MINUTES OF THE BOARD MEETING DATED 26-02-2014 HELD AT ISLAM GYMKHANA, MARINE LANE MUMBAI

The Board meeting was convened at 4.00 P. M. The following Members and Officers were present:-

1. Advocate Asif Shaukat Qureshi
2. Smt. Ainul Chand Attar
3. Mr. Durrani Abdulla Khan A. Latif Khan alias Baba Jani
4. Mr. Habeeb Fakih
5. Mr. Syed Jameel Ahmed Jani Miya
6. Mr. **SAYYED AEJAZ HUSAIN** Ex-Officio Secretary & Chief Executive Officer.

As the quorum was available therefore, Meeting began at 4.00 p.m. Janab Habib Fakih & Advocate Asif Shaukat Qureshi requested Honourable Member Janab Durrani Abdulla Khan A. Latif Khan alias Baba Jani to preside over the meeting to with consent of other Members. Accordingly he presided over the meeting.

Point No. 1. To Grant leave of absence if any members.

मुद्दा क्रं. १ :- सदस्य हजर अथवा गैर हजर तसेच रजा मंजुरी करणे बाबत

Janab Zainuddin Mohsinbhai Zaveri orally requested to grant Leave of absence due to some urgent work.

Leave of absence granted to Janab Zainuddin Mohsinbhai Zaveri Member.

Point No. 2. Confirmation of Minutes Dated 05-2-2014.

Minutes are confirmed with modification in Resolution No. 1/2014 & Resolution No. 30/2014.

Point No. 3. CASES:

To discuss and take appropriate decision with regard to WRIT PETITION NO.1173 OF 2014 filed by Shaikh Khalil Shaikh Haidar and another,

before Honourable High Court, Bench at Aurangabad **(Proposal submitted by Mr. Habib Fakih, Member of Board).**

Resolution No. 33/2014 :-

Discussed the Draft of Affidavit submitted by the Chief Executive Officer is approvided unanimously with one additional point suggested by learned Member Mr. Habib Fakih.

Point No. 4. CASES:

To file Special Leave Petition in Honourable Supreme Court against Judgement of Honourable High Court in PIL 14/2012 dated 20-2-2014.

Resolution No. 34/2014 :-

It is unanimously resolved to file S.L.P. in the Honourable Superme Court of India or appropriate proceedings before the proper forum on behalf of Maharashtra State Board of Wakfs, Aurangabad for challenging the Judgment of Honourable High Court in P.I.L. 14/2014. S.L.P. in Honourable Superme Court of India is to be filed by Board through Advocate S. M. Jadhav. Chief Executive Officer is further authorized to engage Srnior Counsel if the circumstances require so.

Point No. 5. ENQ:

Sanction of Scheme and Managing Committee of Idgah, Graveyard, & Masjid Baloor Tq. Sailu, District Parbhani.

इदगाह कब्रस्तान व मस्जिद, बेलुर, सेलु, परभणीची घटणा व समिती मंजूर करणे बाबत.

(Proposal received on 30.05.2013. Public notice not issued. As per Instructions of Mr. Abdullah Khan Durrani Sahab, member, Board, mattr kept in hearing).

Resolution No. 35/2014 :-

It is unanimously resolved to authorize Chief Executive Officer to sanction scheme, after following the procedure.

Point No. 6. SNT:

Finalization of Rent of Sara-E-Meer Alam (110X165) Dahrur Tq. Dharur, District Beed.

Janab Abdullah Khan Durrani & Janab Syed Jameel Ahmed Janimiya, Members of Maharashtra State Board of Wakfs, were delegated powers to decide Rent of Anjumnan-E-Ishat-E-Taleem Beed. They have issued letter dated 17-1-2014 stating that Rent for Plot 110 X 165 is fixed @ Rs. 25,000/- per annum for 30 years. Hence submitted for necessary approval of the Board.

Resolution No. 36/2014 :-

It is unanimously resolved to fix Rent @ Rs. 25,000/- per annum with an increase of 5% every year, subject to all other conditions laiddown in the Lease Rules 2014, which is likely to be framed by the Central Wakf Council, State Government of Maharashtra, or Government of India.

