

Complaint No. C-652/Lok/2011

Sh. M.A. Chand
Vs.
Sh. Mateen Ahmed, MLA

1. Sh. M.A. Chand, National President of Ali Sena has initially filed a complaint against Sh. Mateen Ahmed, MLA and Smt. Sheila Dixit, Chief Minister of Delhi. On scrutiny certain defects / deficiencies / omissions were observed in the complaint. Vide letter No. C-652/Lok/2011/9950 dated 04-04-2011, the said deficiencies were pointed out to the complainant and he was asked to remove the same. Accordingly, the complainant filed fresh complaint only against Sh. Mateen Ahmed, MLA. Again certain defects were observed in the complaint which were pointed out to him vide our letter no. C-652/Lok/2011/11324 dated 26-04-2011. The complainant has re-filed the same after removing the defects / deficiencies.
2. The complaint has been filed against Sh. Mateen Ahmed, MLA and Chairman, Delhi Wakf Board. Sh. Mateen Ahmed being an MLA is a 'Public Functionary' as defined in section 2 (m) of the Delhi Lokayukta and Upalokayukta Act, 1995. The complaint has been filed in Form-II. The complaint is supported by affidavit of the complainant and the prescribed fee of Rs. 500/- has been paid.
3. The complainant alleges that he is a muslim by religion and practice and is the National President of Ali Sena, a registered political party. He is a social worker concerned about the welfare of the people of India and muslim community. He is working at grass root level and came to know that lack of education and health care facilities is a matter of serious concern for the muslim community and that by providing such facilities there would be all around development of the community. The complainant alongwith his party members was conducting a detailed study on the various issues

faced by the muslim community. He was shocked to see that despite having property and assets worth more than trillions of rupees with the Wakf Board, which is exclusively for the welfare activities of the muslim community, the community is not achieving the desired progress in relation to other communities due to lack of coordination among various welfare agencies and corruption by few vested interest.

4. On 31-12-2010, he filed an application under RTI Act before Delhi Wakf Board for details pertaining to the Wakf property. On 28-02-2011, he received information from Delhi Wakf Board vide their letter dated 14-2-2011, from which he came to know that the Respondent has given properties worth crores of rupees on lease to his near friends on very nominal amount resulting in loss to the tune of crores of rupees which could have been effectively used for the welfare of the muslim community. The Respondent in collusion with property dealers and other anti social elements committed scam of crores of rupees by misusing his positions and in total violation of the Wakf Act. The Respondent in collusion with Sh. Jitender Kumar entered into agreement with 38 tenants out of which 36 are non muslims. The Board in its resolution No. 18 dated 21-04-2006 has given on lease, around 62 bigha land for guarantee of 1.10 crores, at the rate of 25 paise per square yard per month whereas in this area the prevalent rate is of around 1 lac rupees per square yard. Similarly khasara no. 19/1/1, 23/5/2, 448 and 709 and Aaliya Productions Pvt. Ltd., shrine of Bibi Fatima, Kaka Nagar, New Delhi was given without any advance amount for a monthly rent of Rs. 5,000/- by resolution No. 17 dated 27-01-2006. Similarly vide resolution dated 09-12-2005 land of 462.44 square yard, whose value at present is crores of rupees was given.

5. He further submits that in the courts of Delhi 1128 cases were pending. 122 cases have been won by Wakf Board, 261 are still going on and 745 cases have been lost with collusion of Chairman

and officers of Wakf Board after taking a huge amount. The Chairman of the Board, Sh. Mateen Ahmed colluded with other accomplices and betrayed the sentiments of the muslim community for personal benefit of crores of rupees. He further alleges that at Sl. No. 232, in resolution no. 17 dated 27-01-2006, Sh. Aatiurrehman was leased 21.66 square yards of land at a monthly rent of Rs. 1000/- whereas Sh. Jitender Kumar and Sh. Sanjay Arora has been given 1000 square yard of land at the rate of Rs. 250/- per month. The Respondent together with others, under a well planned strategy, has been giving in lease the land of Wakf Board to private builders at a cheap rate in which they have done a scam of crores of rupees and misused their posts.

6. He has thus alleged that the Respondent has abused his position to obtain gain and favour for himself and his accomplices resulting in undue harm to the Wakf Board and all the muslims. He has acted improperly and with corrupt motive and is guilty of corruption. The complainant also states that to his knowledge and belief the accused may be in possession of pecuniary resources / property disproportionate to his known source of income and such pecuniary resource / property is held by the accused personally and with his family members and friends.

7. The allegations levelled by the complainant, reveal that the Respondent has failed to act in accordance with the norms of integrity and conduct which ought to be followed by the public functionaries and he also abused / misused his position to obtain gain / favour to himself and other persons and to cause loss or undue harm to the complainant. ^{muslim community} Allegations of corruption and possessing assets disproportionate to his known sources of income have also been levelled.

8. In view of the above, a prima-facie case for inquiry, under Section 7 read with Section 2(b) of Act, is made out against the Respondent.

Submitted for orders please.

a.s.

o/s

[Signature]
23/5/11

[Signature]
23/5/11
(10)

Perused the complaint & analysis as per office note
of Issue notice to show cause for enquiry u/s 7 read
with 2(b) of the Act returned to
Honble Lokayukta 25/5/2011 on 7th July 2011 at 12 Noon.