh crores) popularly  
known as Lanco Hills Case, allotted by the Late Y.S. Rajshekhar  
Reddy and CM Chandra Babu Naidu, was a subject matter in  
which both Waqf Tribunal and A.P High Court had decided in  
favour of Waqf Board. The matter was carried to Hon'ble  
Supreme Court deliberately to pass the time.  
TRS in its election manifesto had committed to withdraw appeal  
by State Government in Supreme Court. Mr Chandrasekhar Raoji  
had publicly declared of withdrawing appeal filed in Supreme  
Court no sooner TRS forms State Government.  
Despite lapse of 4 Years 3 Months Governance CM  
Chandrasekhar Raoji failed to Honor his Commitment for reasons  
better known to himself. This apart Governments failure in  
instructing its counsel for urgent  
hearing is causing concern, as reports of politicians and  
alliance partners having vested interest in Lanco hills requires  
detail enquiry and investigation by Central Agencies, and that  
Hussain Shah Wali Scam , Hyderabad may be adjudicated by National  
Waqf Adjudication Board, Headed by Justice M.Y. Iqbal (Retired judge  
Supreme Court of India)
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### **CASE NO : 3**

#### **Five Storied Waqf complex at Agha Pura, Hyderabad.**

- 1) Five Storied Waqf complex at Agha Pura, Hyderabad built by loan from CWC, yielding monthly rent of Rs 70,000/- lies vacant since last 9 years. Thus cumulatively causing a loss of 75.60 lakhs per annum. There by derailing purpose of Waqf. Waqf Board remains silent spectator due to political connection and patronage Mutawalli Agha Mohammed Qasim Abdul Ulaee commands. He being cousin brother of MP Asaduddin Owaisi who happens to be a Member of Waqf Board. It is essential to check whether Mr. Agha Mohammed Qasim Abdul Ulaee has paid back the loan of CWC. If not initiate the Legal Action Against him.

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## **CASE NO : 4**

### **Serious irregularities by C M Chandrasekhar Raoji.**

- 1) Interestingly C M Chandrasekhar Raoji in Miyapur Government land scam directs CID enquiry within three days of unearthing of scam. Consequently 4 sub registrars arrested and more than 30 sub registrars transferred. Despite CM holding wakf portfolio, neither Hon'ble High Court's order pertaining to Shadi khanas on Toli Mosque Waqf land are implemented nor action initiated against officer involved.

C M Chandrasekhar Raoji excising authority as feudal lord in violation of waqf Act and principles of natural justice seals Telangana State Waqf Board at dead of night on 7<sup>th</sup> November 2017. Unheard in the annals of governance. Neither TSWB nor public representatives raised a murmur of protest. This action of sealing waqf board is in addition to transferring 3 special officers and 2 CEO's from TSWB in a span of 3 <sup>½</sup> Years to appease and accommodate Waqf Mafia, land Mafiya and tenant Mafia enjoying patronage of political masters.

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## **CASE NO : 5**

### **Mismanagement By The Telangana Waqf Board.**

TSWB in its September 2018 meeting passes a unanimous resolution for payment of Salary of Rs 50,000/- per month to Sri Chandrasekhar Gowd; legal advisor's Minority welfare department (MWD) knowing fully well that said legal advisor's office is located in Secretariat and he has not rendered any service to TSWB. More so under Governments pressure TSWB had sanctioned payment of salary for another one year (Siasat Daily report item dated 26-10-2018).

TSWB accused of issuing Fake N.O.C'S and three Waqf Board employees receiving salaries since several years without attending waqf board office or doing any waqf boards work (siasat daily report dated 15-11-2018).

Reports of Hyderabad Old city Waqf properties leased on nominal Rent under pressure by Political Mafia is causing huge revenue losses to TSWB. This aspect of political mafia interference in not increasing the rentals too requires investigation by Central Agencies.

## **CASE NO : 6**

### **Implement SC Orders for Imam's Payments by Waqf Board**

- 1) Implementation of Hon'ble Supreme Court Judgment in Writ Petition 715 of 1990 dated 13 -5-1993. The said judgement directed Waqf board for payment of salaries to Hon'ble Imam's from 1<sup>st</sup> December 1993 onwards, to enable them to live with human dignity. Despite lapse of about 25 years order is not implemented exposing Waqf board to charge of contempt of court orders.
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### **PRESENT HIGH HANDEDNESS, WAQF SCAM, MISMANAGEMENT IN TELANGANA WAQF BOARD AND ITS STATUS**

- 1) Earlier there were Lacks of waqf in Telangana Waqf Board. Now reduced to numerables only. in Telangana Waqf Board has not surveyed the properties and land banks since last 30-40 years.
- 2) in Telangana Waqf Board has deliberately not shared the details of the precious wakf.
- 3) The Waqf Board is not able to put anything on record showing that it has genuinely pursued the request for appointing 'Survey Commissioner' for surveying the waqf property (land) in last several years which have been converted into residential plots and sold massively across Telangana.
- 4) Total disregard and violation of section 23 is found in appointment of C.E.O.
- 5) Total disregard and violation of section 109 & 110 is found, Board failed to formulate the Waqf Rules.
- 6) No details of litigation are available in the office of Wakf Board.