Point No. 7. SNT:

Guidelines about issuance of No Objection Certifacte. It is proposed by Janab Syed Jameel Ahmed Janimiya, Member of Maharashtra State Board of Wakfs that No Objection Certificate, for construction and any permission, Electricity or any other development project should not be issued without the consent of concerned hereditary Inamdar, Mutwalli. Not to take any action which is against Mansha-E-Waqf upon Service Inam Land (Mashrootul Khudmat). The status of Dargah, Masjid, Kabrastan, Eidgah etc. should remain as it is till the last.

Resolution No. 37/2014 :-

It is unanimously resolved that besides accepting Rs. 1,000/- as No Objection Certificate Fees, the No Objection Certificate should not be issued without the consent of hereditary Mutwalli, Inamdar and not to give any No Objection Certificate for any purpose which is against the Mansha-E-Wakf.

Point No. 8. SNT:

Tenancy Agreement of Syed Iliyas Ali Syed Ali, Waqf Property at Indira Nagar Johpadpatti, Jalna. (Point proposed by Janab Syed Jameel Ahmed Janimiya, Member of Maharashtra State Board of Wakfs).

Discussed and dropped.

Point No. 9. ENQUIRY (चौकशी)

Under section 32 of Wakf Act, 1995. Sanction of Scheme for Wakf Institution Muslim Shahi Kabrastan, Tiranga Chowk, Nagpur

वक्फ अधिनियम १९९५ चे कलम ३२

मुस्लिम शाही कब्रस्तान, तीरंगा चौक, नागपूर

वक्फ संस्था मुस्लिम शाही कब्रस्तान, तीरंगा चौक, नागपूरच्या व्यवस्थापना संबंधी योजना मंजुरी साठी श्री. मोहम्मद शेख साजिद शेख शब्बीर भालदारपुरा, नागपूर यांनी दि. २४.०५.२०१३ रोजी प्रस्ताव या कार्यालयात सादर केला.

प्रकरणात या कार्यालयाचे क्रमांक ४८८६/१३ दिनांक २८.०५.२०१३ अन्वये जाहीर प्रगटन निर्गमित करण्यात आले. सदर जाहीर प्रगटन दैनिक सकाळ, नागपूर मध्ये दिनांक २७.०६.२०१३ रोजी प्रकाशित करण्यात आले.

प्रादेशिक वक्फ अधिकारी, नागपूर यांना त्यांचे पत्र दिनांक ०१.०८.२०१३ अन्वये सदर योजनेस मंजूरी देण्यास शिफारस केली आहे.

प्रकरणात कोणतेही आक्षेप / उजर प्राप्त झाले नाही. करीता पुढील निर्णयसाठी सादर

Resolution No. 38/2014 :-

It is unanimously resolved to frame Scheme of the Wakf Institution Msulim Shah Kabrastan, Tiranga Chowk, Nagpur as it is consistent with Islamic Objectives and not contrary to any provisions of the Wakf Act 1995, Muslim Law and Mansha-E-Wakf.

Point No. 10. ENQUIRY (चौकशी)

Under section 32 of Wakf Act, 1995. Sanction of Scheme for Wakf Institution Dargah Sharif Dewalgaon Raja, Buldhana

वक्फ अधिनियम १९९५ चे कलम ३२

दर्गाह शरिफ देवलगाव राजा, बुलढाणा

वक्फ दर्गाह शरिफ देवलगाव राजा, बुलढाणा व्यवस्थापना संबंधी योजना मंजुरी साठी श्री. अब्दुल रशीद शेख महबुब भंडारी यांनी दि. १४.११.२०१३ रोजी प्रस्ताव या कार्यालयात सादर केला.

प्रकरणात या कार्यालयाचे क्रमांक ९८१/१४ दिनांक १४.०२.२०१४ अन्वये जाहीर प्रगटन निर्गमित करण्यात आले. सदर जाहीर प्रगटन दैनिक नवभारत, मध्ये दिनांक १५.०२.२०१४ रोजी प्रकाशित करण्यात आले.

