

PARLIAMENT OF INDIA

RAJYA SABHA

SIXTH REPORT

OF

JOINT PARLIAMENTARY COMMITTEE ON THE FUNCTIONING OF WAKF BOARDS

ON

DURGAH KHWAJA SAHEB, AJMER

(PRESENTED TO THE RAJYA SABHA ON THE 20TH DECEMBER, 2002)
(LAID ON THE TABLE OF THE LOK SABHA ON THE 20TH DECEMBER, 2002)

RAJYA SABHA SECRETARIAT

NEW DELHI

DECEMBER, 2002/AGRAHAYANA , 1924 (SAKA)

CONTENTS

1. [COMPOSITION OF THE COMMITTEE](#)
 2. [INTRODUCTION](#)
 3. [REPORT](#)
 4. [OBSERVATIONS & RECOMMENDATIONS](#)
 5. [MINUTES OF THE MEETINGS OF THE COMMITTEE](#)
 6. [APPENDICES ó](#)
[PRESS RELEASE ISSUED ON THE 4TH SEPTEMBER, 2002](#)
[LIST OF WITNESSES WHO TENDERED ORAL EVIDENCE BEFORE THE COMMITTEE](#)
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RAJYA SABHA

- +1. Shri Sangh Priya Gautam -- *Chairman*
2. Vacant
3. Shri Khan Ghufran Zahidi
- *4. Shri K. Rahman Khan
5. Shri M.A. Kadar
6. Shri N.R. Dasari
- \$ 7. Shri Munavvar Hassan
- @ 8. Shri M.P. Abdussamad Samadani,
- x 9. Shri S.M. Laljan Basha
10. Prof. Ram Deo Bhandary

LOK SABHA

11. Shri A. Narendra
12. Shri Raashid Alvi
13. Shri G.M. Banatwalla
14. Shri Sudip Bandyopadhyay
15. Begum Noor Bano
16. Shri Ambati Brahmaniah
17. Shri M.O.H. Farook
18. Shri Moinul Hassan
19. Dr. Madan Prasad Jaiswal
20. Shri Chandrakant Khaire
21. Shri Manjay Lal
22. Shri Ali Mohmad Naik
23. Shri A.F. Golam Osmani
24. Shri Sheesh Ram Singh Ravi
25. Shri Pradeep Rawat
26. Shri Iqbal Ahmed Saradgi
- ** 27. Shri P.S. Gadhavi
28. Shri Saleem Iqbal Shervani
29. Shri Ramanand Singh
30. Shri Lal Bihari Tiwari

SECRETARIAT

Shri H.K. Chanana, Joint Secretary
Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

- Nominated by Honøble Chairman, Rajya Sabha on April 15, 2002 vice Shri Sikander Bakht retired.
 - Nominated by Honøble Chairman, Rajya Sabha on July 12, 2001 vice Shri Md. Salim resigned.
 - \$ Nominated by Honøble Chairman, Rajya Sabha on March 22, 2002 vice Shri Mohd. Azam Khan resigned.
 - @ Nominated by Honøble Chairman, Rajya Sabha on April 10, 2002 vice Shri Maulana O. K. Azmi retired.
 - x Nominated by Honøble Chairman, Rajya Sabha on May 12, 2002 vice Shri K.M. Saifullah retired.
 - **Nominated by Honøble Speaker, Lok Sabha on January 17, 2002 vice Shri Vishno Datt Sharma died.
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INTRODUCTION

I, the Chairman of the Joint Parliamentary Committee on the functioning of Wakf Boards, having been authorised by the Committee to submit the Report on its behalf, present this Sixth Report on Durgah Khwaja Saheb, Ajmer.

1.2 The Committee was informed that several demands have been made and suggestions have come for the improvement and development of Durgah Khwaja Saheb and for providing adequate facilities to the pilgrims (Zaireens). **The Committee, therefore, in its meeting held on the 14th May, 2002 decided to take up the issue of Durgah and intended to visit the same.** The Joint Parliamentary Committee issued a Press Release on 04.09.2002 requesting the Individuals/Associations/Organisations to send their views for improving the administration/management of Durgah Khwaja Saheb, Ajmer (Appendix-I). The Committee visited Durgah Khwaja Saheb, Ajmer from 3rd to 5th July, 2002 for an on-the-spot study of the management of Durgah. Later, the Committee also visited Shri Sai Baba Sansthan, Shirdi, Tirupati-Tirumala-Devasthanams, Tirupati from 26th to 29th August, 2002 and Durgah Banda Nawaz, Gulbarga from 5th to 6th November, 2002 for comparative study of the managements there.

1.3 The Committee heard Shri C. Gopal Reddy, Secretary, Ministry of Social Justice and Empowerment on 4th June and 23rd October, 2002, Shri G.S. Sandhu, Revenue Secretary, Government of Rajasthan on 23rd October, 2002, Shri Tanveer Ahmed, Chairman, Central Haj Committee on 18th September, 2002, Shri Syed Shahabuddin Ex-M.P., Maulana Kalbe Jawwad Saheb, Imam-E-Juma and Chancellor, Madrasatul Waezeen, Lucknow, Prof Akhtarul Wasey, Director, Jamia Millia Islamia, Delhi and Khwaja Hasan Sani Nizami, Durgah Hazrat Nizamuddin, Delhi on 19th September, 2002, Maulana S. Asrar Hussain Razvi, Joint Secretary, Anjuman Sajjadgan and Mutawallian, Hyderabad on 8th October, 2002, Maulvi Saiyad Haji Sultanchha, Kutch, Shri Qari Abdul Rahman, Darul Uloom Manzar-e-Islam, Bareilly and Shri A.P. Sharma, Delhi on 9th October, 2002, **Dewan Zainul Abideen, Sajjadanashen, Durgah Khwaja Saheb, Ajmer, representatives of Durgah Committee, Ajmer and Khadims, Durgah Khwaja Saheb on 22nd and 23rd October, 2002.**

1.4 The Committee considered and adopted the Report in its meeting held on 17th December, 2002 and decided to present a separate report on Amendments to the Durgah Khwaja Saheb Act, 1955 in the near future.

1.5 The Committee wishes to express its gratitude to the representatives of the Ministry of Social Justice and Empowerment, officials of Shri Sai Baba Sansthan Shirdi, Tirupati-Tirumala-Devasthanams, Tirupati and Durgah Banda Nawaz, Gulbarga for furnishing necessary information/documents and rendering valuable assistance to the Committee in its deliberations. The Committee wishes to express its thanks to all

re the Committee and placed their considered views before the
information which the Committee had desired in connection

NEW DELHI;
December 17, 2002
Agrahayana 26, 1924 (Saka)

SANGH PRIYA GAUTAM
Chairman,
Joint Parliamentary Committee on the functioning of the Wakf
Boards

REPORT

2. History reveals that Hazrat Khwaja Moinuddin Chishty arrived in Ajmer at the age of 52 around 587 A.H./1190 A.D. on his divine mission, unique in the annals of Islam. His only armour for the success of his great mission was the greatest òinvisible powerö that pervades and sustains the whole universe. At that time, Ajmer was ruled by Prithvi Raj Chauhan the famous Rajput King. In his court, he had a large number of powerful magicians with Ajai Pal as their leader. Khwaja Saheb stayed at a hill close to Ana Sagar lake. It is now known as the Chilla Khwaja Saheb. When news spread that a very pious Darvesh had come to Ajmer, people began to flock to him in increasing number. Whosoever came to him, received the kindest treatment and blessings. People were so much inspired by his divine teaching and simplicity that they began to embrace Islam. Many became his disciples. Even Ajai Pal submitted himself to the divine powers of Khwaja Saheb gave up all his magic and became his disciple.

2.1 Khwaja Saheb continued his noble and magnificent mission, showing the path of truth to the people. He sent his disciples and successors to different parts of country who too served the people and preached the tenets of Islam. Some of his prominent successors are :

1. Hazrat Khwaja Qutubuddin Bakhtiar (R.A.).
2. Hazrat Shaikh Fariduddin Ganj Shakkar (R.A.).
3. Hazrat Khwaja Nizamuddin Auliya (R.A.).
4. Hazrat Shaikh Nasiruddin Chiragh Delhi (R.A.).
5. Hazrat Khwaja Banda Nawaz Gesu Daraz (R.A.).

2.2 After achieving the objectives of his mission and complying with the command given to him by the Holy prophet, his noble soul left the corporeal body on the 6th of Rajab 633 A.H./ 16th March 1236 at the age of 97. He was buried in the same cell (Hujra) which was the centre of his divine activities, throughout his stay at Ajmer. Today his Shrine is popularly known as òDargah Sharif of Gharib Nawaz (R.A.) Ajmer.ö People of all walks of life and faith from all over the world, irrespective of their caste, creed and beliefs visit this great Shrine to offer flowers of their esteem and devotion. The rich and the poor stand side by side to pay their homage and respect to the divine soul.

2.3 The life and mission of Khwaja Saheb have been of an exceptional character. His simple teaching penetrated even a stony heart, his affectionate look silenced the fiercest of his enemies. His matchless piety and blessings knew no distinction and his òSpiritual Power,ö amazed and defied his bitterest adversaries who came to harm him but were inspired to embrace Islam and became his devotees for the rest of their

Love and Peace. He chose the path of non-compulsion in the persuasion of Allah. : “Let there be no compulsion in religion, but by the persuasion of Allah.” Khwaja Moinuddin Chishty (R.A.) followed this dictum strictly throughout his mission. It is because of this reason that he is popularly known as Gharib Nawaz which means the one who shows kindness to the poor. This was later reinforced by succeeding Chishti Sufis, who became religious pioneers in national integration in the country. They fulfilled the objectives of bringing together various castes, communities and races, elevating the humanity from the morass of materialistic concerns, which is the bane of mankind even today.

RULERS AND GREAT PERSONALITIES WHO PAID HOMAGE TO THE SHRINE OF GHARIB NAWAZ

2.4 Sultan Muhammed Bin Tughlaq (1324 A.D) and Sultan Mohammed Khilji (1455A.D) visited the Dargah Gharib Nawaz and paid their homage. Then later he had a school (madarsa) and a mosque built adjacent to the shrine, which was renovated by Aurangzeb and is still intact. Sultan Muzaffar Shah of Gujarat (1398 A.D.) and Sher Shah Suri (1545 A.D.) also visited the Dargah. A number of notable sufis of the period also came to the Shrine in the pre-Mughal days.

2.5 The Great Mughal Emperor, Akbar, was a great devotee of Gharib Nawaz and was the most blessed ruler of India. He visited the shrine several times, and many of his visits are of historical importance. From Agra, he travelled on foot to Ajmer when he was blessed with a son, Prince Salim. Akbar got several buildings constructed at Ajmer which include Akbari Mosque in the Shrine, a palace comfort and the boundry wall around the city. All these constructions exist today, the palace now houses a museum and other Government offices.

2.6 He also presented to the Shrine a big cauldron (Deg) sufficient to cook food for 5000 people and two large beating drums, besides offering huge cash and land grants for the maintenance of Dargah.

2.7 Emperor Jahangir also visited the Holy Shrine several times. In 1022 A.H./1613 A.D. he started for Ajmer and when he was few miles away from Ajmer, he got down and covered the rest of the journey on foot. Again in 1024 A.H/1615 A.D., he visited the Shrine and took part in the annual Urs Sharif of Gharib Nawaz. During one of his visits to Ajmer, Jahangir fell seriously ill and he prayed for his own health. Very soon he recovered and thereafter he wore two golden rings in his ears to indicate his gratitude to Gharib Nawaz. He presented a precious golden railing around the Mazar Sharif and a cauldron (Deg) sufficient to prepare food for 2500 people besides confirming land grants and cash.

2.8 Shahjahan too followed his ancestors and visited the Shrine many times and spent a good deal of his time at Ajmer. His daughter, Princess Jahan Ara was a great devotee of Gharib Nawaz and wrote a book on the great saint known as Munis-ul-Arwah. The buildings of Shahjahan remain unrivalled to this day. In the compound of the Shrine, he got constructed a big matchless mosque (Jannati Masjid) of pure white marble, near the Ana Sagar lake, Shahjahan constructed building of white marble and lovely garden which is still called Daulat Bagh. These buildings are an eloquent proof of the magnanimity of this Great Mughal ruler and a token of his devotion to Gharib Nawaz.

2.9 A number of Maharajas that included Rajputs and Marathas etc. and Nawabs of Princely States often visited the Holy Shrine and paid their homage to the divine soul. Many of them presented Jagirs and got

otion to Khwaja Saheb. Queen Mary, Empress of England, at A.D. paid a visit to Ajmer to express her feelings of reverence towards Ghari Nawaz. In memory of her visit she got constructed a roof over a tank (Hauz) near Mehfil Khana for ablution. Lord Curzon, Viceroy and Governor General of India, personally paid a visit to the Shrine and expressed his feelings in these words:

2.10 "The personality of the Great Khwaja was standard of greatness and excellence, today his Shrine carries the same standard. It is an undeniable fact that in India his Shrine virtually rules."

2.11 Since independence, all the national leaders, Presidents, other Heads of states, ministers etc. and many dignitaries regularly and humbly visit the Durgah Sharif and pay their homage to the divine soul.

