

AFFIDAVIT

Inquiry u/s 70 of the Wakf Act, 1995 in respect of Prince Golam Mohammad Wakf Estate having EC No. 4775.

I Professor Syed Haider Hassan Kazimi 10/2/1, Phears Lane, P.S. Bowbazar, Kolkata - 700 012, do hereby solemnly affirm and swear the present affidavit to initiate Inquiry u/s 70 of Wakf Act, 1995.

1. I state that you are aware of an application being GA No. 949 of 2018 filed in Suit No. 1013 of 1933 which application was finally heard and disposed of by the Hon'ble High Court at Calcutta on 08.05.2018. Copy of G.A. No. 949 of 2018 is within your knowledge.
2. In the above context I state that the aforesaid Wakf Estate has several properties as contained in the Wakf Register maintained by you. Such properties inter alia include the Tollygunge Club, the Royal Calcutta Golf Club, Premises No. 4 & 5 Bankshall Street (described as the Shaw Wallace Building) as well as Premises No. 4, Kiran Shankar Roy Road (Raja Chambers). Copy of the list of Wakf properties is enclosed with this affidavit and marked as Annexure - A.

3. I further state that this Wakf Estate is governed by a scheme framed by the Hon'ble Calcutta High Court in the aforesaid suit which scheme came into effect from 01.01.1945. As per this scheme, there are Trustees and a Mutawalli as well as a Committee to advise the Trustees. That the said scheme of administration is still existing.
4. I also state that the value of the immovable properties belonging to the aforesaid Wakf Estate would at present market rate exceed 5000 crores, which is my conservative estimate.
5. I further state that the Wakfnama of 1872 executed by the Wakif i.e. Prince Gulam Mohammad also contained a scheme of management wherein there would be Mustaquil Mutawallis being his direct male lineal descendants and which Wakfnama directed the apportionment of income.
6. I also state that there have been instances in the recent past where the Members of the Managing Committee have compromised with the interest of the Wakf and made wrongful gains for themselves. In the above context, I refer to a report of the Accountant General dated 07.05.2015

(copy enclosed with this affidavit as Annexure - B). I say that huge monetary loss has occurred as per this report but no action has been taken by you in this regard.

7. I further say that the Members of the Managing Committee have not taken any action against the Royal Calcutta Golf Club (occupying about 100 acres of land) by initiating eviction proceedings as the lease earlier granted to the aforesaid club has expired and the said Members of the Managing Committee have deliberately not taken legal steps as provided under the Waqf Properties Lease Rules, 2014. In this context I say that such acts of deliberate omission has caused huge monetary loss to the Wakf Estate and no effort has been taken by the management for reasons which are well known. (Copy of correspondence of the RCGC enclosed as Annexure - C).
8. I also say that the Tollygunge Club is functioning from 300 acres of Wakf Land and is supposedly paying a paltry amount of about Rs.one lac. I further state that the management has taken no steps to increase the rent which should not be less than 3 crores per month or taken steps to initiate eviction

proceedings. I have reason to believe that the members of the present Committee of Management have been given membership to this club very recently in lieu of accepting paltry rent. I say that there is sufficient reason for me to believe that the management of the Wakf Estate is hand in glove with the officials of the Tollygunge Club and have compromised the interests of the Wakf Estate by making illegal gains for themselves and causing wrongful loss to the Wakf Estate.

9. I also submit that the Committee of Management has illegally allowed outsiders to come in possession of large portions of premises No. 4 & 5 Bankshall Street while the Shaw Wallace Company was fully evicted from premises No. 4 & 5 Bankshall Street and have deliberately encumbered the aforesaid premises and given an incorrect picture as to the nature and status of possession of the aforesaid premises. I say that the management is deliberately acting against the interest of the Wakf Estate.
10. I further submit that the Management has completely forsaken the other properties of the Wakf Estate which could

generate huge income, such properties include fisheries (about 30 Bighas), tanks at Chetla Road and Tollygunge as well as rice lands in Jadavpur etc.

11. I also state that the family members of the Wakif are in dire straits and have filed applications praying for basic education expenses which have been denied by Members of the Managing Committee who are all acting in concert to make illegal gains for themselves and who do not follow the desire of the Wakif. Such applications are records of the Hon'ble High Court at Calcutta.

12. I say that the Members of the Managing Committee have never called for tenders while undertaking repairs of the Mosques and Imambaras as well as other properties belonging to the Wakf Estate and deliberately inflate the expenditure in this regard by having their own contractors raise illegal bills.

12. I therefore say that in view of the aforesaid acts of mismanagement, I would request you to immediately initiate an inquiry relating to administration of the aforesaid Wakf as envisaged under Section 70 of the Wakf Act, 1995.

[Professor Syed Haider Hassan Kazimi]

DEPONENT

VERIFICATION:

I Professor Syed Haider Hassan Kazimi 10/2/1, Phears Lane, P.S. Bowbazar, Kolkata - 700 012, do hereby solemnly affirm and state that the contents of the aforesaid paragraphs Nos.1 to 12 are true and correct to my knowledge and belief which I verily believe to be correct.

[Professor Syed Haider Hassan Kazimi]

DEPONENT

AFFIDAVIT

I Professor Syed Haider Hassan Kazimi 10/2/1, Phears Lane, P.S. Bowbazar, Kolkata - 700 012, do hereby solemnly affirm and state that I have been read over the contents of paragraphs No.1 to 12 of the accompanying application/affidavit which is being filed by me before the Wakf Board to initiate Inquiry u/s 70 of the Wakf Act, 1995.

I say that the contents of the aforesaid paragraphs are true and correct to my knowledge and belief.

DEPONENT

VERIFICATION:

I Professor Syed Haider Hassan Kazimi 10/2/1, Phears Lane, P.S. Bowbazar, Kolkata - 700 012, do hereby solemnly affirm and state that the contents of the aforesaid paragraphs Nos.1 to 12 are true and correct to my knowledge and belief which I verily believe to be correct.

DEPONENT