- 7) Admittedly the in Telangana Waqf Board has not been able to help the needy viz. divorcee, widow, orphans since past several year. The contribution of the Waqf Board for social upliftment of the community is zero.
- 8) No register is maintained properly, all the registers Sec 37 has been tampered and tempered with whitening especially on the pages of waqf belonging to Hyderabad, Nizamabad and other cities.
- 9) There is only ONE office of Board for nearly 1.60 Crore Muslim in A.P. and None of the official Email ID is working. When country is following concept of 'Digital India'
- 10)None of the complaint has been investigated against CHAIRMAN and the Secretary due to pressure from the C.M. Chandrababu Naidu or otherwise his clout on the Government.
- 11)There is no transparency in staff appointment. It is alleged that honest staff were kept at bay and corrupt ones are promoted by the Chairman.
- 12)No effort or arrangement of P.F. & Pension etc. for staff is made by the chairman in last 4 years, so that staff can by kept in darker side form modern welfare organization.
- 13) I propose that Hussain Shah Wali Scam , Hyderabad may be adjudicated by National Waqf Adjudication Board, Headed by Justice M.Y. Iqbal (Retired judge Supreme Court of India)

## **URGENT NEEDS & SUGGESTION FOR THE BOARD**

- I) Custodial investigation is necessary in the **wakf land sales**, since more serious types of allegations are in pipeline likely to be converted into large scale modus operandi of accused Chandrashekhar Rao ji, C.M. and a team for grabbing Enemy Property under disguise of Waqf.
- II) Appointment of Chief Executive Officer (C.E.O.) as per section 23 of Waqf Act is needed urgently.
- III) In such adverse circumstances the Dissolution of the present 'Waqf Board' as per Section 99 of Waqf Act is imperative for the safeguard of the Waqf Properties.
- IV) '**White paper**' should be brought before the 'state assembly' for discussing the total failure of Telangana Waqf Board from their aims and objectives. Zero contribution in social upliftment in light of Danial Latifi Case 2003.
- V) A '**Commission of Enquiry**' should be constituted under the Commission of Enquiry Act to find the last 20-year irregularities (as happened in the Telangana Wakf Board) and for prospective legal action in the cause.
- VI) In Telangana there are several waqf shops. Waqf Act mandates to every waqf entity to charge Shop rent at the rate of market. So that the Waqf fund is generated substantially.
- VII) In Telangana, there are around **2 lakh beggars** from the Muslim community in & around all the Mosques, Darghas and Bus stand, Hospital and at Railway stations. Whereas in **Sikh Community**, none is found begging by virtue of transparent contribution of Shrimoni Gurudwara Prabhandhak Committee (SGPC).
- VIII) Telangana Waqf Board must **learn performance** from the Waqf board of Karnataka, Haryana and Kerala, wherein widows/divorcees/destitute are regularly getting monthly Pension and scholarship. **(Haryana 360 widows were getting monthly pension in 2016, Karnataka has given pension to more than 400 in 2016, Kerala too performed well in pension & scholarship)**
- IX) Telangana Waqf Board has zero contribution in National GDP growth.
- X) It is involved in black marketeering of cash extortion from the shop/commercial occupants.
- XI) Separate inquiry from economic point (loss of revenues) of view to be conducted by the E.D. or C.B.I. (Enforcement Directorate/or Central Bureau of investigations) against the Chairman and CEO of Telangana Waqf Board for losses.

## **RECOMMENDATIONS**

- 1) The Central Waqf Council may request the Government of India to cause a CBI Enquiry against the Government of Telangana, Specially Chief Minister Sri K. Chandrasekhar Rao ji as he holds the Portfolio Minorities welfare and Waqf. Request for filing FIR against the Chief Minister and Waqf Board members for causing monetary losses to Waqf Board and their complicity in shielding all the culprits.
- 2) TSWB having failed miserably in discharging statutory duties as contemplated in various provisions of Waqf Act hence TSWB may be super ceded.
- 3) TSWB CEO be appointed as per section 23 of Waqf Act.