LEGISLATIVE HISTORY

2.12 In the pre-British period and before the establishment of the Mughal rule, the superintendence of the Durgah vested in the direct descendants of the Saint for about 300 years. Mughal Kings were the first to constitute themselves as the Mutwallis but they performed their functions through their officers. **The first attempt to appoint a Sajjadanashin was made by the Mughal King Sultan Mohammad Khilji in the person of one Sheikh Bayazid. Sajjadanashins were appointed during the period of Akbar. A mutwalli apart from Sajjadanashin was separately appointed for the first time during the reign of Shahjahan (1627-1658). During the British period, Mutawallis were appointed by the Government. A systematic attempt to administer the religious places was made by the Religious Endowments Act, 1863. Under this Act, the Government could appoint a trustee, manager or superintendent.** During that period, the affairs of the Durgah were under the control of a Deewan (Sajjadanashin) and a Mutwalli. In 1866, an attempt was made to constitute a Committee to look after the affairs of the Durgah. From 1889 to 1913, the question of better management of Durgah was raised several times. However, the affairs of Durgah grew from bad to worse. In 1914, the dispute between Khadims and the Deewan assumed grave proportions. Several litigations went on. With considerable deterioration in the administration of Durgah, there was a demand for radical reform in Durgah administration. In this back drop, the Dargah Khwaja Saheb Ajmer Bill, 1936 was introduced in the Central Legislative Assembly and in the statement of objects and reasons, it was stated by the sponsor of the Bill that the object was to bring about a desirable change in the constitution of the Committee of Dargah by reducing the term of office of the members from life to 5 years and increasing the number of independent Muslim members in the Committee so as to provide for popular and effective control over the Dargah and the endowments attached thereto which had hitherto remained almost exclusively in the hands of the persons themselves financially interested in the institution as attendants, servants or representatives of the office bearers of the shrine and further to ensure the proper collection of income, distribution of presents, maintenance and publication of the accounts and observance of discipline in the Dargah.

2.13 The Bill was passed as the Dargah Act in 1936. The Dargah Act of 1936 was amended in 1938. When the Act of 1936 did not bring about desired results and disputes, litigations and bickerings went on, the Government of India in 1949 appointed Justice Ghulam Hasan Committee -

- a) To enquire into and report on the administration of the Durgah Endowment by the Durgah Committee since its constitution under the Acts XXIII of 1936 and XII of 1938;

al relationships between the Durgah Committee, the Dewan or
, and to recommend such measures concerning the terms of
grant of the jagirs and the distribution of perquisites of office as may appear necessary to ensure
harmonious working; and

- c) to recommend such measures as appear necessary to secure by efficient management of the Durgah
Endowment, the conservation of the Shrine in the interests of the devotees as a whole.

2.14 For implementing the decisions of the Government on the recommendations of the Justice Ghulam
Hasan Committee, the Durgah Khwaja Saheb Act 1955 was made. The 1955 Act was amended in 1964 and
in 1983.

2.15 The JPC observed that the Durgah of Ajmer is of world fame and lakhs of people visit it every year.
However, many provisions of the Act of 1955 have not been implemented and consequently desired results
have not been achieved. The Committee felt that the shortcomings in the law and inadequacies in the
facilities for the pilgrims should be removed and the grandeur/splendour of the Durgah be restored to its
befitting status with its historical traditions.

2.16 Durgah Khwaja Saheb is administered and controlled by provisions of the Durgah Khwaja Saheb
Act, 1955 and Durgah Khwaja Saheb Rules/Bye-laws. **Durgah Khwaja Saheb is administered by a
Durgah Committee appointed by the Central Government under section (5) of the Durgah Khwaja
Saheb Act. The powers and duties of the Committee are:**

- (a) to administer, control and manage the Durgah Endowment;**
- (b) to keep the buildings within the boundaries of the Durgah Sharif and all buildings, houses and
shops comprised in the Durgah Endowment in proper order and in a State of good repair;**
- (c) to receive all moneys and other income of the Durgah Endowment;**
- (d) to see that the Endowment funds are spent in the manner desired by the donors;**
- (e) to pay salaries, allowances and perquisites and make all other payments due out of, or charged
on, the revenues or income of Durgah Endowment;**
- (f) to determine the privileges of the Khadims and to regulate their presence in the Durgah by
granting to them of licences in that behalf, if the Committee thinks it necessary so to do;**
- (g) to define the power and duties of the Advisory Committee;**
- (h) to determine the functions and powers, if any, which the Sajjadanashin may exercise in
relation to the Durgah;**
- (i) to appoint, suspend or dismiss servants of the Durgah Endowment;**
- (j) to make such provision for the education and maintenance of the indigent descendants of
Khwaja Moin-ud-din Chishti and their families and the indigent Khadims and their families**

considers expedient consistently with the financial position

(k) to delegate to the Nazim such powers and functions as the Committee may think fit;

(l) to do all other such things as may be incidental or conducive to the efficient administration of the Durgah;

2.17 The Committee elects a President and a Vice-President from among its members. The Committee consists of not less than 5 and not more than 9 members appointed by the Central Government. Members of the Committee are appointed for a period of 5 years from the date of their appointment. The Central Government appoints the Nazim of the Durgah who also acts as Secretary to the Committee. The Committee exercises its powers through the Nazim. Nazim is generally a Civil Servant selected on the recommendations of Rajasthan Government. The Nazim has the sole authority to solicit/receive offerings on behalf of the Durgah. Besides, the Nazim acts as Secretary to the Committee.

2.18 The Committee was informed that the Durgah Committee implements measures such as provision of free meals to the poor pilgrims, stipend to widows, aid to needy persons, free medical aid, burial of unclaimed dead bodies, running of schools in rural areas, computer center and coaching classes for competitive examinations. Durgah Sharif has three guest houses built with loans given by Central Wakf Council. Besides, State Government provides necessary local facilities especially during annual Urs. The Durgah Committee provides

1. Arrangements of Urs of Khwaja Saheb and his Peer-o-Murshid every year.
2. Providing Sandal, flowers and candles for the Holy Shrine.
3. Providing free Langar twice a day.
4. Providing drinking water and wazu.

During the annual Urs, the Durgah Committee issues identity cards to the pilgrims indicating their name, place, bus number. A pamphlet is also published for guidance of pilgrims indicating time table for Namaz, Ajmer City Map, route chart, time table of special trains and functions of the Durgah. Close circuit T.V., 24 hours duty magistrate, temporary police chowki and announcement facilities are also provided. Ayurvedic and Allopathic medical camps are set up and ambulance and fire brigade is provided by District Administration. The income of the Durgah consists of offerings (Nazar), rent of shops, houses and land belonging to Durgah Sharif, Jagirdari of villages Hokran and Kishanpur in Ajmer. Section 14 of the Durgah Khwaja Saheb Act makes the Nazim sole controller of offerings on behalf of the Durgah. Any other person soliciting or receiving offerings on behalf of Durgah is punishable with fine upto Rs. 1000/-.

Sources of Income

The Annual Income of the Durgah during the last five years is as under:

Year	Income	Expenditure
1997-1998	1,13,91,657	1,14,08,146
1998-1999	1,78,16,358	1,76,77,975
1999-2000	2,17,44,902	2,13,59,184
2000-2001	1,66,72,299	1,71,56,337
2001-2002	1,66,62,663	1,68,58,660

Durgah Endowment

The Durgah Endowment consists of the following:

1. Durgah Khwaja Saheb.
2. Shops of Gali langar Khana.
3. Idgah.
4. Shops of Ambar Akbhari Masjid.
5. Durgah Apartments.
6. Wakf Allah Bux Ramzani.
7. Wakf Babu Fakhruddin.
8. Wakf Afeedun Nisa.
9. Haveli, Khanquah & Sola Khamba.
10. Chilla Khwaja Saheb.
11. Chilla Qutub Saheb.
12. Sarai Chishty Chaman.
13. Farm at Kayad.
14. Properties purchased by Durgah Committee.
15. Durgah Guest House

Evidence of Secretary, Ministry of Social Justice and Empowerment

2.19 The Secretary of the Ministry, along with Secretary of Central Wakf Council and Nazim, Durgah Khwaja Saheb, Ajmer on 4th June, 2002 inter-alia submitted as under:-

Durgah Khwaja Moin oud-din Chishti is administered under the Durgah Khwaja Saheb Act, 1955. The Durgah Committee is appointed by the Central Government. With nine members, it is administering the Durgah through the Nazim, also appointed by the Central Government, under Section 9 of the Act. The present budget of the Durgah is about Rs. 1.68 crores for 2001-02. The main religious function of the Durgah is the Annual Urs (attainment of self-realization by the Saint). **As is known, Khadims are self-appointed servants of the Durgah. Due to their direct collection of offerings (Nazar), the Durgah finances are affected. The efforts of the Nazim to prevent this have not succeeded. The Durgah gets an offering of Rs. 48.18 lakhs. The services rendered by the Durgah are:- providing guest house facilities for pilgrims, free food, flowers, etc. in the Durgah, and medical facilities for pilgrims.** The Durgah Committee has requested for amendment of the Durgah Act to confer powers of estate officer to Nazim, with appointment of Superintendent of Police and District Collector as members of the Durgah Committee. But this is still under process. **There is a loss of revenue due to disputes in civil courts and because of the Khadims taking a major portion of the revenue that should, otherwise, be coming to the Durgah.** The Durgah Committee and the Nazim are not as effective as they ought to be. The Nazim of Durgah Committee during the evidence on the same day stated that the main problem of the Durgah related to encroachment of the Durgah properties by Semi-Government bodies or Semi-autonomous bodies like the Municipal Corporation, the Urban Improvement Trust, etc. Besides there has been a loss of land because of the Rajasthan Tenancy Act, and they have fixed the annuity of Rs. 60,751, which is not sufficient. In fact, these Jagir lands were given to Durgah for meeting the expenditure, but this does not meet the expenditure. Nazim has further stated that after granting the powers of Estate Officer to the

ah public premises under the Public Premises Act, the situation Rs. 1.68 crores whereas Rs. 70 lakhs come from the income of Guest House. Around 5-6 lakh people come during Urs and during a year, 10-15 lakhs pilgrims come to Durgah Khwaja Saheb. **The Nazim further stated that there were 182 court cases pending in courts. Durgah Committee tried to settle these cases through discussions in Tenancy Sub-Committee of the Durgah Committee. The post of Nazim is for 3 years but initially he is appointed for a year and after that, extension is granted. This is the main cause of instability.** State Government provides financial assistance during Urs. The Central Government also provides to the State Government to provide facilities to pilgrims during Urs. There are two Cauldrons provided by Akbar and Jehangir in which pilgrims drop their offerings and there are many boxes as well for collecting offering. Khadims collect offerings given in Cauldrons for one crore and earn about 10 crores.

VISIT OF THE JOINT PARLIAMENTARY COMMITTEE ON THE FUNCTIONING OF WAKF BOARDS TO AJMER FROM 3RD TO 5TH JULY, 2002

2.20 The Committee visited Ajmer from 3rd to 5th July, 2002 for an on-the-spot study. The Committee proceeded to visit the Wakf properties i.e Vishram Sthali, Chillah Khwaja Qutub Saheb, Sarai Chisti Chaman and Durgah Miran Saheb, Taragarh - (i) **Vishram Sthali** - The Committee was informed that this is the nearest vishram sthali to the Durgah. Pilgrims stay there during Urs and 700 buses can be parked there. There are facilities for toilets and bathrooms for gents and ladies. **The Committee noticed that there were no doors in toilets and they were not being maintained. The Committee was not satisfied with the arrangements and felt that the facilities were required to be improved.** Even the area was very small to accommodate the buses and the pilgrims. The sheds meant for pilgrims were open and arrangement for pilgrims to stay and take rest was lacking. Due to water logging, the Vishram Sthali kept on shifting. Even alternate Vishram Sthali also gets water logged. (ii) **Chilla Khwaja Qutub Saheb** - The Committee was informed that the Archeological Survey of India was not allowing to construct a wall around Chilla on the plea that the wall was within 200 meters of Baradari built by Sahajahan which is a protected monument. The Committee observed that garbage was dumped in the campus of Chillah by the adjoining hotel (Kothi of Seth Bhag Chand Jain), which was illegal and spoiled the environment. The Committee advised the authorities to immediately stop this dumping of garbage and force the hotel management to clean the garbage and to grow plants and greenery there. (iii) **Sarai Chishti Chaman** ó The Committee was informed that there were about 85 shops. The Durgah Committee wanted to shift the shopkeepers from there and they have planned to construct a multipurpose shopping complex cum rest rooms and parking place and transit camp for the visitors. (iv) **Durgah Miran Saheb, Taragarh** ó The Committee was informed that the said Durgah was built by Ismail Ali Kuli Khan during the regime of Akbar.

2.21 The Committee also visited a plot of land reportedly belonging to Durgah Committee at Kayad and adjoining vacant Government land and found it most suitable for construction of a Vishram Sthali for pilgrims. It was brought to the notice of the Committee that the adjoining Government land could easily be transferred by the State Government to Durgah Committee for this purpose. Moreover, the proposed land for the construction of airport is also situated in the close vicinity of the above-mentioned farm.

