

Typed

MINUTES OF MEETING HELD ON 27-09-2003M AT MAJESTIC M.L.A. HOSTEL COLABA
MUMBAI AT 3.00 P.M. TO 6 P.M.

All the Honourable members welcomed by Dr. M. A. Aziz Chairman Maharashtra State Board of Wakfs of Aurangabad following members are present at the meeting :-

- 1) Mr. Harun Adam Solkar Saheb
- 2) Mr. H. B. Patel Saheb (Govt. Nominee)
- 3) Mr. Hafiz Dhature Saheb M.L.A. MIRAJ & Member
- 4) Mr. Chand Pasha Indmdar Saheb

Subject No.(1) :- The minutes of meeting held on 5-7-2003 are approved by the Board Members.

Subject No. (2) :- To grant leave of absence if any:

Two members (1) Honourable Khan Yousuf Sarwar Alias Dilip Kumar & (2) Smt. Shabana Azmi were absent, but due to illness Honourable Dilip Kumar could not attend the meeting hence Board members granted his leave of absence (2) Smt. Shabana Azmi Saheba is out of city for urgent work accordingly she informed her inability to attend, hence her leave is also granted by Honourable Members unanimously.

Subject No.(3):- To discuss about the publication of Wakfs under Section 5(2) of the Wakf Act 1995.

Resolution No.1:- The Survey conducted by the Settlement Commissioner which was sent by the Govt. of Maharashtra to the Board for its approval on 6-5-2002 was placed for approval. After detailed discussion following Resolution is unanimously passed by the Board members. The list supplied by the Charity Commissioner Mumbai which includes "B" trusts be published as it is also the trusts which are not covered in this list of Charity Commissioner should also be included i.e. Wakfs which are covered by Settlement commissioner, which are not included in the Charity Commissioner list be included and list published. Board has powers to include any new Wakf under Section 40. Chief Executive Officer shall collect the information and Muslim Trusts Registered with Charity Commissioner as "F" Trusts Charity Commissioner. The Resolution passed unanimously.

Subject No.(4) :- To ratify tender of Goat Skin at Dargah Rauna Parada Taluka Ambad District Jalna & also ratify the tender of Goat skin of Shirmi of Dargah Hazrat Turabul Haque Parbhani.

Resolution No.2:- Board after detailed discussion approved both the tenders for Rs.12,03,786/- & Rs. 26,01,786-92 Paise. But rider was suggested by Honourable Member Mr. Chand Pasha Inamdar that, when the tenders are called a copy be given to all the members, & at the time of opening of tenders all Honourable members be informed to remain present. Board members approved this suggestion. Hence with amend-I resolution is passed unanimously.

So final Resolutions passed:- These two tenders approved by the Board, but in future Chief Executive Officer shall inform all the Honourable members the date of opening of tender & request the members to remain present at the time of opening of tenders. Members may or may not remain present.

Subject No. (5):- Delegation of powers.

This subject was discussed in detail. Board felt that existing committees appointed by previous Marathwada Wakf Board are not as per the provision of Wakf Act 1995. Hence a model scheme needs to be prepared for this purpose, & Honourable member Harun Adam Solkar Saheb may prepare the model schemes within 3 months, and Chief Executive Officer should persue with Honourable member give him all the necessary information, till then all the Committees should be given 3 months extension. No opposition passed unanimously.

Hence Resolved that model scheme will be prepared by Honourable member Harun Adam Solkar Saheb within 3 months and till then extension is to be granted to existing Committees by the Chief Executive Officer.

Subject No. (6) :- Appointment of Mutwalli Dargah Syed Ahmed Sher Sawar Jalna.

In the light of above discussion subject of forming Committee is defenced till then Dargah Management may be taken under direct management of Board.

Subject No. (7):- Travelling Allowance and Board & Lodging charges to be paid to Mr. Hameed Khan, who has collected lot of material of Wakf properties in Western Maharashtra.

After discussion it is resolved that Mr. Hamid Khan be paid T.A. for the work he has done till date, and he is to be informed that he should not further collect the information till further orders of Board. The material submitted by him shall be scrutinized and it is utility to the Board be decided.

Hence resolved that T.A. & D.A. claim submitted by Mr. Hamid Khan till date be given to him and he should stop collection of Records.

Subject No. (8):- Constitution of Managing Committee Jama Masjid Dharmabad District Nanded as directed by the Honorable High Court Bench at Aurangabad.

Subject was discussed in detail, it also concerns with the appointment of Committee, but in view of Honourable High Court Bench at Aurangabad order Committee is to be formed immediately.

Hence Resolution is passed that Member Mr. Chand Pasha Inamdar is delegated to form this Committee. He should visit the Dharmabad & submit his report to Board within a month.