## **CONCLUSION & REMARKS**

There are circumstance and grounds exiting to invoke jurisdiction of Section 99 of Waqf Act 1995 to dissolve the Telangana Waqf Board and appoint Administrator till constitution of fresh Board. Till pending the investigations of all the FIRs, all accused officials of Telangana Waqf Board must not be allowed to enter in and around the Waqf Offices of Hyderabad and local wakf, wherein they are Mutawalli/Managing Trustee.

There are massive complaints from beggars, widow, divorcee, Khuddam, Khadim, volunteers from several districts of Telangana. After repeated reminders and calls made to the official of Telangana Board, they did not give a reply neither they mailed the facts regarding any of the above queries/cases. In office they offered salted cashew, salted almond, walnut etc. but not shown documents. The conduct of officials especially the CEO and the Chairman of the Telangana Waqf Board are highly unprofessional and their role is suspicious.



Engineer Mohammad Hamid  
Member, Central Waqf Council,

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# میاں پورا راضی اسکام کی سی آئی ڈی تحقیقات کا حکم

1796 پیکر سرکاری اراضی کو خانگی افراد کے نام رجسٹری۔ چیف منسٹر کا جائزہ اجلاس

4 سب رجسٹرار گرفتار۔ 30 سے زائد کا تبادلہ۔ حکومت دہل گئی

آج اس اراضی کے معاملات کی تحقیقات سی آئی ڈی سے کرانے کا اعلان کیا۔ پولیس کوکٹ پلی لے اراضی کے اس تنازعہ کے سلسلے میں پہلے ہی سب رجسٹرار کو گرفتار کر لیا ہے۔ سرکاری اراضی دہلی میں دہلی کے پولیس کی گئی۔ 1693 پیکر سرکاری اراضی کی مالیت 587.11 کروڑ بتائی گئی ہے۔ پولیس نے گیارہ دفعات کے تحت مقدمہ درج کیا اگرچہ کہ یہ سرکاری زمین ہے لیکن ان معاملے کا سرٹیفکٹ پارٹا ساری لے اس زمین کو امیر النساء اور دیگر افراد کے جائیداد قرار دی کر جزیل پاور آف اٹارنی حاصل کر لیا۔ 2016 میں عوامی رائے حاصل کرنے کے بعد اٹارنی ایک ہفتہ لی ایس بی لی ایس شرا کے نام 21 جنوری 2016 کو فریڈکٹ کر دیا۔ جس نے 85 لاکھ روپے اسٹامپ ڈیوٹی ادا کی تھیں مگر زمین کے مکالموں کی تلاشی لیتے ہوئے کئی دستاویزات کو قبضہ میں لیا گیا۔ اس دوران حکومت نے جائیدادوں کی رجسٹریشن کسی بھی رجسٹرار آفس میں کرانے کی سہولت ختم کر دی۔ تنگدست حکومت نے رات و دن کے تقریباً 24 سب رجسٹرار اس کا تبادلہ کر دیا۔ یہاں پورے اراضی کے غیر قانونی منتقلی اور رجسٹریشن کے سی آئی ڈی آڈٹ سٹریٹجی کو بلا دیا ہے۔ سی آئی ڈی کے تحقیقات کے اعلان کے بعد حکومت نے لاپیڈ رجسٹریشن کے سب رجسٹرار کا تبادلہ کیا۔ دور رجسٹرار منتقل کر دے گئے جن میں بالاگر کے سب رجسٹرار جگر پست، میڑ چل سب رجسٹرار ریش چھدراری بی شامل ہیں۔ ان دونوں کے خلاف نوعداری مقدمات درج کیا جا رہا ہے۔ انہیں پولیس نے اپنی حراست میں لے لیا ہے۔