Discussion with MLAs/prominent persons

2.22 Shri Nanak Ram Jagat Rai (MLA, Ajmer - West) was of the view that there should be an Airport at Ajmer and railway line up to Pushkar. Shri Qayyum Khan (MLA Masuda) informed the Committee that

Committee and he had no time. Masjids were in bad condition. tely Rs. 350/- p.m. as a salary. Roughly ten thousand people visit Durgah Khwaja Saheb daily. Public convenience, especially for ladies were grossly inadequate. There should be facilities of Sulabh Shauchalaya. The present Vishram Sthali is very far from Durgah and another Vishram Sthali should be constructed near the Durgah. He stated that Boundary wall should be constructed around Kabristans. Repair of old Muslim properties should be kept in the hands of local Muslims and there should not be any provision for taking permission from any authority to repair them. Dr. S.G. Bhati, Chairman, Improvement Trust, Ajmer submitted that Central Government should provide special package for Durgah Khwaja Saheb and Pushkar. He also stated that there should be an airport in Ajmer. Shrimati Anita Baghel, Mayor, Ajmer Municipal Corporation informed the Committee that Town Improvement Trust provided all facilities to pilgrims during Urs. She demanded that Government should provide special budget to the Trust during Urs. Shri Babulal Singaria, MLA, submitted that, since only after paying homage at Durgah Khwaja Fakhruddin Chisty (RA) at Ajmer, the journey of Ajmer is considered complete, there should be adequate development and beautification of that Durgah also. He said that five bighas of land should be allotted for development of the said Durgah. He also submitted that there was shortage of Kabristan in Kekari city. For the expansion of Kabristan, more land should be allotted. He also stated that encroachment should be removed from Wakf properties of Sarvar Nagar Palika. He also stated that Ajmer should be declared a tourist centre. Shri Lalit Bhati, MLA, submitted that Wakf Board had no control over Wakf properties in Ajmer. A Receiver has been appointed to look after the Wakf properties but the Receiver (District Magistrate) has no time for matters related to Wakf. So all Wakf properties should be handed over to Wakf Board. Some mosques were being used for living purpose which was not permissible. The encroachments around the mosques which were in the heart of the city needed to removed and the lands surrounding the mosques should be used for the commercial purpose. Old buildings and Madrasas should be demolished and a commercial complex should be built there. It would enhance the income of the Board. Offerings of the Durgah were taken by Anjuman (Khadims) and were not spent on providing better facilities to the pilgrims or for the deelopment and maintenance of Durgah. There should be amendments in Durgah Khwaja Saheb Act so that the offerings could be spent for the development of Durgah and to provide better facilities to pilgrims. A new Vishram Sthali should be constructed at the mazar of Bibi Hafiz Jamal. Central Government should provide funds for the construction of permanent Vishram Sthali and an airport at Ajmer. Shri Ashok Malik, Councilior, Ajmer Municipal Corporation submitted that by utilising various schemes of Government, the development work can be done. Some written representations were also submitted to the Committee. The Committee was also told that the Improvement Trust has got Rs. 1.23 crores which could be better utilized for Vishram Sthali and other facilities near Durgah.

Discussions with representatives of Citizens Council

2.23 The representatives of the Citizens Council submitted that there should be an Airport at Ajmer. They suggested that Section 5 of the Durgah Khwaja Saheb Act should be amended to provide for representation from the devotees of the Khwaja Saheb & beneficiaries of the endowment in the Dargah Committee.

2.24 *Syed Mashkoor Ahmad Chishti* stated that there should be amendment in Sections 2(d) (v), 5, 11(f), 13 and 14 of the Act, to provide for representatives of Khadims in Durgah Committee. Shri Mumtaz Khan stated that encroachments should be removed from the properties of Durgah. Shop owners are paying low rent to the Durgah Committee and it should be enhanced. Shri Kutubudeen Khan submitted that Nazim had

He also stated that there should be proper management of the

2.25 *The representatives of Muslim Ekta Manch* apprised the Committee that Central Government provided Rupees 23.5 crores to provide better facilities to the pilgrims but no special facilities were provided to them. There were no adequate water facilities and public conveniences and there is no guesthouse near the Durgah. A property of Durgah was allotted to State Bank of India on a 99 years lease on a very small premium. The lease period has expired but still the land is in the possession of the Bank. Besides, lakhs of rupees were being spent on TA/DA of members of Durgah Committee. Shops were sublet for a consideration. Rents of the shops have not been revised since long. Rents should be at par with market rate. Nazim should be from IAS or RAS. Corruption cases under the regime of present Nazim needed to be proved. The Dewan of Durgah should be appointed for 3 or 5 years. They also submitted written representations in support of their views.

Meeting with Sajjada Nasheen

2.26 The Sajjadanashen inter-alia submitted as under:-

Under the Jagir Abolition Act, 1956, the properties of the Durgah were acquired by the Government and Rs. 60,000/- were given as annuity. For quite some time, this annuity was not paid. Steps should be taken to recover this amount. He demanded that a trust should be formed to control and ensure proper maintenance of Durgah. Trustees should be from all walks of life such as Judges, Engineers, and Superintendent of Police, Collector and eminent persons. Durgah Committee did not take interest in the welfare of Durgah. The number of Khadims should be restricted inside Durgah. No licences have been given to them by the Durgah Committee. He informed the Committee that as per the decision of the court, there should be a restriction on the number of Khadims inside the Durgah. There is a lot of exploitation of pilgrims. District Administration as well as Durgah Committee were not taking any action to check the exploitation of pilgrims. Some criminal activities also take place inside the premises of Durgah. Sajjadanashen submitted written representation and other documents in support of his presentation.

Meeting with Chishti Sarai Chaman Vyapari Sangh

2.27 The representatives of Chisti Sarai Chaman Vyapari Sangh inter-alia submitted as under-

The Committee was informed that tenants of Sarai Chisti Chaman were paying rent regularly. In spite of that, they are being declared defaulters by the Durgah Committee. The rents of the shops vary from Rs. 200/- to Rs. 4000/-. There are 85 shops and 25 cases of transfer of ownership of shops since 1972 took place with due consent of Durgah Committee. After March 2002, the Durgah Committee has not taken rent from them. They were being asked to vacate their shops. There is no uniform policy to fix rent.

Meeting with Khadims

2.28 The representatives of Khadims inter-alia submitted as under:-

All the religious, educational, social and medical services are rendered by Anjuman on behalf of the entire Khadim community within and outside the Holy Shrine. **The keys of the Holy Shrine were in the**

They have been opening and closing the doors for ages. It was their ancestors had given their houses and even graveyards and the foundation of the Durgah was laid on the graves & homes of their forefathers. All the mundane activities inside the Holy Shrine are performed by Khadims. **Money put into the Degs (cauldrons) for the fulfilment of one's desires (mannat) is also a Nazar for the satisfaction of devotee's inner desires and doesn't come under the category of Durgah Endowment or Hadiya or any such thing. Khadim is the sole claimant for Nazar and he gets nazar for his hereditary duties performed at the Shrine.** Nazar (offering) is offered to Khadims on behalf of Huzoor Khwaja Gharib Nawaz for performing religious activities for the inner satisfaction and purification of the soul of the devotees and for the personal assistance of that particular khadim and his family and not for the maintenance of the Holy Shrine, they added. The representatives further stated that the Government sanctioned special grant of Rs. 7.5 crores in 1992-93 and Rs. 16.5 crores in 1998-99 for the development of Durgah. The whole amount was utilized elsewhere and only a few lacs were spent in Durgah area. The Durgah Committee took little interest and instead remained a silent spectator. Land worth crores of rupees was illegally occupied by individuals due to the negligence and corruption in the Dargah Committee. There is no educational institution being run by the Committee except for one school upto class VI. The Dargah premises are full of flower shops whose rent is collected by the Durgah Committee and the encroachments were being encouraged so much that little space is left for pilgrims. There is no representation of the Khadims in the Dargah Committee as was envisaged in the Dargah Khwaja Saheb Act of 1936, it was added.

Meeting with Bhartiya Janta Party Minority Morcha

2.29 The Chairman, Bhartiya Janta Party Minority Morcha, Ajmer submitted as under:-

There was no need to amend the Durgah Khwaja Saheb Act till after discussion with every section of society. A large guesthouse should be built at Ajmer to accommodate the pilgrims. There should be representation of local Muslims of Ajmer in Durgah Committee. A list of Wakf properties should be published so that general public has the knowledge of such properties. There should be an inquiry to find out the properties which have been illegally sold/mortgaged, he added.

Meeting with Durgah Committee

2.30 The representative of Durgah Committee inter-alia submitted as under:-

Prior to the enforcement of the Durgah Khwaja Saheb Act, 1955, the Durgah administration was in the hands of Administrators. The stop-gap arrangements began from 1949 and ended on 1st march, 1956. At present the administration and control of Durgah Endowment vests in the Durgah Committee. The Dargah Committee is appointed by the Central Government under Section 5 of the Durgah Khwaja Saheb Act, 1955. Nazim is also appointed by Government of India under Section 9 of the Act in consultation with the Durgah Committee. The Durgah Endowment consists of - 1.Durgah Khwaja Saheb, 2.Shops of Gali Langar Khana, 3.Idgah, 4.Shops of Ambar Akbari Masjid, 5.Durgah Apartments, 6.Wakf Allah Bux Ramzani, 7.Wakf Babu Fakharuddin, 8.Wakf Afeedun Nisa, 9.Haveli, Khanqaah & Sola Khamba 10.Chilla Khwaja Saheb 11.Chilla Qutub Saheb 12.Sarai Chishty Chaman, 13.Farm at Kayad, 14. Properties purchased by Dargah Committee, 15.Dargah Guest House. The Committee requested for providing powers of Estate Officer to Nazim, Durgah Khwaja Saheb, Ajmer. The Committee was also informed that Khadims solicit and receive Dargah offerings from the pilgrims. They also encroach in Dargah premises. At present,

il suits have been filed in courts. Seven cases have been filed employees. About 15 to 20 thousand pilgrims visit Durgah Sharif daily. Durgah Administration provides facilities for stay at nominal rent in the guest houses. About 815 people can be accommodated in those guest houses. Dargah Administration provides free accommodation in Dargah premises which is called Musafir Khana. Dargah Administration makes arrangements of Shamiyanas, water for Wazoo & drinking water in Dargah Sharif. About Rs. 2.00 lakhs are spent on this annually. Daily presentation of flowers, sandal and candles on the Holy Shrine is also arranged. About Rs. 3.50 lakhs are spent on this annually. Then annual Urs of Hazrat Khwaja Moinuddin Hasan Chishty in Rajab and his Peer-O-Murshid Hazrat Khwaja Usmani in Shawwal are organised for which about Rs. 3.00 lakhs are spent every year. Muharram Sharif inside Dargah Sharif and opening of Chilla of Hazrat Baba Farid are also conducted for which about Rs. 1.50 lakhs are spent every year. Fateha of Khulfa-e-Rashedeen and Buzurgan-e-Deen are also arranged for which about Rs. 1.00 lakh is spent every year. Besides, Rs. 4.00 lakhs are spent on daily langar which is arranged for poor with special Sehri/Iftar arrangements during Ramzan. Homoeopathic Dispensary and Unani Shafa Khana supplying medicines are provided to pilgrims free of cost for which about Rs. 1.50 lakh are spent every year. Burial of unclaimed dead bodies is also done for which about Rs. 1.00 lakhs is spent. The Committee was apprised that Dargah Committee has prepared development plans of its 12 properties with the objective of providing more facilities to zaireens and with a view to ensure optimum use of the dilapidated properties and increase in Dargah Committee's income. However, Municipal Corporation, Ajmer has passed only four minor development plans and eight major plans were still pending. During Urs, about 7 lakhs of people visit Ajmer in 9 days. The State Government and Local Bodies arrange for their stay at Vishram Sthalis and provide water, electricity and sanitation. Unfortunately all these arrangements are made temporarily. Every year Vishram Sthalis is shifted. During 786th Urs in the year 1998, the State Government provided Rs. 18 crores for creating facilities for pilgrims but the number of Vishram Sthalis developed was inadequate. This amount was diverted to the local bodies for developing the infrastructure in their settlement colonies which were later sold to the individuals and hence the problems of the pilgrims during Urs remained unresolved.

It was also stated that composition of Durgah Committee should be enlarged. It should have representatives from Sufi Saints, legal luminaries, Islamic scholars and prominent persons. The post of Nazim should be equal to the rank of Director to the Government of India. The representatives further stated that there should be amendment in Durgah Khwaja Saheb Act after legal scrutiny of Judgement of the Supreme Court.

Meeting with representatives of Government of Rajasthan

2.31 The Secretary, State Government of Rajasthan inter-alia submitted as under:-

Durgah Committee was the main body to look after the affairs of Durgah Khwaja Saheb. There is no role of Government of Rajasthan in Durgah Khwaja Saheb Act. State Government gives due importance to the Durgah and provided facilities to pilgrims. Communication gap between Durgah Committee and District Administration was the main problem. Durgah Committee should interact with District Authorities regularly. Durgah Committee has no control on offerings and Durgah Committee has not delegated any powers to Nazim. District Authorities submitted that for last many years, the Vishram Sthali (near Ana Sagar) was being used for stay of pilgrims. About 700-800 vehicles can be parked there. Temporary toilets are provided. District administration also provides security arrangements, transport, medical facilities and sanitation during Urs. During Urs, district administration deploys 2000 Police personnel and an amount of

TA/DA. Security is the main responsibility of the district Ajmer assured the Committee that he would have regular meetings and would render any assistance that might be required.

Justice Ghulam Hasan Committee Report

2.32 The Committee had an opportunity to go through the Enquiry Committee of Durgah Khwaja Saheb known as Justice Ghulam Hasan Committee Report, 1949. That Committee had made 21 recommendations ranging from administration of Durgah to begging and smoking within Durgah premises. In brief, the Committee had made the following important recommendations: -

1. Administration - The future administration of the Durgah shall be entrusted to a high-powered Committee which shall be a supreme governing body and in whom all the properties of the Durgah shall vest with full power of control, supervision and management and to the exclusion of every other authority.

Persons who derive beneficial interests of any kind whatsoever from the Durgah and the Khadims and the descendants of Khwaja Saheb shall not be appointed to the high-powered Committee but they shall not be debarred from being appointed to the Advisory Committee.

2. **Nazars, whether cash or kind, made at the Durgah either inside the dome or any other place within the precincts of Durgah, shall be the exclusive property of the Durgah without any right of co-sharership in the Khadims or in any other person.** No person, whether Khadim or any other, shall ask for or receive any Nazar in cash or kind, from any visitor within the precincts of Durgah. Contravention of this shall be an offence rendering the offender liable to ejection from the Durgah premises and a fine. All Money Orders intended for the Durgah or for Khwaja Saheb shall be the property of Durgah.