Subject No. (9) :- Constitution of Managing Committee Dargah Hazrath Shah Sokhtamiyan, Satara, Aurangabad.

This subject is deferred in view of forming a model scheme for the management of all Wakfs by Honourable member Haroon Adam Solkar.

Subject No. (10):- Giving increased Dearness Allowance to Board Employees as per Government Employees.

After discussions the financial condition of the Board at this stage Board members felt that this subject shall be taken in next meeting of the Board.

Hence resolved that D.A. to employees shall be decided in Boards ensuing meeting.

Subject No. (11):- Appointment of Captain Shaikh, Former Secretary as officer-On-Special Duty to Wakf Board.

The matter was discussed as Mr. Shaikh has served in the Revenue & Forest Department he knows the Wakf matter very deeply so his services be utilized for the Board.

Hence it is resolved that Captain A.S. Shaikh Retired I.A.S. Officer shall be appointed at first instant the for period 11 months on fixed salary of Rs. 10,000/- p.m. to be paid by the Board for its cooperation as Officer-On-Special Duty. He shall be stationed at Mumbai Office. The work to be assigned to him shall be decided in detail by Honourable Chairman. As per section 24 of Wakf Act 1995 Government's approval for such appointment is necessary.

Subject No.(12):- Any other subjects:-

Following subjects were discussed decision taken. Mr. Chand Pasha Inamdar raised question of visiting the Districts and complaints received in the office of Chief Executive Officer.

After discussion it is resolved that the member may visit the Districts as per their convenience and programme of visit may be given to Chief Executive Officer. If possible Chief Executive Officer may accompany the Board members. Again copies of all the complaints received in the Office of Chief Executive Officer be given to all Honourable members without fail by post every week or fortnightly as it is possible.

(2) Second subject which discussed was with regards to revision of rates of Agricultural lands charged Rs. 200/- per acre be revised. After discussion it was decided to submit the subject with details in next meeting before submitting view of members should be taken into consideration.

(3) Also Board members desired that State Government be moved to give the Board financial assistance to the tune of Rs. 5 Crores before doing so information from other Boards be called by Chief Executive Officer in this regard.

(4) The most important subject discussed was-

- (i) The land of Wakf is occupied illegally or legally by the members of public etc, Gulshan Mahel Aurangabad, Shah Sokhta Dargah Aurangabad, Paithan etc. in such cases to increase the revenue of the Board, valuation of such houses / land be

done & rate fixed & people should be given fresh leases as per the Act of 1995. The method of valuation in Municipal areas be Net Retable Value done by the Municipal Corporations/Councils in a case of Agriculture land it be done by the Town Planning Department. Also as suggested by Chand Pasha valuation may be tried from Public Works Department also.

Therefore, it is resolved, valuation of such houses land be done and rent fixed, and fresh leases in such cases be entered into by the Board to increase the Revenue of the Board. It is just not possible to demolish the houses and make people houseless. Also it is resolved that in case of transfer of plots reasonable transfer fees should be charged by the Board. This is a policy decision of the Board. This Policy is only to regard with old cases.

(5) The application of Jama Masjid Kalwa for lease was discussed.

It is resolved that it increases the income of Wakf. In principal it is decided that necessary permission after following the procedure be granted meanwhile Honourable Mr. Harun Solkar, Mr. Chand Pasha Inamdar will visit the site and forward their observation.

(6) The application of Kalyan also discussed.

Since it is for the benefit of Muslim Students. It is resolved to grant permission by following the procedure by the Chief Executive Officer.

(7) The question of Jalna S.No. 101, 102 was also discussed in detail. After detailed discussion it is resolved that a fresh lease may be given by inviting tenders in the Govt. Gazette & News Papers. But lease deed may not be entered till the decision of Honourable High Court Writ Petition No.5086/98.

(8) Allowances of Members:- It is resolved that Rs. 400/- per meeting as sitting allowance be given and rest allowances as per regulations paid by the Govt. be given. Resolution is passed unanimously.

(9) As regards Karimbhai Orphanage Mumbai: It is resolved that Writ Petition against the order of or C.C. be filed in the High Court. Mr. H.B. Patel Dy. Secretary suggested to proceed under section 51 & 52 of the Wakf Act 1995.

(10) The enquiry of Taboot Trust be expedited & report be submitted to Board as early as possible.

(11) The inquiries under various sections of the Wakf Act 1995 is to be conducted & proceeding started on receipt of application. Hence it is resolved that Chief Executive Officer may initiate the necessary inquiry and report be submitted to the Board in the meeting always. All the inquiries now in progress are submitted for information to the Board by Chief Executive Officer. Final report in this regard be submitted to the Board.

Meeting was conducted at 6 p.m. & with vote of thanks.


Chief Executive Officer
Maharashtra State Board of Wakfs,
Aurangabad.