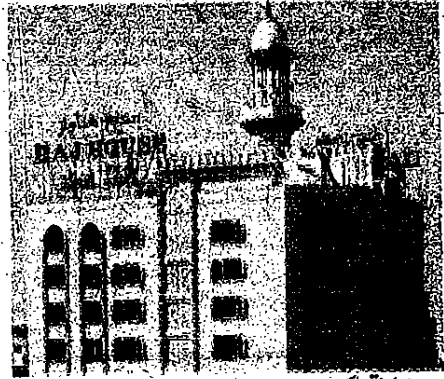
ہے۔ بعد میں پارٹا ساری نے 21 جنوری 2016 کو سوڈال پارٹیشن کمپنی کے نام پر دستاویز جمع کیا۔ اس طرح پارٹا ساری اور شرا نے سربراہان کو کی ملی ملکیت سے سرکاری اراضی رجسٹرڈ کر دیا اور حکومت کو ہماری مالی نقصان سے دوچار کر دیا۔ سی ایم اور میڈیکل کے موجودہ چیف منسٹر نے کسی بھی مقام پر جائیدادوں کے رجسٹریشن کرنے کی اجازت دینے کی رجسٹریشن پالیسی کو منسوخ کرنے کا حکم دیا ہے۔ رجسٹریشن ڈیپارٹمنٹ کو صاف ستھرا بنانے کی تاکید کرتے ہوئے انہوں نے عہدیداروں سے کہا کہ وہ اس مقصد کیلئے ایک سخت عملی چارہ کریں۔ حکومت تنگدست لے کہا ہے کہ جو افراد خانگی کمپنیوں کو سرکاری اراضی کی سہولت میں ملوث ہیں اور جس کی وجہ سے ریاستی خزانہ کا نقصان ہو رہا ہے۔ ان افراد کے خلاف سخت کارروائی کی جائے گی۔ ڈی پی چیف منسٹر (دیپو) محمد محمود علی نے بتایا پولیس انکوائری جاری ہے۔ اس میں ملوث چاہے کوئی بھی ہو چھوڑا یا برا اس کے رجسٹرڈ کاپی کے بغیر کارروائی کی جائے گی۔ ساہرا آباد پولیس نے یہاں خانگی کمپنیوں کو سرکاری اراضی منتقل کرنے پر ایک سب رجسٹرار اور 2 مختلف ریئل اسٹیٹ کمپنیوں کے ڈائریکٹرز کو گرفتار کیا ہے۔ اس عمل کی وجہ سے ریاستی خزانہ کا نقصان ہو رہا تھا۔ ساہرا آباد پولیس کسٹمر سروس سنٹر بنانے کا کام یہاں پورے زمین کے غیر قانونی تبادلہ کی تحقیقات کرنے ایک خصوصی ٹیم تشکیل دی گئی ہے جس کے سربراہ میاں پوراسوی ایجنٹ کسٹمر پولیس ایس روٹی کار ہے۔ 587.11 کروڑ کے اسٹیٹل تحقیقات اب سی آئی ڈی کے حوالے کر دیں گے کیوں کہ چیف منسٹر نے

حیدرآباد۔ 30 مئی (پی ٹی آئی) آج حکومت تنگدست لے ضلع میڑ چل میں خانگی افراد کیلئے 1796 پیکر سرکاری اراضی کی غیر قانونی منتقلی کے بارے میں ریاستی پولیس کی سی آئی ڈی کے درجہ انکوائری کا حکم دیا ہے۔ چیف منسٹر کے چیرمین کمر راء جنہوں نے اس مسئلہ پر وزرا اور سیکرٹری ہذا کے ساتھ جائزہ اجلاس منعقد کیا ہدایت دی کہ عہدیدار اراضی منتقل کرنے کے ذمہ داروں کے خلاف سخت ایکشن لیا جائے۔ ان کے دفتر سے جاری کردہ ریلیز میں یہ بات بتائی گئی۔ ساہرا آباد پولیس نے ایک سب رجسٹرار اور مختلف ریئل اسٹیٹ کمپنیوں کے دو ڈائریکٹرز کو گرفتار کیا ہے جو خانگی کمپنیوں کو سرکاری اراضیات کی منتقلی میں سہولت پر ملوث ہے۔ کوکٹ پلی کے سب رجسٹرار آرمیڈا سارا اور بی ایس پارٹا ساری اور بی ایس شرا جو مختلف کمپنیوں کے ڈائریکٹرز ہیں انہیں میاں پور مویش میں سرکاری اراضی کی غیر قانونی منتقلی پر گرفتار کیا گیا ہے۔ پولیس شکایت میں بتایا گیا ہے کہ ریاستی انکوائری سلیڈ کے ڈائریکٹر پارٹا ساری نے سوڈال پارٹیشن کمپنی (ڈائریکٹر شرا) کے نام پر چار دستاویزات کو کوکٹ پلی میں سب رجسٹرار کے دفتر (ایس آر او) میں رجسٹرڈ کر دیا۔ تحقیقات کے دوران پتہ چلا کہ چار دستاویزات ایس آر او کوکٹ پلی میں رجسٹرڈ کی گئیں جو رجسٹریشن ایکٹ 1908 کی خلاف ورزی ہے اور اس طرح ریاست کو 587.11 کروڑ روپے کا نقصان ہوا۔ پولیس کے موجودہ پارٹا ساری اور دیگر نے کسی امیر النساء عظیم اور سات دیگر افراد سے 15 جنوری 2016 کو گئی بی اے تیار کیا تاکہ یہ بتایا جائے کہ اراضی ان افراد سے منتقل