3. **Sajjadasheer shall preside over all Mahfils and shall perform all religious rites and ceremonies at the Durgah.**

4. **Villages Hokran and Kishenpura in possession of Sajjadasheer and Dantra in possession of the Mutawalli shall revert to the Durgah and shall form part and parcel of Durgah endowment. Sajjadasheer shall be entitled to receive in cash the income of Hokran and Kishenpura after deducting the cost of management as perquisites of his office. All Hujras within the Durgah premises shall be the property of the Durgah, free of any rights of any kind in favour of Khadims or any other person notwithstanding any judicial decisions to the contrary.**

5. The Khadims who desire to act as Vakils for escorting visitors to the Dome and other places in the Durgah shall be required to undergo an elementary test in Islamic teachings according to a syllabus prepared by the high-powered Committee. The Khadims who pass the test shall get a sanad and official gown (Chogha) as authorised Khadims entitled to act as Vakils. The high-powered Committee shall determine the number of persons required for acting as Vakils. A list of such Vakils shall be supplied to the Manager (now Nazim) by the accredited Khadim organisations. Any act of misconduct on the part of Vakils shall be immediately brought to the notice of the Manager who may after such summary enquiry as he may think fit, impose a sentence of fine or imprisonment for a period of one month in default of payment of fine. **Orders passed by the Manager shall not be open to appeal or revision. He may also disqualify the offender from acting as a Vakil in future.**

the alleged rights of Khadims and others in those Degs shall be under the supervision of Manager shall be distributed free of

charge and shall not be sold.

7. The high-powered Committee shall maintain a hostel for the accommodation of visitors at a suitable place near the Durgah and shall make arrangements for providing board on payment of a reasonable charge.
8. Arrangements for water, public urinals and lavatories shall be improved and a more hygienic system shall be devised in cooperation with the municipal authorities. Better medical facilities shall be provided.
9. The Durgah shall maintain a respectable library and Islamic literature particularly rich in the section of spiritual culture.
10. The Durgah shall maintain a Khanqah where Muslim scholars and Darveshes can live with reasonable facilities for religious study and spiritual culture. But the Khanqah should not be allowed to drift into a rest house for indolent.
11. Durgah shall maintain schools and orphanages in which religious instructions shall be imparted to boys and girls.
12. **Begging within the Durgah premises shall be strictly prohibited.**
13. **Smoking of tobacco and charas shall be strictly prohibited within the premises of the Durgah.**

Information received from Sajjadanasheen

2.33 Sajjadanasheen of Hazrat Khwaja Saheb, Ajmer vide his letter dated 4.7.2002 inter-alia stated that as per past practice customs and traditions and usages of the Durgah, the correct real legal and religious position of the Duties of the hereditary descendant and Sajjadanashin of Hazrat Khwaja Moinuddin Hasan Chishty (R.A.) of Ajmer are as under:-

1. To keep contacts with the FUQARAS of the country and from time to time issue instructions to them as regards the propagation of Hazrat Khwaja saheb's Mission and teachings;
2. To preside over the Religious Mehfil which are held within the Durgah premises on every Thursday after the Namaz-e-Isha in front of Begmi Dalan means Ahata-e-Noor Durgah Khwaja Saheb (R.A.) and during Ramada (Ramzan) Shareef after Namaz-e-Asar in the Mehfil Khana.
3. To preside over the Religious Mehfil which are held within the Durgah premises on every 6th of the Looner month called Chhatti-Shareef.
4. To preside over the Religious Mehfil at Mehfil Khana during the Annual URS of Hazrat Khwaja Moinuddin Hasan Chishty (R.A.) of Ajmer from 1st Rajab (Chandrat) to 6th Rajab of Hijri.
5. To preside the Annual Religious Mehfil at the Holy KHANQAH-SHAREEF of Hazrat Khwaja Moinuddin Hasan Chishty (R.A.) on 5th Rajab after Zauhar-Namaz to after Asar Namaz.
6. To give Holy Bath to the ASTANA SHAREEF (MAZAR-SHAREEF) on all six days (nights) during the Annual URS of Hazrat Khwaja Monuddin Hasan Chishty (R.A.) of Ajmer, at this ceremony it is duty of Khadims to pour water.

- s Mehfil in Mehfil Khana during the Annual URS of Hazrat
the Religious Master a (GURU) of Hazrat Ljwaka Sajen (R.A.)
from 5th and 6th SHAWWAL of Hijri.
8. To preside the Annual Religious Mehfil in the Ahata-e-Noor during the annual Birth Day Ceremony of the prophet of Islam Hazrat Mohammad Mustafa (SAWS) called BARAH WAFAT mehfil.
 9. To preside the monthly Religious Mehfil at CHHILLA-SHAREEF of Hazrat Khwaja Qutbuiddin Bakhtiyar Kaki (R.A.) on every 14th of the Loonr month called CHOUDH-WEE-SHAREEF.
 10. To preside the annual Religious Mehfil at CHILLA of Hazrat Khwaja Qutbuiddin Bakhtiyar Kaki (R.A.) during the Annual URS from 13th and 14th RABI-UL-AWWAL.
 11. To preside the Annual function and ceremony of BASANT-PANCHWI in the Hindi month of MAGH and on 5th of the Looner month at Durgah Shareef and on 6th of Looner in the month of MAGH at CHHILLA-SHAREEF of Hazrat QUTUB SAHEB at Ana sagar.

2.34 Sajjadanashen also vide his letter dated 4.7.2002 inter-alia stated that as per past practice customs and traditions and usages of the Durgah, **the correct and real legal and religious position of the hereditary office of the descendant and Sajjadanashineen (Gaddinashin) of Hazrat Khwaja Moinuddin Hasn Chishty (R.A.) is stated in following judgements.**

1. **Judgement of Judicial Commissioner Ajmer, Merwara dated 23rd February, 1944 in Civil First Appeal No. 68 of 1942 Durgah Committee Ajmer v/s Syed Asrar Ahmed.**
2. **Judgement of Privy Council London printed in AIR 1947 page No. 1 to 8.**
3. **Judgement of Privy Council London printed in AIR 1938 page No. 71 to 73.**
4. **Judgement of Supreme Court of India printed in AIR S.C. 1961 page No. 1402.**
5. **Judgement of Rajasthan High Court Jodhpur dated 9th August 1974 in Civil First Appeal No. 53 of 1971.**
6. **Judgement of Rajasthan High Court at Jaipur Bench Jaipur dated 7th March 1980 in D.B. Civil Special Appeal No. 131 of 1974 printed in RLW 1980 page No. 69.**
7. **Judgement of Rajasthan High Court at Jaipur Bench Jaipur dated 4th July 1980 in D.B. Civil Reference No. 2 of 1978 printed in RLW 1980 at Page No. 317.**
8. **Judgement of the Hon'ble Supreme Court of India dated 8th September, 1987 printed in AIR 1987 S.C. page No. 2213 to 2219.**
9. **Report of the Committee of Jagir Estates Ajmer dated 16th May 1974 printed in Ajmer Regulation 1877 volume H to L page No. 568 to 569.**
10. **Report of Enquiry Committee of Durgah Khwaja saheb, Ajmer printed Government of India in 1950 page nos. 2,16,17,19,20,23,25,26,27,33,34,60,61 and 62.**
11. **Farman of Emperor Akber printed in Privy Council Paper Book of Civil Appeal 36 of 1945 at page No. 153, 154 and 155as exhibit D. 36 and D.37.**

2.35 Sajjadanashen further vide his letter dated 4.7.2002 inter-alia stated that as per past practice, customs and traditions and usages of the Durgah Hazrat Khwaja Saheb, Ajmer **the correct and real religious and legal position of all the Khadims-chowkidars of Durgah Hazrat Khwaja Saheb, Ajmer is stated in following judgement/report :-**

1. **Judgement of the Hon'ble Privy Council London dated 20th December, 1937 passed in Civil appeal No. 8 of 1936 syed Altaf Hussin and other v/s Dewan Syed Aley Rasul Ali**

2. **Judgement of the Supreme Court of India dated 17th March, 1961 passed in Civil appeal No. 272 of 1960 printed in AIR 1961 S.C. page No. 1402 to 1419 Para No. 8,30.**
3. **Report of the Committee of Enquiry Durgah Khwaja Saheb appointed by Government on India 1950 by the Chairman Mr. Justice Ghulam Hasan Judge of Allahabad High Court vide page No.6 to 11, 56 to 62, and 93 to 96.**
4. **Pages No. 93 to 140 of the paper book of the Hon'ble Supreme Court of India in civil appeal No. 272 of 1960.**
5. **Rules of the Durgah Committee Ajmer 1915.**

2.36 Sajjadanashen vide his letter dated 4.7.2002 inter-alia submitted documents showing breach of old customs and traditions by the Durgah Committee and the Khadims as well as cases of lack of control and mismanagement. The Gazette of India dated 20th February, 1993 which published the annual Administrative Report of the Durgah Committee for the year 1991-92 contend Audit Report for the year 1989-90 also. According to this, various costly items of gold, silver and jewellery in the Gumbad Sharif, main Tosha Khana and subsidiary Tosha Khana of the Durgah were not accounted for and exhibited in the Balance sheet. Nazars/offerings received by Khadims unauthorisedly were not credited to Durgah Fund resulting in heavy loss of collection of fund Rs.4.30 crores (Approx.). Nazim was asked by the Durgah Committee to negotiate with the persons who had encroached upon a piece of land in the Durgah premises for settlement of the case out side the court. The Nazim negotiated and fixed the rent at a very lower rate as compared to that fixed previously which resulted in loss of revenue of Rs.1.34 lakhs. Nazim encashed the Fixed Deposits Receipts worth Rs.10.91 lakhs for utilisation in day to day affairs of the Durgah which included certain items even not provided in the Budget. It was also pointed out in the Audit Report that Nazars and Offerings to the tune of about Rs.1 crore received inside the Gumbad Sharif were not credited to Durgah Fund, there was a loss of about Rs.3.30 crores due to unauthorised functioning of Anjuman, the value of offerings collected by Khadims in the premises of Durgah was not known and there was a loss of revenue worth crores of rupees due to lack of control over Khadims despite judgement of the Supreme Court. **Sajjadanashen further pointed out that whenever he performs some ceremonies or rituals as Sajjadanashen of the Durgah, the Khadims create problems.** Sajjadanashen also enclosed the Durgah Khwaja Saheb (Amendment) Bill, 1991 introduced in Rajya Sabha Vide his letter dated 2.12.2002, Sajjadanashen further supplied a copy each of (i) comments on Durgah Khwaja Saheb Bill, 2000, and (ii) comments on correct and real positions of Khadims.

2.37 The suggestions/issues raised before the Joint Parliamentary Committee on the functioning of Wakf Boards in the course of interaction with the cross-sections of the public, different organizations, individuals, representatives of the Khadims, Sajjadanashen, officials of State Government of Rajasthan etc. during its visit to Ajmer from 3rd to 5th July, 2002 can be summarized as under:-

1. Airport at Ajmer should be established.
2. Railway line upto Pushkar should be constructed.
3. Full time Receiver of Masjid Committee should be appointed and the properties be brought under the Wakf Board.
4. Rent of Wakf properties should be enhanced.
5. Setting up of Sulabh Complex.
6. Rest house near Durgah should be constructed.

ment for Durgah and Pushkar should be provided.
r Nagar Nigam.

9. Ajmer should be declared a tourist centre.
10. Wakf properties of Ajmer city should be handed over to Wakf Board.
11. Nazrana should be spent for the development of Durgah.
12. Better facilities to pilgrims should be provided.
13. Khadim should be provided representation in Durgah Committee.
14. Nazim should have more powers.
15. Scarcity of water should be tackled.
16. Illegal occupation of Durgah properties by State Bank of India.
17. Corruption in Durgah Committee.
18. Formation of Trust to look after Durgah.
19. Trustees of Durgah should be eminent personalities.
20. Khadims have no licence.
21. Shop owners of Chishti Sarai Chaman might be allowed to transact their business.
22. Local representation in Durgah Committee.
23. Encroachment of Durgah properties.
24. Delay in approval of site plans.
25. Strength of Durgah Committee should be increased.
26. Legal scrutiny of judgement of Supreme Court.
27. Co-ordination between Durgah Committee, Sajjadanashen and Khadims.
28. Advisory Committee be activated to help Nazim.
29. Role of State in the Durgah Act.
30. Durgah Committee has not delegated any powers to Nazim.
31. Local Administration to provide better amenities for pilgrims.
32. Improvement of vishram sthali.
33. Separate site for vishram sthali.
34. Increasing powers of Nazim.
35. Amendment of Durgah Act.
36. Improving civic amenities.
37. Improving cleanliness and hygiene.
38. Dumping of garbage in the premises of Chillah Khwaja Qutub Saheb by the adjoining hotel.
39. Construction of a wall around Chillah Khwaja Qutub Saheb.

2.38 Based on the above suggestions, a Questionnaire was sent to Ministry of Social Justice and Empowerment on 30th July, 2002.

2.39 In reply, the Durgah Committee submitted that for establishment of an airport at Ajmer, local persons and institutions made efforts at their own level, Durgah Committee had not approached Ministry of Civil Aviation, Government of India in this regard. All arrangements inside Durgah were managed by Durgah Committee. Khadims performed Ziarat to pilgrims and they did not allow any other person for this purpose. Khadims received all Nazars but provided facilities to selected few zaireens who were their personal guests.