प्रादेशिक वक्फ अधिकारी, नागपूर यांना त्यांचे पत्र दिनांक ..... अन्वये सदर योजनेस मंजूरी देण्यास शिफारस केली आहे.

प्रकरणात कोणतेही आक्षेप / उजर प्राप्त झाले नाही. करीता पुढील निर्णयसाठी सादर

Resolution No. 39/2014 :-

It is unanimously resolved to Sanction of Scheme for Wakf Institution Dargah Sharif Dewalgaon Raja, Buldhana as it is consistent with Islamic Objectives and not contrary to any provisions of the Wakf Act 1995, Muslim Law and Mansha-E-Wakf.

Point No. 11. ENQUIRY:

Fees for framing of Scheme & procedure thereof:-

It is proposed that a Fees of 3,500/- should be charged with apploication for framing of Scheme and the applicant should accompany at least 3 Copies of Scheme (Proposal submitted by Janab Syed Jameel Ahmed Janimiyan Member of Board).

Resolution No. 40/2014 :-

It is unanimously resolved to charge the Fees of Rs. 3,500/- for framing of Scheme and the Applicant should furnish at least 3 Copies of the Scheme.

Point No. 12. ENQUIRY:

-Under section 32 of Wakf Act, 1995. Sanction of New Scheme for Wakf Institution Dargah Hazrat Peer (Janglee Peer Dargah) Gokul Shrigaon, Tq. Kawer, District Kolhapur by third party. Matter is kept before Board for conducting hearing.

Discussed and dropped

Point No. 13. ENQUIRY:

Under section 32 of Wakf Act, 1995. Sanction of Scheme for Wakf Institution Kachchi Masjid (Ahle Sunnatul Jamat), Shegaon, Buldhana (Proposal submitted by Janab Syed Jameel Ahmed Janimiyan Member of Board).

वक्फ अधिनियम १९९५ चे कलम ३२

कच्छी मस्जीद (अहले सुन्नत जमात) शेगाव जि. बुलढाणा

वक्फ संस्था कच्छी मस्जीद (अहले सुन्नत जमात) शेगाव जि. बुलढाणाच्या व्यवस्थापना संबंधी योजना मंजुरी साठी श्री. अब्दुल जब्बार हाजी शेख महेबुब, रा. शेगाव जि. बुलढाणा यांनी दि. ०९.१२.२०१३ रोजी प्रस्ताव या कार्यालयात सादर केला.

प्रकरणात या कार्यालयाचे क्रमांक ६६०/२०१४ दिनांक ३०.०१.२०१४ अन्वये जाहीर प्रगटन निर्गमित करण्यात आले. सदर जाहीर प्रगटन दैनिक नवभारत, चंद्रपुर/गड़चिरोली मध्ये दिनांक ०२.०२.२०१४ रोजी प्रकाशित करण्यात आले.

प्रादेशिक वक्फ अधिकारी, नागपूर यांना त्यांचे पत्र दिनांक २१.०४.२०१४ अन्वये सदर योजनेस मंजूरी देण्यास शिफारस केली आहे.

प्रकरणात कोणतेही आक्षेप / उजर प्राप्त झाले नाही.

करीता पुढील निर्णयसाठी सादर

Resolution No. 41/2014 :-

It is unanimously resolved to Sanction of Scheme for Wakf Institution Kachchi Masjid (Ahle Sunnatul Jamat), Shegaon, Buldhana as it is consistent with Islamic Objectives and not contrary to any provisions of the Wakf Act 1995, Muslim Law and Mansha-E-Wakf, excluding Board of Trustees matter of 2 Change Reports is pending before the Chief Executive Officer, who will conduct hearing of both parites.

Point No. 14. ENQUIRY:

Under section 32 of Wakf Act, 1995. Sanction of Scheme for Wakf Institution Masjid Akhtari, Basheerjung, Beed

वक्फ अधिनियम १९९५ चे कलम ३२

मस्जीद अख्तरी, बशीरगंज, बीड

वक्फ संस्था मस्जीद अख्तरी, बशीरगंज, बीडच्या व्यवस्थापना संबंधी योजना मंजुरी साठी श्री. अब्दुल जब्बार खान बडे खान यांनी दि. २५.०४.२०१३ रोजी प्रस्ताव या कार्यालयात सादर केला.