## کام ایک جگہ تنخواہ دوسری جگہ

اقلیتی بہبود کے لیگل اڈوائزر کی تنخواہ وقف بورڈ سے، ماہانہ 50,000 کا بوجھ

حیدرآباد۔ 25 اکتوبر (سیاست نیوز) کیا کوئی بھی سرکاری ادارہ دوسرے ادارہ میں کام کرنے والے شخص کی تنخواہ ادا کر سکتا ہے؟ اس سوال کا آسان جواب نفی میں ہوگا کیونکہ کوئی بھی ادارہ اس کے پاس برسر خدمت عہدیداروں اور ملازمین کی تنخواہ ادا کرنے کیلئے پابند ہے لیکن ملنگانہ وقف بورڈ ایک ایسا ادارہ ہے جہاں کچھ بھی ممکن ہے۔ ان دنوں کام کسی ادارہ میں ممکن نہیں، وہ وقف بورڈ میں ہو سکتا ہے۔ ان دنوں وقف بورڈ کے ایک فیصلے نے تنازعہ کی صورت اختیار کر لی ہے جس میں محکمہ اقلیتی بہبود میں عارضی طور پر تقرر کردہ لیگل اڈوائزر کی تنخواہ وقف بورڈ سے ادا کی جارہی ہے۔ یادوگ ذرا لے کے مطابق بعض اعلیٰ عہدیداروں کی سفارش پر چند حکمرانوں کا محکمہ اقلیتی بہبود میں لیگل اڈوائزر کے طور پر تقرر کیا گیا۔ تین ماہ تک خدمات کی تکمیل کے بعد ستمبر میں منعقدہ وقف بورڈ کے اجلاس میں نہ صرف تین ماہ کی خدمات کو تسلیم کیا گیا بلکہ مزید ایک سال کی توسیع دے دی گئی۔ بتایا جاتا ہے کہ اعلیٰ عہدیداروں نے ماہانہ 75,000 روپے ادا کرنے کی سفارش کی تھی لیکن وقف بورڈ نے 50,000 روپے کو منظوری دی ہے۔ لیگل اڈوائزر کا دفتر سرکیرٹ میں اقلیتی بہبود سیکشن میں چلایا جاتا ہے جبکہ وقف بورڈ کے امور سے ان کا راست کوئی تعلق نہیں۔ ذرا لے نے بتایا کہ لیگل اڈوائزر نے وقف جائیدادوں کے تحفظ اور عدالتوں میں زیر دوران مقدمات کے سلسلہ میں بورڈ کو کوئی قانونی رائے نہیں دی۔ لیگل اڈوائزر کی حیثیت سے وہ کیا خدمات انجام دے رہے ہیں، اس سے صرف سرکیرٹ اقلیتی بہبود ہی واقف ہوں گے۔ وقف بورڈ کے عہدیداروں میں اس تقرر کو لیکر تشویش پائی جاتی ہے۔ حکومت ایک طرف اوقافی جائیدادوں کے تحفظ کیلئے وقف بورڈ کے چیف ایگزیکٹو آفیسر کے عہدہ پر آئی بی ایس عہدیدار کے تقرر کو جائز قرار دے رہی ہے تو دوسری طرف بورڈ سے غیر متعلق عہدیدار کی بھاری تنخواہ سرکاری خزانہ کے بجائے بورڈ کی آمدنی سے ادا کرنا کہاں تک درست ہوگا۔ وقف امور کے ماہرین کا کہنا ہے کہ جب تنخواہ وقف بورڈ سے ادا کی جارہی ہے تو ان کی خدمات بھی وقف بورڈ کے حوالے کی جائیں تاکہ رد و مرہ کے امور میں قانونی رائے دے سکیں۔ ویسے بھی وقف بورڈ میں قابل ماہرین قانون کی کمی ہے۔ بعض ریٹائرڈ عہدیداروں کے ذریعہ وقف بورڈ کا لیگل سیکشن کام کر رہا ہے۔ بتایا جاتا ہے کہ طویل عرصہ سے لیگل سیکشن میں کام کرنے والے افراد کی ہمدردیاں مختلف اوقافی اداروں اور محکمات سے ہیں جس کے باعث وقف بورڈ کو ان کے خلاف قانونی کارروائی میں دشوار ہو رہی ہے۔