2.40 Khadims were running only one school upto secondary level. The School does not have any play ground nor adequate class rooms. Khadims were running only two guest houses having 50 rooms.

godowns had been allotted by Durgah Committee. Some tenants have sublet their shops/godowns etc. Durgah Committee is receiving rent regularly. But some tenants have been paying very meagre rent. Durgah Committee asked them to increase the rent, to which they have not agreed. Hence as per legal advice, Durgah Committee has stopped accepting their rent.

2.42 Regarding Advisory Committee, it was submitted that it functioned for several years upto 1995. It used to be appointed by the Central Government in consultation with the Rajasthan Government. The role of the Advisory Committee was not very useful. There were problems from different factions related to Durgah affairs.

2.43 Nazim's post was advertised for three years, Durgah Committee recommended the appointment for a period of for 3 years but the Central Government appoints the Nazim for a period of one year. Thereafter annual extensions were given. This has aggravated the problems.

2.44 Durgah Committee has 7 guest houses. There are total 180 rooms and one dormitory of ten beds. Room rent differs from Rs.40/- to 400/- per day. Estimated income for the year 2001-2002 was Rs. 65 lakhs but Durgah Committee had received Rs. 66.46 lakhs. There are 13 Durgah properties under illegal occupation /encroachment by Government/Semi- Government Bodies/Individuals etc. In order to get the properties released the Durgah Committee filed suits in Civil Courts, Revenue Courts and sought mediation of Divisional Commissioner and Collector, Ajmer. The Durgah Committee had rental income of Rs.11, 58,737, Rs.10, 82,009, Rs.17, 16,402, Rs.20, 11,712, Rs.21, 49,095 during 1997-98, 1998-99, 1999-2000, 2000-01, 2001-02 respectively. Accounts of Durgah were audited regularly by Accountant General, Rajasthan, Jaipur by a Special Audit Team. Durgah Committee was not receiving any grant from either Central or State Government and no efforts have been made in this regard.

2.45 In response to the Questionnaire, the State Government inter alia submitted that adequate medical services and facilities were provided during the Urs at various places where pilgrims camp or segregate.

2.46 It was not correct that the State Government encroached upon the properties of Durgah Khwaja Saheb. Perhaps the Durgah Khwaja Saheb Committee had given properties on lease/hire to various institutions and individuals. However, the Committee had claimed various properties, which are vested in State Government as per law. Such properties were within the ambit of State Government and were being dealt or allotted accordingly. State Government coordinate with Durgah Administration in sorting out their problems. If Durgah administration felt a Coordination Committee could be constituted in order to sort out the problems.

2.47 The State Government was very keen for establishment of an Airport to facilitate the arrival of the pilgrims at Ajmer. The administrative and financial sanction of Rs. 57.50 lakhs has already been accorded for construction of Airstrip. The Aviation Authority of India has already identified the land and the action to acquire the land was being taken by the State Government.

2.48 The Rajasthan Tenancy Act is a major State enactment for management of land/tenancies of the State. The State Government did not want to exempt the properties of Durgah Khwaja Saheb from the purview of the Rajasthan Tenancy Act. The State Government was already spending on providing the facilities to pilgrims and for arrangements through District/Police administration for the security and to

urgah Khwaja Saheb. Therefore, separate grant on annual basis Government.

2.49 The Ministry of Social Justice and Empowerment, Government of India did not responded to the Questionnaire concerning them.

2.50 *Shri M. Noorul Hasan, Advocate of Amravati (Maharashtra)* in his written views inter-alia submitted that for effective administration of Durgah Khwaja Saheb, the effective implementation of Durgah Act 1955 is essential. There should be coordination between Durgah Committee and Khadims. District Authorities should appoint an officer during Urs to regulate the rates of Guest Houses in Ajmer. If pilgrims complain regarding high charges of Guest Houses, it should be dealt with immediately as per law. Lakhs of pilgrims visit Durgah Saheb, Ajmer but there is lack of basic amenities like toilets, bath rooms etc. During special occasions like Urs, the entry of pilgrims should be allowed inside the Durgah one by one and not in bulk. There should be an enquiry office inside the Durgah from where pilgrims can get all information. There should be a dispensary inside the Durgah premises. More trains and buses should be provided to the pilgrims to visit Ajmer.

2.51 *Ms. P. Bulsara of Calcutta* in her written submission inter-alia stated that there are many beggars around the Durgah. The tomb is not spacious and it is very commercialised. There should be separate queue for ladies for entering the Gumbad.

Judgement of Supreme Court

2.52 The Supreme Court in case of Durgah Committee, Ajmer vs. Syed Hussain Ali and others AIR 1961 Supreme Court 1402 (V 48 C 264) inter-alia decided as follows:-

2.53 The endowments to Durgah Khawaja Saheb have always been made on such terms as did not confer on the denomination represented by the Khadims the right to manage the properties endowed. **The management of the properties endowed was always in the hands of officers appointed by the State who were answerable to the State and who were removable by the State at the State's pleasure.** Hence the vires of S.5 of ACT 36 of 1955 and the subsidiary sections, which deal with the power of the Committee, cannot be challenged on the ground that the said provisions violate the fundamental rights guaranteed to the denomination represented by the Khadims under Art. 26© and (d).

2.54 The vires of S.5 of the Durgah Khawaja Saheb Act (1955) cannot effectively be challenged on the narrow ground that since the Committee constituted under the Act was likely to include Hanafi Muslims who may not be the Chishti Muslims, the provisions authorizing the appointment of the Committee was ultra vires.

2.55 The effect of Ss 2(d) (v) and 14 of Act 36 of 1955 is that when offerings are made earmarked generally for the Durgah, they belong to the Durgah and such offerings can be received only by the Nazim or his agent and by nobody else. These offerings never belonged to the Khadims and they can therefore have no grievance against either S.2(d) (v) or S.14.

2.56 What S.11 (f) and (h) of Durgah Khwaja Saheb Act intend to achieve is the regulation of the discharge of duties by the Khadims and the discharge of functions and powers by the Sajjadanashen. The

and that itself proves that some regulation is necessary and so the regulation of the discharge of the duties by the Khadims and nothing more. S.15 makes it obligatory for the Committee in exercise of its powers and discharge of its duties to follow the rules of Muslim Law applicable to Hanafi Muslims in India, and **so all the ceremonies in the Durgah have necessarily to be conducted and regulated in accordance with the tenets of the Chishti Saint.** The powers conferred on the Committee by S.11 (f) and (h) must be read in the light of the mandatory provisions of S.15.

Visit of the Joint Parliamentary Committee on the functioning of Wakf Boards to Shirdi and Tirupati from 26th to 29th August, 2002

2.57 The Committee visited Shri Sai Baba temple on 27th August, 2002 to have a first hand account of the arrangements and facilities available to the devotees there.

2.58 The Committee visited Prasadalayawhere it was informed thatthe prasadalaya works for 12 hours from 10.00 a.m. to 10.00 p.m. serving meal as Prasad to all the Bhaktas at subsidized rates of Rs. 4.00 per Adult & Rs.2/- per Minor. There was no restriction on the quantity one could have. Fresh vegetables were procured for Prasadalaya, from Agricultural Products Marketing Committee, Kopergaon every alternate day. Substantial amount of vegetables was produced by Sansthan's Garden Department.

2.59 The quality conscious procurement of other food materials needed for Prasadalaya was being done by Purchase Department independently. The Administration and the Food & Drug Department of the State keep regular watch on the quality & hygiene of the Prasadalaya & the kitchen. Around 14,000 Saibhaktas get full meal daily as a Prasad in Prasadalaya. On an average, 600 to 1000 poor people get full prasad Bhojan totally free daily. Free food was provided to handicaped students hostel, twice every day. A breakfast food packet of 5 puries of 125 gms., 100 gms. of Bhaji & 25 gms. of sweet was made available at subsidized rate of Rs. 2.50 per packet was made available to Sai Bhaktas from 7.00 to 10.00 a.m. On an average, 5,200 packets were sold daily. Besides, a cup of 100 ml. of tea was made available at subsidized rate of Rs. 1.00 per cup. On an average 16,500 cups of tea were sold at various counters daily. A cup of 100 ml. of coffee was made available at subsidized rate of Rs.1.50 per cup. On an average 4,000 cups of coffee were sold daily. A cup of 100 ml. of milk was made available at subsidized rate of Rs. 1.50 per cup. On an average, 10,500 cups of Milk were sold daily. Branded Mineral Water with BIS specifications was made available to the Sai bhaktas at subsidized rates of Rs. 8.00 per litre & Rs. 5.00 per half litre bottle. 150 bottles are sold daily. Branded Biscuits of companies were made available at M.R.P. rate. The sale is amounted for Rs.4, 000/- per day. All the material needed for provision of above services i.e. the milk, tea leaves, coffee powder, mineral water & biscuits etc. were procured from the companies/manufacturers with due regard for their quality; Sugar used to be purchased from Co-operative Sugar Factory directly at competitive price.

2.60 The Committee then had a round of Sulabh International. A huge three storied complex with capital expenditure of Rs.1.43 crores, had been built by Sansthan just 50 metres away from the Mandir premises, with Bathroom & Latrine etc. of reasonable standard. It consisted of 120 bathrooms & 120 latrine units. This complex was being operated by Sulabh International at nominal rates round the clock.

2.61 The Committee then visited Solar Cooking System which was based on German Technology of harvesting Solar radiation energy by panels of parabolic mirror type 40 solar energy collectors of 9.5 Sq.

generated was 550-degree celcius. This scheme was estimated in terms of L.P.G. fuel. Total financial expenditure on the scheme was Rs. 55 lakhs. with 50% subsidy is received from Ministry of Non-conventional Energy Sources, New Delhi.

2.62 The Committee then visited Bio-Gas based Electricity Power Plant which was located adjacent to Sulabh Shouchalaya complex. It generated 90 cubic metre of biogas per day. This biogas was being used for generation of electricity by using it as a co-fuel alongwith the diesel in diesel engine based electricity generation unit. It saves 80% diesel fuel.

2.63 The Committee then visited New Guest House which was being built to provide 5 star facilities to pilgrims with 200 rooms.

2.64 The Committee took round of Shri Sai Baba temple complex and visited Counting Hall, Prayer Hall, Donation Counter, Publication Counter, Satya Narain Puja Hall, Museum, Canteen, Sales Counter and Railway Reservation Counter.

Discussion with Trustees of Shri Sai Baba Temple and Officials of District Authorities on 27th August, 2002.

2.65 The Chairman of the Committee mentioned the purpose of the visit of the Committee to Shirdi and requested them to present their views on management of Shri Sai Baba Sansthan and facilities being provided to pilgrims.

2.66 The Committee was informed that the Board of Management of the Sansthan consisted of 22 Members appointed by State Charity Commissioner for a term of 5 years. Their services were in an honorary capacity & they represented the Sai bhaktas of all the strata of the society. The Board of Trustees is a statutory governing body of all the Sansthan activities. The present Board of Management was appointed in September 1999 for 5 years. It is headed by a retired Chief Secretary of Government of Maharashtra & an Administrator. Other Trustees comprise lawyers, the Chartered Accountants, Businessmen, Teachers, Agriculturists & other Sai devotees. The Chief Functionary & Principal Officer is the Executive Officer. He is appointed by the State Charity Commissioner for a term of 5 years. He used to be on deputation from State Government or a retired officer from State Services in the cadre of Deputy Collector or equivalent. He also works as Secretary to the Board of Trustees. There are 26 odd departments to carry out day-to-day functions and development works of the Sansthan. All these constitute a total of 1,050 employees.

2.67 The Salaries were as per the recommendation of the 5th Pay Commission made applicable by the Government of Maharashtra to its employees. The employees were provided with medical facility, subsidized housing loan, group gratuity scheme benefits, group accidental insurance scheme benefits, ex-gratia, educational facilities to their children & accommodation facilities.

2.68 Shri Saibaba Sansthan, Shirdi doesn't receive any grant- in- aid from the State Government of Maharashtra, the Government of India or any other Public Body. The income of the Sansthan comprises of offering received from Sai Baba devotees. Offerings are made in donation boxes kept at different places. Offering is not received individually by those who facilitate darshan of Sri Sai Baba. They are employees

performing religious rituals at Sansthan. The Temple premises were now equipped with all necessary facilities like well facilitated Darshan Lane, the Sai-Satyanarayana Hall, the Abhishek Hall, the Parayana Hall, the Meditation Hall, the Performance Stage, Donation Acceptance Counters, Laddu-Prasad Counters, Canteen, Computerised Railway Reservation Counter, S.T. Bus reservation counter, Bookstall, etc.

2.69 Shri Sai Baba Sansthan, Shirdi was providing all the necessary basic facilities to the Sai bhaktas coming to Shirdi at any hour of the day. The accommodation capacity in various accommodation complexes is for about 1200 persons at a time. Various types of accommodation were available to pilgrims at affordable rates. A/C VIP suits and A/C suits have also been made available to pilgrims. People, Shri Saibaba Sansthan started Sainath Hospital in 1964 for providing medical aids to the poor & needy. The Hospital is equipped with Modern Technologies. The Hospital has capacity of 200 beds. It has an ICCU unit, Blood Bank, Histological & Pathological Laboratories, Operation Theatre, Incineration Unit, X-ray Lab, Ambulances & Hearse and Medical Store. The consultancy charges of the Medical Officers, the accommodation & bed charges, are subsidized. All the medicines available at Medical Store were being provided to all the OPD indoor patients totally free of charge. Free of cost tea & full meal was being provided twice a day to all the indoor patients & one of their attending relatives. After ascertaining their financial status the deserving patients are offered full or partial exemption in their hospital bills. Approximately 10% of the total indoor patients were treated totally free & 25% to 40% of the patients were offered partial subsidies in their Hospital bills. They proposed to expand the Hospital to accommodate about 325 beds & provide other facilities with capital outlay of about Rs. 3.35 crores.