प्रकरणात या कार्यालयाचे क्रमांक ६८६/२०१४ दिनांक ३१.०१.२०१४ अन्वये जाहीर प्रगटन निर्गमित करण्यात आले. सदर जाहीर प्रगटन दैनिक नवभारत, मध्ये दिनांक ०२.०२.२०१४ रोजी प्रकाशित करण्यात आले.

प्रादेशिक वक्फ अधिकारी, बीड यांना त्यांचे पत्र क्र. २२३/१४ दिनांक २४.०२.२०१४ अन्वये सदर योजनेस मंजूरी देण्यास शिफारस केली आहे.

प्रकरणात कोणतेही आक्षेप / उजर प्राप्त झाले नाही.

करीता पुढील निर्णयसाठी सादर.

Resolution No. 42/2014 :-

It is unanimously resolved to Sanction of Scheme for Wakf Institution Masjid Akhtaru, Basheerjung, Beed as it is consistent with Islamic Objectives and not contrary to any provisions of the Wakf Act 1995, Muslim Law and Mansha-E-Wakf.

Point No. 15. ATIYAT:

Process Fees for appointment and renewal of Mutwalli needs to be fixed Rs. 3,000/- (Proposal submitted by Janab Syed Jameel Ahmed Janimiyan Member of Board).

Resolution No. 43/2014 :-

It is unanimously resolved to charge Rs. 1,000/- for Appointment, Renewal and removal of the Mutwalli.

Point No. 16. ATIYAT:

Proposals pending for appointment of Mutwallies, after publication in News Paper, Objections received in such cases and hearings conducted, submitted list for final decision of the Maharashtra State Board of Wakfs.

महाराष्ट्र राज्य वक्फ मंडळात वक्फ अधिनियम १९९५ चे कलम ६३ अन्वये तात्पुरते मुतवल्ली नेमणुक करणे बाबत

महाराष्ट्र राज्य वक्फ मंडळात वक्फ अधिनियम १९९५ चे कलम ६३ अन्वये तात्पुरते मुतवल्ली नेमणुक करणे बाबत प्रस्ताव मध्ये जाहिर प्रगटन प्रसिध्द करण्यात येत आहे. या जाहिर प्रगटन मध्ये अक्षेप प्राप्त झाल्यांनतर दोन्ही पक्षकाराला सुनावणीची नोटीस देण्यात येत आहे. या आगोदर सुनावणी घेण्यात आलेली आहे. तसेच काही प्रकरणा मध्ये सुनावणी पुर्ण होऊन निर्णयासाठी प्रकरण ठेवण्यात आलेला आहे. तसेच दुसरे प्रकरण मध्ये सुनावणी चालु आहे याची तफशीलच्या तकता या सोबत पुढील निर्णयासाठी सादर करीत आहे. पुढील निर्णयसाठी सादर.

Resolution No. 44/2014 :-

It is unanimously resolved to authorize Chief Executive Officer to conduct hearing and take necessary decision.

Point No. 17. ATIYAT:

Renewal of Mutwalliship of herediatary Mutwalli Mr. Amjad Maqdoom Mohiuddin of Jama Masjid & Eidgah, at village Ranjni Station, Tq. Ghansawangi, Distict Jalna. (Proposal submitted by Janab Syed Jameel Ahmed Janimiyan Member of Board).

Resolution No. 45/2014 :-

It is unanimously resolved to renew the Mutwalliship of Mr. Amjad Maqdoom Mohiuddin of Jama Masjid & Eidgah, at village Ranjni Station, Tq. Ghansawangi, District Jalna for a period of 3 years.

Point No. 18. REGISTRATION:

Confirmation of Waqf Deed of Waqf Institution, Abubakar Jaliwala Masjid, Mumbai MSBW/MUM/285/2008. (Proposal submitted by Janab Syed Jameel Ahmed Janimiyan Member of Board).