وقف بورڈ میں مزید جعلی این او سینرز کی اجرائی کا انکشاف

تین ملازمین کو کام کے بغیر تنخواہوں کی اجرائی، وقف انسپکٹرس اور ملازمین کی معطلی کا فیصلہ: محمد سلیم



حیدرآباد-14-نومبر (سیاست نیوز) ملنگانہ وقف بورڈ میں بے قاعدگیوں اور بدعنوانیوں کے خاتمہ کیلئے حکومت کی لاکھ کوششوں کے باوجود سدھار کا کوئی امکان نظر نہیں آتا۔ حکومت نے بدعنوانوں سے عاجز آ کر وقف بورڈ کو معطل کر دیا تھا۔ بعد میں ایک آئی بی ایس آفیسر کو چیف ایگزیکٹو آفیسر کے عہدہ پر فائز کرتے ہوئے بورڈ کی کارکردگی بحال کی گئی لیکن بورڈ میں غیر مجاز سرگرمیاں ابھی بھی جاری ہیں جن کا انکشاف وقتاً فوقتاً ہو رہا ہے۔ صدر نشین وقف بورڈ محمد سلیم نے اوقافی جائیدادوں کے کرایہ جات کی وصولی میں تاہل اور عدالتوں میں زیر در و ران مقدمات کی یکسوئی کا جائزہ لینے کے لئے آج ریاست کے تمام وقف انسپکٹرز اور ریٹنٹ کلکٹرز کا اجلاس طلب کیا تھا۔ چیف ایگزیکٹو آفیسر شہنواز قاسم آئی بی ایس اور بورڈ کے دیگر عہدیدار بھی اجلاس میں شریک تھے۔ مختلف امور کا جائزہ لینے کے دوران دو اہم انکشافات ہوئے۔ ایک تو یہ بعض انسپکٹرز نے اوقافی جائیدادوں کو غیر اوقافی قرار دیتے ہوئے ابن ادوی جاری کر دیا ہے جبکہ 3 ملازمین ایسے ہیں جو کئی برسوں سے خدمات انجام دیتے بغیر ہی گھر بیٹھے تنخواہ حاصل کر رہے ہیں۔ اس چونکا دینے والے انکشاف کے بعد صدر نشین وقف بورڈ اور چیف ایگزیکٹو آفیسر نے ابن ادوی اجرائی کے ذمہ دار انسپکٹرز اور بغیر کام

وقف بورڈ کے بعض عہدیدار حقیر مفادات کیلئے اوقافی جائیدادوں کی چٹائی کے ذمہ دار بن رہے ہیں۔ انہوں نے کہا کہ وقف جائیدادوں کے کرایہ جات کی وصولی کی صورتحال مایوس کن ہے۔ گزشتہ تین ماہ سے کرایہ جات کی وصولی کا سلسلہ بند ہے۔ ریاست بھر میں کروڑ پا روپے کے کرایہ جات وصول طلب ہیں۔ جائزہ اجلاس کے دوران نے انکشاف بھی ہوا کہ کسی بھی

اراضیات کے سلسلہ میں کسی بھی تباہی کو برداشت نہیں کیا جائے گا۔ محمد سلیم نے کہا کہ گٹھ جوڑ ٹیم کے ہٹ کی اوقافی اراضی کے تحفظ کے لئے پولیس اور گریٹر حیدرآباد میونسپل کارپوریشن کو کتبہ روانہ کیا گیا ہے۔ انہوں نے کہا کہ غیر حقیر تعمیر کو روکنے کیلئے عدالت نے درخواست پیش کی جائے گی کیونکہ حکم التواء کے باوجود غیر مجاز قابضین تعمیر سرگرمیوں میں مصروف ہیں۔

بات چیت کرتے ہوئے صدر نشین محمد سلیم نے بتایا کہ وقف بورڈ کو کوئی اختیار نہیں کہ وہ اوقافی اراضی کو غیر اوقافی قرار دیتے ہوئے این او سی جاری کرے۔ جائیداد یا اراضی کے پائل کو طے کرنے کا اختیار وقف ٹریبونل کو ہے لیکن بعض اسپیکرس نے این او سی جاری کر دیا۔ ایسے اسپیکرس کی تعداد میں بتائی گئی ہے جنہوں نے یہ غیر قانونی کام انجام دیتے ہوئے حدود سے تجاوز کیا ہے۔ این او سی کی اجرائی سے متعلق تفتیشی حاصل کرتے ہوئے انہیں معطل کر دیا جائے گا۔ انہوں نے بتایا کہ 3 ملازمین ایسے ہیں جو کئی برسوں سے کارکردگی کے بغیر گھر بیٹھے تنخواہ حاصل کر رہے ہیں۔ ان ملازمین کی شناخت کر لی گئی ہے اور انہیں بھی معطل کر دیا جائے گا۔ انہوں نے کہا کہ وقف جائیدادیں اللہ کی امانت ہیں اور وقف بورڈ ان جائیدادوں کا امین ہے لیکن افسوس کہ