The Educational Complex comprised of following three faculties:

- (i) Industrial Training Institute which provided advanced Technology related courses in 10 trades. Total number of trades available for learning at ITI were 20, with 296 students/trainees. Total staff of I.T.I was 41 including 29 Technical Staff Members. The I.T.I. was approved by D.G.I.E., Government of India. It is totally unaided, and the students were charged at Government approved rates. The admissions are strictly on merit & the admission procedure fully computerized.
- (ii) English Medium School which had classes from Junior K.G. to 10th standard with 1,083 students out of which 409 were girl students and 28 staff, including 22 Teaching Staff. The school is also totally un-aided. The Maximum total annual fee charged per student was Rs. 2,000/- only.
- (iii) Kanya Vidya Mandir with classes from 5th to 10th standard and 11th & 12th standard junior college with Science Faculty with 620 girl students and 22 staff including 18 teaching staff. This school was also totally un-aided and no educational fee was charged from students and free education to girls upto 12th standard.

2.70 The Chairman of the Committee thanked the management of the Board of Shri Sai Sansthan for providing valuable information to the Committee.

2.71 The Committee reached Tirupati at 2.00 P.M. on 28th August, 2002 via Mumbai and Chennai.

2.72 The Committee visited the Shrine and paid homage there. The Committee was apprised about the facilities being extended to the pilgrims for the Darshan of Deity.

Meeting with officials of the Tirumala Tirupati Devasthanams (TTD) and local authorities

2.73 The Chairman welcomed the officials of TTD and local authorities. He mentioned the purpose of the Committee's visit Tirupati and requested the officials to apprise the Committee about the administration of TTD and facilities that were being provided to the pilgrims.

2.74 The Joint Executive Officer informed the Committee that Tirumala Tirupati Devasthanams administration was governed by the A.P. Charitable and Hindu Religious Institution and Endowments Act, 1987 (Act 30 of 1987). The overall control and superintendence over the administration of the entire TTD vested in the Board which exercised powers vested in it under the Act and discharged the functions entrusted to it under the said Act or as might be conferred or entrusted to it by Government.

2.75 The Executive Officer was the Chief Administrative Officer of the TTD, responsible for the day to day administration. He was responsible for implementing the decisions of the Board and for carrying out all or any of the provisions of the Act and the directions issued by Government in terms of the Act. The Management Committee was constituted under the Act. The administration of the TTD vested in the Committee which exercised powers and performed the functions entrusted to it under the Act and such other powers as might be conferred on it. The Board constituted by the Government for the TTD consisted of not more than thirteen members including the Chairman, to be appointed by the Government and the following:-

- (i) The Commissioner as a Member, Ex-Officio.
- (ii) The Executive Officer, as Member-Secretary, Ex-Officio.
- (iii) Three members of State Legislature.
- (iv) A person belonging to Scheduled caste.
- (v) One Woman member.

2.76 The committee constituted by the Government for TTD, called TTD Management Committee would be a body corporate with power to acquire, hold and dispose of property and would sue and be sued by the said corporate name. The TTD Management Committee, in addition to the powers conferred on it under the Act, would exercise such powers and perform such functions as may be prescribed. The Management Committee would maintain properties and affairs of the TTD. It would fix the fees for various sevas. The Committee would exercise general superintendence and control over the TTD.

2.77 The administration of Sri Tirumala Temple was looked after by a Deputy Executive Officer who was assisted by the Peishkar and other Assistant Executive Officer cadre officers to look after the temple administration. Srivari Darshanam was arranged through two queue complexes - One through Vaikuntam Queue Complex (VQC) and the other through special darshan entry. In the VQC, 32 waiting compartment were available with all comforts to the waiting pilgrims. This would accommodate a total number of 20,000 persons at a time. The special darshan queue had a sitting capacity of 4000 persons at a time. In both the queue complexes, bath and toilet facilities were provided. In the waiting compartments, facilities were provided for sale of food items at subsidized rates. Religious programmes were displayed through CCTV

practices, rates fixed for the food items were displayed in the
boards and also by display on the CCTV.

2.78 In both the queue complexes, medical facility could be provided in any emergency.

2.79 A system of issuing Sudarshanam token to the pilgrims to those visiting the Holy Tirumala Shrine was introduced in 1999 in order to avoid hardships to them because of forced waiting in queue compartments on experimental measure. Under this system, a pilgrim was tied a coded water proof wrist band indicating the time of Darshan known as 'Sudarsanam' token at Tirupati and Tirumala. Such pilgrims could go for darshan through VQC at the time slot given to them without waiting for hours together in the Vaikuntam Queue Complex. Sudarshanam token is a sort of pass which would allow the pilgrims to spend the waiting time more usefully on visit the places in and around Tirumala and Tirupati. By introducing the Sudarsanam token system, the waiting time in the compartments had been considerably reduced and it might not take more than 2 hours for a pilgrim to have darshan after entering queue line. This facility was available both for free and paid darshan. On reporting at the specified time, the wrist band was checked with a scanner to ensure that the pilgrim was a bonafide person on whom the wrist band was fixed and then permitted to move in the queue.

2.80 Parakamani is a place where offerings of the pilgrims made in Srivari Hundi were sorted, classified and accounted for. There were two wings separately for currency and coins parakamani which were administered by Asst. Executive Officer cadre officers in shift system. The parakamani was supervised by one Dy. Executive Officer and one Vigilance & Security Officer in the cadre of Deputy Superintendent of Police. All offerings were put by devotees in Srivari Hundi and not to any other person concerned with TTD.

2.81 The place where the pilgrims/devotees fulfilled their vow of tonsure is called Kalyanakatta. The Kalyanakatta worked throughout the day and night. Free tonsuring Computer tokens were issued. Rs. 10/- were collected per head for tonsuring at cottages and guest houses. The human hair derived by tonsuring is sorted out into three varieties and sold in public auction by the Marketing Officer periodically.

2.82 TTD was also maintaining canteens at S.V. Guest House, ATC area, S.P. Guest House and TTD Employees Canteen at Tirumala and Administrative Building Canteen, S.V. Guest House Canteen and Shri Venkateswara Institute of Medical Science Canteen at Tirupati to cater to the needs of pilgrims and also TTD Employees. TTD Employees were provided food at subsidized rates.

2.83 TTD was running free bus service at Tirumala for the convenience of the pilgrims with a frequency of 10 to 20 minutes connecting all cottage areas, hotels, canteen, queue complexes and Bus station from Central Reception Office. There were 12 free buses both at Tirumala and Tirupati.

2.84 TTD provided accommodation to pilgrims at Tirupati and Tirumala. There were about 4600 rooms in different guest houses of the TTD. The room rent varied from Rs. 50/- to Rs. 2500/-. About 60,000 people come daily for Darshan of the Lord Venkateshwar. There was arrangement for 30,000 people to stay at Tirumala and rest could stay at Tirupati.

2.85 Computerisation had been introduced in areas like Issue of Seva Tickets, Reception wing, Toll gate, Accounts, Bio-data and Service matters of employees and E-Hundi. At present two reservoirs-one at

Two Dams have been constructed to store rain water for supply to Tirumala. The capacity of the Sanam Dam is 520 million gallons while Gogarbham Dam, the capacity was 200 million gallons of water. The daily average requirement of water at Tirumala was about 2 million gallons.

The TTD was maintaining the following Hospitals and Dispensaries:-

- (i) Aswani Hospital at Tirumala.
- (ii) TTD Employees Dispensary, Tirumala.
- (iii) Central Hospital, Tirupati.
- (iv) Shri Padmavathy Ammavari Temple Dispensary, Tiruchanur.
- (v) Health Centre in Padmavathi Women's College.
- (vi) Dispensary at Bairagipattada.
- (vii) Sri Venkateswara Institute of Medical Sciences, Tirupati.
- (viii) Balaji Institute of Surgery, Rehabilitation & Research for the Disabled.
- (ix) Artificial Limb Fitting Centre.
- (x) S.V. Ayurvedic College & Hospital
- (xi) Shi Srinivasa Ayurveda Pharmacy.

2.86 TTD has a Forest Department under it. It was headed by a Conservator of Forests on deputation from the Government of Andhra Pradesh. He was assisted by two Divisional Forest Officers. The objective of this department is to preserve, protect and conserve the forest wealth and create a Bio-Aesthetic environment on Tirumala Hills as well as on the Hill slopes and plains near Tirupati Town.

2.87 TTD management provided fund for improvement of roads, sewer and water at Tirupati.

2.88 The TTD manages various educational institutions at Tirupati, Tirumala, Vellore, Hyderabad and New Delhi. It has Veda Pathashala also to impart courses in Veda, Agamas and Divya Prabhandas. These courses aimed at providing proficiency to the students in the prescribed religious rituals. There is Dharma Prachara Parishad to promote and propagate Hindu Dharm.

2.89 The Chairman of the Committee thanked the management of the TTD for providing valuable information to the Committee.

ORAL EVIDENCES

Evidence of Chairman, Central Haj Committee

2.90 On 18th September, 2002 Shri Tanveer Ahmed, Chairman, Central Haj Committee submitted before the Committee as under:-

There should not be any interference in the system being followed at Durgah Khwaja Saheb Ajmer. In every Durgah of Auliyas, there were Khadims who performed religious rituals and in lieu of that, the pilgrims gave them offerings. Whatever was offered happily was justified. The Durgah Committee should see only the development of Durgah properties and encroachments on properties. The Durgah Committee should have more powers so that it can remove the encroachments from the Durgah properties. The Durgah

Durgah Khwaja Saheb and pilgrims should be provided more coordination between Khadims and Durgah Committee on offerings.

For last many years, pilgrims have been paying offering/nazar to Khadims and there should not be any interference in the system. There would be no confrontation if there was a Coordination Committee for better coordination between Durgah Committee and Khadims. There could be a local Committee also. All these arrangements could be worked out after a consensus between Durgah Committee, Khadims and others.

Evidence of Syed Kalbe Jawwad Naqvi and Syed Shahabuddin

2.91 Shri Syed Kalbe Jawwad Naqvi, Imam-E-Juma and Chancellor, Madrasatul Waezeen, Lucknow submitted before the Committee as under:-

Sajjadasheer of any Durgah is the sole incharge of the said Durgah. The Khwaja Saheb Act, 1955 did not provide any power to Sajjadasheer, so Sajjadasheer being religious head of the Durgah should be provided more power. The Members of the Durgah Committee should be from suffi sect of Hanafi Muslims. There should be a system so that the offerings of pilgrims might not go in to the hands of Khadims. The money accumulated by offerings could be spent to provide better facilities to pilgrims like drinking water, toilets, sanitation etc. A representative of Khadims should also be included in Durgah Committee. The Durgah Committee must have eminent personalities on it so that they can exercise their powers for over all improvement and Nazim of the Durgah Committee should be an officer of the higher rank.

2.92 Syed Shahabuddin submitted before the Committee as under:-

Durgah Khwaja Saheb Act was passed in 1955 and almost half a century has elapsed. So there should be fresh legislation for Durgah Khwaja Saheb, Ajmer. He further stated that composition of the Durgah Committee should be expanded. There should be Joint Secretary of the concerned Union Ministry, representative of Government of Rajasthan, Commissioner Ajmer (ex-officio member), 3 Members of Parliament (2 Lok Sabha 1 Rajya Sabha) and 3 experts (1 Law, 1 administrative and finance, 1 social science) in the Durgah Committee. Khadim should also not be eliminated. They should be brought within ambit of law. Nazim should be an officer of the level of Deputy Secretary of the Government of India on deputation to the Durgah Committee and in consultation with the Durgah Committee. The Chairman of the Committee should be elected and his tenure should be of three years. There should be a provision for a Naib Nazim who should be either on deputation from the Government or could be selected by the Committee. Since Durgah endowment is a Wakf property, it should be registered with Rajasthan Wakf Board. There should be 9 or 11 members in the Advisory Committee. The Advisory Committee should be more active. Local M.P. and MLA should also be included in Durgah Committee. President of the Khadims Associations should also be included in the Durgah Committee. Sajjadasheer should also be in Durgah Committee. Durgah Committee should have powers to register the Khadims and maintain the register of Khadims. The Committee should regulate the activities of Khadims. In Durgah Act, there is a provision for honorarium of Rs. 200/- for Sajjadasheer. The Durgah Act should not fix the honorarium for Sajjadasheer. The Act should empower the Durgah Committee to change the honorarium from time to time. Sajjadasheer should be given his due place and due honour but there should be curbs also on his functioning. The Government should bear the administrative costs of running the Durgah like salaries of employees of Durgah and costs of running an office. There is big confrontation over Nazars/offerings. One cannot break the family relations between pilgrims and Khadims by making laws. What one pays inside a

not be checked. Durgah Committee can only fix schedule of committee could also advice that one should pay the offering to for development of Durgah. Committee should have right to frame rules for maintaining discipline on the Durgah campus, the decorum of the Durgah campus and the dignity of the Durgah campus. Durgah Committee should submit its annual report and annual account to the Government. On a query as to whether the Durgah should be converted into a Trust, he stated that a Trust was covered by Trust Act. It was like a society registered under the Societies Registration Act. A registered body does not have the same status as a statutory body. Durgah Committee was a statutory body and a statutory body has a higher status than a Trust under the Indian Trust Act or under the Societies Registration Act. So there is no need of a Trust for Durgah Ajmer Sharief, he added. He further stated that whatever one wished to do under the Trusts Act could also be done at Ajmer Sharief. The question was of garnering resources and using them for better purposes. The first claim on any income from the Wakf property is the purpose for which the Wakf is created. It is only after fulfilling that purpose that the surplus income can be used for charitable purpose. The Durgah Committee should be of higher level and only high level Committee would be able to instil discipline. Nazim and Naib Nazim should be vested with magisterial powers. There should be a master plan for the development of the campus and the endowment properties so that they were used for the best benefit. In view of a large number of people preventing the Durgah, the campus area of the Durgah Sharief should be enlarged.