Resolution No. 46/2014 :-

It is discussed that the Report of the Wakf Officer is not on record, hence matter is deferred to next meeting for completing the procedure.

Any other point with the permission of the Chair:-

Point No. 19. MISC.

Sanctioning of Managing Committee Dargah Saifullah Shah Quadri, Latur, MSBW/LTI/120/2009.

Resolution No. 47/2014 :-

It is unanimously resolved to authorize Chief Executive Officer to conduct hearing and take necessary decision as, Two Parties are disputing.

Point No. 20. **ATIYAT:**

Wakf Institution Dargah Garpeer Sahab, at village Davalwadi, District Jalna. To call fresh tender for lease of Gut No. 250, of village Davalwadi, District Jalna. (Proposal submitted by Janab Syed Jameel Ahmed Janimiyan Member of Board).

Resolution No. 48/2014 :-

It is unanimously resolved that as lease has already been cancelled, Fresh Tender for lease of Gut No. 250 of village Davalwadi be called. It be given for lease of 3 years.

Point No. 21. ENQ:

Sanctioning of Scheme of Dargah Burhanuddin Gareeb Committee Hadde-E-Kalan & Dargah Zainuddin Shirazi Hadde-E-Khurd, Tq. Khuldabad, District Aurangabad. (Proposal submitted by Janab Syed Jameel Ahmed Janimiyan Member of Board).

Resolution No. 49/2014 :-

It is unanimously resolved to authorize Chief Executive Officer to conduct hearing and take necessary decision in the light of Honourable High Court's Orders.

Point No. 22. ATIYAT:

Appointment of Mutwalli to Mr. Mohammed Shabbir Ahmed M. A. Basheer Ahmed of Wakf Institution Dargah Hazrat Syed Shah Gulam Husain Shah Quadri With Khankah, Masjid, Graveyard, Kala Darwaza, Aurangabad. (Proposal submitted by Janab Syed Jameel Ahmed Janimiyan Member of Board).

The wakf institution registered with wakf board bearing No. 265/2011. Mr. Mohammad Shabbir Ahmed M. A. Baseer Ahmad was appointed as care taker for the above wakf institution through this office order No. 3364/2012 dated 31.08.2012 for one year period. Now Mr. Mohammad Shabbir Ahmed submitted application for appointment as mutwalli for the above wakf instutition.

Further Mr. Mohammad Abdul Sattar Kadri, Aurangabad submitted objection application dated 24.09.2013 that the period of care taker is over and extention not to be given.

Resolution No. 50/2014 :-

It is unanimously resolved to authorize Chief Executive Officer to conduct hearing and take necessary decision as, there is objection.

Point No. 23.

To cancel No Obejction Certificate No. MSBW/SNT.1/F.45/4576/08 Dated 6-12-2008 for redevelopment of Wakf property bearing C.S. No. 589, Mazgaon Division 'E' Ward of MCGM, Admeasuring 1634.62 Sq. Mts. or thereabout.

Resolution No. 51/2014 :-

After discussion it is resolved that Chief Executive Officer will examine legality of the proposal and will submit brief report alongwith his remarks before next meeting.

Point No. 24.

To cancel the Tender of Dressing and Cutting of the Animals at Darghah Hazrat Syed Shah Truabul Haque, Parbhani. Janab Abdullah Khan Durrani submitted that the persons who were taken Tender are exploiting the Devotees and there are Paper News and complaints. Hence this Tender is required to be cancelled and Tender of this Job should be stopped in future. And work which was carried out prior to 2005 should be implemented.

Resolution No. 52/2014 :-

After discussion it was pointed out by the Chief Executive Officer that the Tender has been given till August 2014 and necessary papers and documents will have to be examined before taking any decision. Consequently it is resolved to authorize the Chief Executive Officer to take appropriate action in the matter.

Janab Abdullah Khan Durrani
Presided Chairman
Maharashtra State Board of Wakfs,

(SAYYED AEJAZ HUSAIN)
Ex-Officio Secretary &
Chief Executive Officer,
Maharashtra State Board of Wakfs,
Aurangabad.