**صَفَائِیْتُ الْمَالِ**

آپ کے گھر، دکان، دفتر میں ہونے والے ضرورت سامان کو مستقل طور پر دینی بینڈو، پیرس، لٹھا، پلاسٹک، الیکٹرانک، آؤٹا، فرنیچر، وغیرہ صفائی بال کے ساتھ دیکھ سکتے ہیں۔  
 ایک ضرورت مند کی ضرورت پوری ہو سکے

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Yousuf Aida

To,  
Hon'ble Er Mohammed Hamid,  
Member Central Waqf Council,  
Government of India

20/4/2018

Hon'ble Sir

Sub : Telangana State Waqf Board --- Representation submitted in Hyderabad to Hon'ble Member --- Suspended Mutawally Sri Akbar Nizamuddin involved in sale of Waqf land scam amount to Rs 21000/- Crores ---- Reinstated despite pending enquires in violation of "The Wakf Act" -- Resultantly two enquires one by Joint Collector, R.R District ordered 18 months back, have not commenced yet --- Whereas second enquiry by CCS, the enquiry officer had filed final report U/s Cr Pc 173 In FIR 110 OF 2014 without recording statements of complainants ---- Unheard in the history of criminal investigation --- intervention Requested for upholding The "Rule of Law." --- Filing of tampered Enquiry Report in Hon'ble High Court to Bail out Mutawally Sri Akbar Nizamuddin--- Filing of Fake Wakf Board Resolution misleading Hon'ble High Court in securing release of accused affiliated to MIM Party in Balapur Mosque Dismantling Case Request for for CBI Enquiry in illegalities committed by Wakf Board and its Member's. --  
- Req Reg

Ref : 1)TSWB CEO'S Proceedings in F.No : 05/Z1/T/HYD/2009 DT 17-11-2016

2) Final report U/s crpc 173in FIR No 110 of 2014 by Sri G.Jogiah ,ACP Division E,CCS, Hyderabad City.

We the undersign wish to submit as hereunder :

1. That Mutawally Sri Syed Akbar Nizamuddin was suspended by TSWB on grave charges. Criminal complaint too was filed during Special Officers Sri Mohammad Iqbal IPS and thereafter by Sri Jalaluddin Akbar IFS competent Authority and CEO Mr Asadulla.
2. That despite pending enquires suspended Mutawally Sri Akbar Nizamuddin was reinstated in violation of the waqf Act due to political patronage. Mr Akbar Nizamuddin occupies numerous positions in Trust and religious institutions under control of MIM. That MIM being in alliance with ruling dispensation enjoys enormous clout in waqf board.

3. That political interference had not only resulted in reinstatement of Sri Akbar Nizamuddin as Member TSWB but also affected the pace, progress and outcome of both the enquires Under reference 1<sup>st</sup> and 2<sup>nd</sup> cited.
4. That the enquiry ordered vide proceedings Dt 17-11-2016 i.e. 18 months back has not yet commenced. When the enquiry is mandated to be completed within 90 days. Despite several reminders by inquiry Officer Sri Sunder Abnor joint collector R.R District to TSWB, CEO had wantonly failed to produce documents to Public Servant with intent to save accused from punishment thereby committed offence u/s 175 and 217 of Indian Penal code.
5. That Similar is the pathetic scenario in inquiry officers conduct in CCS Police Enquiry Officer Sri G. Jogiah in his anxiety to please political bosses have filed "Final Report" in FIR No 110 of 2014 without summoning records from TSWB and even more surprisingly without recording statements of complainants i.e Sri Mohammed Iqbal, Sri Jalaluddin Akbar Sri Asadulla and Sri Mannan Farooqui present CEO, unheard in the history of criminal investigation.
6. That despite individuals and associations interested in safeguarding waqf properties approaching voluntarily and submitting representations to inquiry officers detailing sale of waqf properties by the accused in the light of section 3k of "The Waqf Act" 1995 (As amended by Act 27 of 2013) which categories persons interested in waqf. The Inquiry officer had conveniently neglected in collecting details in attempting to bail out accused from punishment, is guilty u/s 217 of IPC.
7. That as per reliable reports TSWB CEO Mr Asadulla was transferred from wakf board and appointed as personal secretary to Dy CM Mr Mahmood Ali with a game plan to derail the enquiry by shifting CEO away from waqf Board. Due to influence of Sri Akbar Nizamuddin as wakf Board member and thereafter as PS To Dy CM Mr Asadulla was unable to assist investigating officers with material facts nor record his statement. Thus law is being circumvented to benefit the accused.
8. That with the change or transfer of officials in TSWB change in stand of TSWB on waqf scam of Rs 21000 crores by Sri Akbar Nizamuddin is leading to irresistible conclusion whether "Rule of Law" prevails in TSWB.