Evidence of Director, Islamic Studies Centre, JMI and Sajjadanashin, Hazrat Khwaja Nizamuddin Aulia

2.93 Khwaja Hassan Sani Nizami, Sajjada Nasheen, Dargah Hazrat Khwaja Nizamuddin Aulia, New Delhi submitted as under :-

There were three authorities at Durgah like Dewan Saheb later on called Sajjadanasheen, Mutawalli and Khuddam. The job of Mutawalli was the same as that of Durgah Committee now. The job of Sajjadanasheen and Khuddam continues to be the same till now. The members of the Durgah Committee are nominated by Central Government. The Government some times nominates such persons who have no faith in traditions of Durgah Khwaja Saheb. So only those persons should be nominated in the Committee who have faith in traditions of Durgah Khwaja Saheb.

2.94 Shri Akhtarul Wasey, Director submitted as under:-

Khwaja Saheb Act was passed in 1955 and as per this Act, there would be 9 members in the Durgah Committee. There are three key functionaries in Durgah i.e Khuddam, Sajjadanasheen and Durgah Committee. No fruitful results would come out till they cooperate with each other. The President or Secretary of the Association of Khuddam should be made ex-officio members of the Durgah Committee. Khuddam should be actively associated with Durgah Committee. They are institutions in themselves. They cannot be ignored. The Nazim of Durgah should be of the level of Deputy Secretary of the Central Government and he should be given the power of estate officer for the development of Durgah. In order to provide better amenities to the pilgrims, a programme should be chalked out after proper consultations with Khuddam, Durgah Committee and the Government. A system should also be evolved so that some portion of Nazar may be provided to Durgah Committee, he added.

Evidence of Association of AP Sajjadanshins, Mutwallis and Khidmatguzaran

at Secretary, Association of A.P. Sajjada Nasheens, Mutawallis and Khudmat Guzaran Ol wakils, Durgah Hazrath Shaikh-Ji-Hali, Urdu Shareef, Hyderabad submitted as under:-

The strength of the Durgah Committee should be increased. They should be drawn from various parts of India on a zonal basis. From each of the four zones, a minimum of one member should be appointed, who should be a Sajjadanasheen of a Holy Shrine, preferably of Chishti Sect. A new Committee should be formed within six months from the date of supersession of the Committee. The Nazim may be a retired District Judge or a retired IAS officer or a retired ex-serviceman not below the rank of Brigadier. The remuneration of Sajjadanasheen should not be less than Rs. 50,000 per month. There should be a clause in Section 13 of the Durgah Act 1955 to the effect that the present Sajjadanasheen should nominate a person to be his successor during his lifetime. There is an urgent need for co-ordination among Sajjadanasheen, khuddam and Durgah Committee. For better coordination, representatives of Khadims and Sajjadanasheen should be included in Durgah Committee. There is a necessity of more toilets and guest houses for pilgrims. The approach road to Durgah Sharief should also be widened.

Evidence of Maulvi Haji Sultansha, Qari Abdul Rahman and Shri A.P. Sharma on 9.10.2002

2.96 Maulvi Saiyad Haji Sultanchha inter alia submitted before the Committee that there was no place for stay and there is no airport at Ajmer. Besides, there was no cleanliness and no good hotel for taking meals. A lot of development work is required, like hospitals, schools and a technical institute can be built there.

2.97 Qari Abdul Rahman inter alia submitted that in addition to Members of Parliament, the intelligencia, the experts of various fields, the ulema and mashaikh having positive approach should be included in Durgah Committee. He further stated that at the time of Urs, a booklet be brought out containing details of spiritual aspects of Khwaja Gharib Nawaz. Ladies should not be allowed inside Gumbad as it was not permitted by Islamic Shariat. Separate timings might be fixed for ladies for visiting the mazar and gents should not be allowed during that time. A large number of pilgrims faced rude and undesirable behaviour of Khuddam. Therefore, Khadims be instructed to behave politely. They should behave with the pilgrims with humility and politeness. He also stated that there should be a big clock room where pilgrims could keep their belonging safely on a nominal charge. He also informed that cornering of offerings for personal use is against Islam and Islam does not allow it. He further submitted that those who are not in favour of paying obeisance at mazars, they are not fit to be entrusted with the responsibility of making/overseeing the arrangements.

2.98 Shri A.P. Sharma inter alia submitted that there should be adequate security, adequate arrangements for housing, safety of the property and assets of the pilgrims and determination of the privileges of the Khadims and to regulate their presence in the Durgah by grant of licences.

Evidence of Khadims and Sajjadanashin on 22.10.2002

2.99 The representatives of Khadims inter-alia submitted as under:-

They agree that there was no greenery, roads are not wide and there is no proper cleanliness in Durgah Sharf. There was also a problem of beggars and animals inside the Durgah. The

They further stated that every religious institution is governed by its own school of thought. A particular religious institution should not be compared with other religious institution. **They stated that they would be happy if anything was done to improve the surroundings of the Durgah Sharif. But their religious rights should not be disturbed and offerings/Nazars were also their religious hereditary rights.** There were many properties of Durgah but they did not take anything from income of those properties. There should be nominees of the Khadim Association in Durgah Committee. They requested that before suggesting any amendment to the existing law, fundamental difference between pure Islam and Sufism may kindly be considered by the Committee. Basically speaking, Trust and Wakf were essentially two different things. A trust could be created for any purpose, humanitarian or any other purpose but a Wakf was an essential part of Muslim law. There was no local member in the Durgah Committee. If anybody wants cooperation from them, they should not disturb their rights. History of last 800 years was a witness that they were doing services to pilgrims. The flower shops inside the Durgah belong to Durgah Committee, they added.

2.100 The Sajjadasheer submitted as under:-

There should be officers of I.A.S. rank, engineers etc. in the Durgah Committee. The annual income from Durgah was around Rs.50 crores but it was shown as Rs. 30-40 lakhs in the accounts of Durgah Committee. In order to ensure better management of Durgah, it was essential that it should be clearly mentioned as to who would take the income of Deg and for which purpose it would be spent. He submitted that he was ready to quit his rights if anything was established for livelihood of his family. Practically there was no Durgah Committee. It existed only on paper. There was no role of Government there. Parallel Government was being run by Khadims. **There should be record of income inside the Durgah and there should be a proper methodology for distribution of income among Durgah Committee, Sajjadasheer and Khadims. He stated that there was a provision in the Act to provide Rs. 200/- per month as remuneration to Sajjadasheer which is not justified.** The money should be provided for the maintenance of the office of Sajjadasheer. He was against taking any money as remuneration.

Evidence of Durgah Committee,

2.101 Representatives of Durgah Committee submitted as under:-

As requested earlier, **there was a need to develop cordial relations among Durgah Committee, Khadims and Sajjadasheer for better management of Durgah Khwaja Saheb.** The strength of Durgah Committee should be increased and the President/Secretary of the Association of Khadims should be ex-officio member of the Committee. There should be members from the fields of administration, finance and judiciary in the Durgah Committee. The post of Nazim should be strengthened and he should be given powers of estate officer. Durgah Committee has a guest house of 150 rooms in which 800 pilgrims could stay at a time. They have plans to construct more guest houses and after approval of map from Municipal Corporation they would start construction, the representatives added.

2.102 In the **joint meeting of Durgah Committee, Sajjadasheer and Khadims** before the Committee on 23rd October, 2002, they assured that they were ready to cooperate with each other for the development etc. of Durgah Khwaja Saheb, Ajmer.



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Justice and Empowerment and Secretary, Revenue, Govt. of Rajasthan.

2.103 The Secretary, Ministry of Social Justice and Empowerment inter-alia submitted as under:-

The Durgah Khwaja Saheb was a revered place, and as such its proper care and management was extremely urgent and important. Lakhs of pilgrims thronged this place during the Urs and generous and huge offerings were made. The financial position of the Durgah was, however, not as strong as it should be and the management of its endowments was also a matter of some concern. He also submitted that Ministry would look into the structure and composition of the Durgah Committee and attempt to make it more Rajasthan-centric. The Ministry would envisage a greater role for the State and district administration in the management of the Durgah because without the active cooperation and the assistance of the State administration, it would be difficult to improve the administration of the Durgah. The annual income of the Durgah during the last five years had varied between Rs.113 lakhs in 1997-98 and Rs.217 lakhs in 1999-2000. During 2001-2002, the annual income was Rs.166 lakhs. The total income from offerings, deg, zakats, langars etc., was only Rs. 40.60 lakhs in 1998-99. Rs.52.56 lakhs in 1999-2000 and Rs.56.06 lakhs in 2000-01 which is still unaudited. There is a need for proper accounting of the offerings made in the Durgah. In the past, Khadims resisted any attempt at bringing improvements in the collections, as vested interests were involved he added. The Secretary also stated that there were large number of encroachments. A large number of cases were pending in the court. In all, there were 169 cases; 124 filed by the Durgah Committee and 24 against the Durgah Committee. The Durgah Committee was pursuing with the authorities to settle them early. Secretary also submitted that the Ministry have identified some of the important areas which required immediate attention. They proposed to strengthen the Durgah Committee, regulate offerings in Durgah Saheb, channelise the offerings for the development of the shrine and for providing adequate facilities for the pilgrims, such as transportation, accommodation, etc., increase powers of the Nizam and encroachment on Durgah property. Ministry had constituted a Committee to look into amendments to Durgah Khwaja Saheb Act. The salient features of the amendments proposed by the Committee were as follows:

- (i) The tenure of the Durgah Committee be three years, instead of five years (section 6).
- (ii) Three new members, who would be ex-officio members, from the Central and State Government of Rajasthan be appointed. One of these members would be the District Collector, Ajmer (section 6).
- (iii) Regulation of the activities of Khadims would be the duty of the Durgah Committee (section 11).
- (iv) Rules would be prepared by the Central Government, once the amendments to the 1955 Act were approved.
- (v) Nazim would be the Chief Executive Officer of the Durgah. Need for consultation with the Committee for the appointment of Nazim would be done away with (section 9).
- (vi) All the members of the Durgah Committee would also be deemed to be public servants (section 14).

The Secretary also stated that at present most of the offerings are appropriated by the Khadims and not utilized for the development of the Durgah. The Ministry wants to make necessary changes in the Act so that the offerings are collected and channelised for the development of the Durgah endowments and for

Ministry has initiated action for appointment of senior level officer of the rank of Deputy Secretary to be Nazim of the Durgah. Government of Rajasthan agreed to constitute a Coordination Committee of local level state officers.

2.104 **The Revenue Secretary, Government Rajasthan** submitted that as per Act 1955, there was no role of State Government in Durgah Sharif. In spite of that State Government was playing its role during Urs. State Government proposed to provide three bighas of land at Sambalpur near Ajmer and 40-50 bighas land at Jaipur - Ajmer road adjacent to 80 bighas land of Durgah Sharif for Vishram Sthali. He requested that in order to develop the Vishram Sthali, Durgah Committee and Central Government should also contribute. Rajasthan Government have taken loan of Rs. 164 crores from Asian Development Bank for the development of Ajmer City. Out of this 18 crores would be spent to improve the water supply. Rajasthan Government have implemented Rajasthan Public Premises Act under which encroachments related to Wakf properties were dealt. State Government had not encroached any Wakf property. There should be a provision for an Executive Committee instead of Advisory Committee as suggested in Durgah Act, 1955. In the Executive Committee, there should be involvement of members of Durgah Committee, District Administration and Local Bodies.

2.105 The Committee heard the oral evidence of the representatives of Central Government, State Government, Durgah Committee and various experts and eminent personalities. At the end of every meeting, the witnesses were asked to send written replies on some of the queries raised in the meeting as also any other point which they wanted to bring to the notice of the Committee. However, leaving the official witnesses, most of the private witnesses have not sent the written replies even though they were given sufficient time after the meeting.

Visit of the Committee to Gulbarga from 5th to 6th November, 2002

2.106 The Committee visited Dargah Hazrath Khaja Banda Nawaz on 5th November, 2002 to have a first hand account of the arrangements and facilities available for the devotees. The Committee paid homage at Dargah.

The Committee visited the following Wakf properties on 6th November, 2002:-

- (i) Jama Masjid- The Committee was informed that it was a registered Wakf property under the control of Archeological Survey of India. The Committee was also informed that offering of namaz was allowed in the mosque.
- (ii) Bahmani Idgah ó The Committee was informed that it was a registered Wakf property. The Committee was also informed that the said Idgah is being renovated from the funds provided by Wakf Board and money collected from public.
- (iii) Boys Hostel, Main Road, Gulbarga ó The Committee was informed that there are 30 rooms in the hostel and 50 students were living there. The Committee was also informed that students paid Rs. 200/- per month towards room rent and there was no mess or library facility in the hostel.
- (iv) Khaja Banda Nawaza College of Engineering - The Committee was informed that it was established in 1980. It has completed 21 years of its existence and conducted 8 under graduate and 3 post-graduate courses viz., M.Tech. (Computer Science), M.Tech. (Structural

Department of Computer Applications (MCA). The college was affiliated to Karnataka State University, Belgaum. It is now a premier institute of Engineering Science in the State. It has produced 42 rank holders of the University since 1995 (05 years).