9. That disturbing reports of Wakf Board filing "Fake Waqf Board Resolution misleading the Hon'ble High Court in securing release of accused affiliated to MIM Party in Balapur Mosque Dismantling Case requires indepth enquiry.
10. That reports of enquiry officer Sri Ahmed Ali's findings with regard to suspended Mutawally Sri Akbar Nizamuddin too tampered to mislead Hon'ble High Court in W.P No 35127/2014 Dt : 09-06-2015 to help and assist Sri Akbar Nizamuddin is too alarming requires, indepth inquiry.
11. While the Wakf Act , 1995 provides for powers to the Wakf Board to suspend remove and substitute a Managing committee and also take over the direct control of any particular Wakf property, in the event that there is misuse of Wakf properties, this power has been mis-utilised on many occasions in respect of various Wakf properties, which is evident from the number of criminal cases filed against the Members and Chairmen of successive Wakf Board on various occasions, which is supported by two reports of the State Legislative Committee and also the Paralimentary Affairs committee of Wakf.
12. That is pertinent to note that the Government of Andhra Pradesh vide G.O Rt No. 142 dated 5.3.2007 Minorites Welfare (Waf.I) Department has also laid down rules and regulations making it mandatory for the the Wakf Board to take prior approval of the State Government before issuance of any NOCs for transfers, even on lease, of any Wakf Properties in consonance with the object of the Wakf Act, 1995 and imposed additional duties and responsibilities of the Chief Executive Officer and the Officals of the Wakf Board to safeguard the interest of the miniorites, However, it is apparent from the records, that there has been no compliance of the same as the encroachments and mismanagements are only increasing year by year in complete contravention to the Statutory Rules and Regulations.



13. That It is also pertinent to note that there are total 49,122 Wakf Institutions notified and un-notified in the State of Telangana. In view of the continuing mismanagement and encroachments, a thorough investigation by an independent agency like CBI, which has the wherewithal is imperative. The said Institutions/properties are spread across the state of Telangana and the level of mismanagement is so complex, that it calls for a credible enquiry/investigation, by CBI.
14. That the Central Government has issued a communication dated 12.09.2014 to the State of Andhra Pradesh asking the State Government to take necessary action in respect of initiating CBI enquiry, as investigation with respect to the offence committed within a State can be entrusted to CBI under the Delhi Special Police Act only if the concerned State Government gives its consent. Despite this letter, no consent has yet been given by the State Government to initiate CBI investigation into the crimes relating to mis-management and fraud in respect of wakf properties. This inaction on the part of State Government is completely arbitrary and illegal, as even the Legislative Committees have found that there are serious irregularities in respect of wakf properties on which action needs to be taken.
15. That even the DOPT vide letter dated 22.9.2014 has requested the Chief Secretary, Government of A.P to intimate any action in regards to the consent under section 6 of the DSPE Act to the department. Despite the willingness of the Union of India and the DOPT, the State Governments have failed to take any action and have kept the matter pending.
16. That It is pertinent to note that the properties involved are spread across in several thousands of acres encompassing the States, which are worth thousands of crores of rupees, which demonstrates the gravity of the enquiry to be conducted. It is submitted that the matter of this nature calls for investigation by the CBI. It is submitted that the CBI enquiry in a State is permissible either on the State Government giving consent for investigation by CBI under section 6 the DSPE Act requesting for an enquiry; or upon the directions given by the High court of the Supreme Court under Articles 226 or 32 respectively, as the case may be.
17. That It is respectfully submitted that control and management of the Wakf properties, in terms of the provisions of the Wakf Act, vests in the Wakf Board. The properties belonging to a Wakf cannot be permitted to be withered away at the instance of office bearers on the Board or those in charge of the Wakf or by any third parties. There is a duty cast upon the Board to regulate the subject issue. That apart, although the State's jurisdiction in regards to the subject issue is supervisory in nature, it is the duty of the State to oversee the functions of the Board and take necessary steps to regulate the subject issue of encroachments and mismanagement which is well within its knowledge. Therefore despite having knowledge of the subject issue and despite having powers to cause an