- (v) Khaja Banda Nawaz Institute of Medical Science The Committee was informed that Medical College building was on the verge of completion. Four departments viz., Anatomy, Physiology, Bio-chemistry & Community Medicine have already been shifted to the new building. Two batches of students have already been admitted. This is third year running of the medical college. They were waiting for the IInd Renewal Permission i.e, for the third batch of students in the Medical College from the Medical Council of India.

Discussion with Management of Durgah Khaja Banda Nawaz, local authorities and officials of Karnataka Wakf Board on 6th November, 2002.

2.107 The Chairman welcomed the officials of Dargah Khaja Banda Nawaza, local administration and Karnataka State Board of Wakfs. The Committee was informed that the functioning of Administration of Dargah was personally supervised by Hazrath Sajjada Nasheen Saheb with the help of a team of well experienced and qualified staff like Secretary, Assistant Secretary, Accountant, Engineer and Daroga etc. Apart from the above administrative staff, a team of other technical and non-technical staff were engaged for various works of Dargah like providing regular and un-interrupted supply of Electricity, Water, Sanitation etc. A team of Mujawars was on rotation in the Dargah daily, for assistance in the weekly and annual religious functions. They also attended to the daily visitors. The Management had also engaged a team of experienced and trained security staff comprising of security guards, head guard, supervisor, and security officer who were responsible for strict watch on maintenance of security of Dargah Shareef and to protect the devotees from pick pockets and other un-social elements. Sufficient amount was spent on the above said staff, which was in the interest of the devotees. The women devotees who preferred to stay in the courtyard of the Dargah were provided with a spacious Sayebanø (covered area) to enable them to comfortably offer their prayers and to stay there for any length of time at their will during the day. The devotees were provided with Aashø which was prepared from flour of Jawar in the after-noon and in the evening Langar-e-Mubarak is served to each one of the occupant of the room with Rice and Daalø as a Tabarruk, an age-old tradition. The Management spent huge amounts on repair and maintenance of Dargah and also on construction of new rooms to facilitate the devotees/visitors. A large amount was provided for Urs-e-Shareef functions, as several lakhs of devotees from different parts of India visited to pay homage to the Saint during Urs-e-Shareef. The management has provided space for the Railways and the police department by opening two different cells called Railway Booking Officeø and Police Chowkyø During the Urs-e-Shareef, the Management organizes a Khaja Bazar Industrial Exhibitionø a tradition which is centuries old. The Khaja Banda Nawaz General Hospital, through its Urban Health Centre provided medical aid to Devotees/Visitors round the clock. Special accommodation was provided by Dargah Management at Khaja Bazar for this purpose. The Dargah Management also helped the poor, the needy and the widows with financial aid every month. The Management organizes special seminar during Urs-e-Shareef to enlighten the Devotees/Visitors about the life and preachings of the Holy saint and Sufism. Learned scholars were specially invited to present research papers from all over India. The Dargah has established Printing and Publication Cell called Ishath-I Tasaneefø of Hazrath Khaja Banda Nawaz. The aim was to preserve manuscripts in printed form also. The management has established a Library called Kutub Khana Rauza Tayn which is age old. The library consists of rare and valuable manuscripts in Persian and Urdu etc. The works included various subjects which were an asset to research scholars.

single rooms, 10 double rooms and 02 spacious halls for special occasion, required by the pilgrims. The Dargah charges nominal rent for the rooms which ranges from Rs. 30/- to Rs. 300/- according to the amenities available. During the course of Urs-e-Shareef, management provides the rooms, with reservation facilities. In this connection, it is to be noted that the reservation facilities of all these rooms were extended only to such of the pilgrims who request for such a facility prior to the Urs. Recently, management have constructed 7 rooms with modern amenities, which were allotted to special guests or V.I.Ps who preferred to stay near the Dargah.

2.109 Khaja Education Society was established in 1958 and registered in 1966 under the patronage of Dargah Hazrath Khaja Banda Nawaz. The main objective of the Society is to uplift and ameliorate the Muslim Community in particular and to help and improve the condition of weaker sections of the society in general. The doors of educational institutions of the society are, however, open to all irrespective of caste, community or religion. The society believes in communal harmony, tolerance, equality, universal brotherhood, and world peace. Some of its specific aims are to provide secular education to Muslims and to establish professional institutions like engineering and medical colleges. With these objectives in view, the Society has established 14 educational institutions including one Engineering College, two women's colleges, four High Schools for Boys and Girls, one hospital, Nursing School and religious schools viz., Darul Uloom Diniya, which is an age old institution.

2.110 Soofi Shah Mohammed Sabir Ali, President, the Association of A.P. Sajjada Nasheens, Mutawallies and Khidmat Guzaran of Wakfs, Hyderabad vide his letter dated 5.11.2002 inter alia submitted that representatives of Khuddam should be in Durgah Committee so that the members of Khuddam would work as a bridge between the Durgah Committee and Khuddam. This would help in developing good rapport with the Durgah Committee. Khuddam have inherited the rights and they perform certain rituals daily in the Holy Shrine such as changing the Gilaf, sweeping the area in the Holy Tomb etc, as such, they have been there from the ages and at this stage, it was not only difficult but impossible to adopt any method or have a yardstick to ascertain the number of Khuddam. There is a need to provide more accommodation for stay of pilgrims. The local transport was a big problem. The Durgah Committee could purchase some buses which could be run from bus stand and railway station to Durgah. There were a lot of flower shops near the Shrine under the control of Durgah Committee and those should be removed. The income of Durgah Shareef by way of offerings and Nazars goes into crores of rupees. The Durgah Committee could set up its educational institutions right from the basic to master degree in both Arabic and English including technical colleges. The Committee could also set up a big hospital near the Durgah Shareef where reasonable charges may be taken for treatment. It is the will and wish of the devotees to whom they offer Nazar and for what purpose. Usually it would be for offering Fateha at the Durgah Shareef, since the Nazars received by the Khuddam were not under the control of Durgah Committee. It is a transaction between the devotees and Khuddam and Khuddam spent as per the desire of the devotees. Therefore neither the Committee nor any body could interfere in it. A person should be disqualified for being appointed or for continuing as a member of the Durgah Committee if (i) he has served the Committee for two terms on earlier occasions, (ii) he has absented himself for a period of three consecutive meetings of the Durgah Committee. Nazim should be appointed for a period of 4 years so that he could assist the new Durgah Committee with regard to the proceedings and developmental activities of the previous Committee. The post of Sajjadanashen is a spiritual post and it should be filled by nomination and on the basis of heredity. Therefore Section 20 of Durgah Act, 1955 might be deleted. Since the post of Sajjadanashen is a spiritual post, he should not be treated as public servant and Section 21, 22(1) (b) (d) (e) and (g) might be deleted.

2.111 **The Committee during its visit to Ajmer and Gulbarga noticed the following:-**

Durgah Khwaja Saheb, Ajmer

1. Functioning and Administration of Durgah is supervised by Durgah Committee. Sajjadanasheen has no power.
2. Technical persons are not in Durgah Committee.
3. There is no security staff of Durgah Committee for maintenance of security of Durgah.
4. There are shops inside the Durgah premises.
5. Approach road is narrow.
6. Durgah Committee do not run any Engineering or Medical College despite huge resources.
7. There is no printing and publication cell.
8. Major portion of the Nazars/offerings is taken by Khaddims and very little amount the Durgah Committee gets.
9. There is no limit on the number of Khadims and they are not identifiable.
10. There is lack of cleanness and sanitation in Durgah premises.
11. There are unlimited number of Khadims in Durgah. They do not get any salary.
12. Durgah is narrow.
13. Pilgrims have insufficient facilities.

Durgah Banda Nawaz, Gulbarga

1. Functioning and Administration of Durgah is supervised by Sajjadanasheen. Sajjadanasheen has full control over Durgah.
2. Technical staff are engaged for various works of Durgah.
3. There is security staff for maintenance of security of Durgah.
4. There are no shops inside the Durgah premises.
5. Approach road is wide.
6. Khwaja Education Society runs Engineering and Medical College despite limited resources.
7. There is a printing and publication cell.
8. Nazar/offerings are collected by one body i.e. management.
9. There are hardly a dozen Khadims and they wear prescribed uniform at the time of duty.
10. There is proper cleanness and sanitation all around the Durgah.
11. There is limited number of Khadims in Durgah. They get salary.
12. Durgah is wide & open.
13. Pilgrims have adequate facilities.

OBSERVATIONS AND RECOMMENDATIONS

3.1 In view of the evidences of various witnesses, views of eminent personalities and the information collected during the visits of the Committee to Ajmer, Shirdi, Tirupati and Gulbarga, the Committee makes the following observations and recommendations:-

COMPOSITION OF DURGAH COMMITTEE

h Committee, there is a provision of not less than five and not Khwaja Saheb Act, 1955. There was a demand to enlarge the strength of the Durgah Committee during the visit of the Committee to Ajmer and also during oral examination of several witnesses. The Committee recommends that there should be fifteen members in Durgah Committee. The Committee further recommends that Durgah Committee should comprise of three M.Ps. (two from Lok Sabha and one from Rajya Sabha), two MLAs of Rajasthan, one representative each of Sajjadanashin, Khadims, Ulema, technocrats/professionals and legal experts. The Members of the Durgah Committee should be Hanafi Muslims. The Committee also recommends that the Durgah Committee should be reconstituted early.

EXECUTIVE COMMITTEE

3.3 The JPC found that the Advisory Committee envisaged under Section 10 of the Act of 1955 has not been functional for a long time and it did not play the intended role. The Committee is therefore of the view that in place of the Advisory Committee, there should be an Executive Committee which should consist of 4-5 members of the Durgah Committee, a representative of State Government, Divisional Commissioner, District Magistrate, Superintendent of Police, a representative of local Muslims, a representative of Municipal and Civic body, a representative of Town Improvement Trust, local M.P., local MLA, Ulemas and eminent Muslims. The above persons may be appointed by the Government.

NAZIM OF DURGAH

3.4 The Committee noticed that the level of officer who can be Nazim of Durgah has not been specified in the Act. There were demands from various quarters that the post of Nazim should be of the level of Deputy Secretary in the Government of India or its equivalent in the State Government of Rajasthan. There was also a demand that the Nazim should have powers of an Estate Officer for removal of encroachments. The Committee, therefore, recommends that the rank of the incumbent for the post of Nazim should be enhanced and he should be an officer of the level of Deputy Secretary, Government of India or its equivalent in the State Government of Rajasthan. The Committee is of the view that on the analogy of the Wakf Act, 1995, the Nazim should be vested with the powers of Chief Executive Officer of a State Wakf Board under Sections 54 & 55 of that Act. The Committee is also of the view that the Nazim should be given the powers of an Estate Officer for removal of encroachments from the properties of Durgah endowment.

KHADIMS OF DURGAH

3.5 The Committee during its visit to Ajmer and during the course of deliberations with the cross sections of the people there, observed that a large number of Khadims were present inside the Durgah. The Committee is of the view that the presence of a large number of Khadims in the Durgah at a given point of time would only make the situation worse and inconvenience to the visitors. The Committee was also informed that a large number of pilgrims face rude and undesirable behaviour of Khadims. It was demanded that Khadims be advised to conduct themselves with a spirit of service and dedication and they should be humble and polite. In regard to the aspect of regulation of the discharge of duties by Khadims, the Committee also took note of the Supreme Court Judgement in the case of Durgah Committee, Ajmer v. Syed Hussain Ali, AIR 1961 SC 1402 (V 48 C264). The Committee recommends that the privileges and duties of the Khadims should be defined in the Act and the same should be strictly enforced.

3.6 During its visit to Ajmer, the Committee found that the Sajjadanasheen has not been given his due status. **The Committee was also informed that there is a provision in the Act to provide him Rs. 200/- as remuneration which is out-dated and not keeping with the changes in the price level.** The Committee is surprised that the Government have not thought it fit to change it all these years. The Committee was informed that Sajjadanasheen was not inclined to accept any remuneration. **The Committee recommends that the office of Sajjadanasheen should be regulated as per traditions and he may be provided suitable perquisites/grant to run his office. The Committee also recommends that the amount so provided should be reviewed and revised periodically.**

NAZARS AND OFFERINGS

3.7 The Committee was informed that the bulk of offerings of the Durgah flow to Khadims and are not spent on providing better facilities to the pilgrims or for the development of Durgah. The Durgah Committee only gets very little amount of offerings. There were demands that the Nazars and Offerings should be properly collected and distributed among Khadims and Durgah Committee. The Committee recommends that the Nazars and Offerings should be collected and distributed in accordance with the provisions of the Durgah Khwaja Saheb Act, 1955 and the judgement of Supreme Court in the case of Durgah Committee, Ajmer v. Syed Hussain Ali, AIR 1961 SC 1402 (V 48 C 264).

ENCROACHMENTS ON DURGAH PROPERTIES

3.8 The Committee was informed that there are encroachments, either forcible or with connivance, on the properties of Durgah by various individuals and agencies. The Committee also noticed that there were unauthorised shops inside the Durgah. The Committee recommends that the encroachments in Durgah premises and on its endowment properties should be removed and the District administration and the State Government should extend their full cooperation and support in this endeavour. The Committee also recommends that the shops of flowers and sweets etc. inside the Durgah should be shifted outside the Durgah complex. The properties of Durgah Endowment under the occupation /possession of Government, if any, be restored to the Durgah. The Committee also recommends that the Government may appoint a Committee to identify all encroachments, to identify property which is not yielding sufficient income, to assess how cases are being pursued, to prepare an authoritative list of all properties and to suggest remedial measures.

LOW RENTS OF DURGAH ENDOWMENT PROPERTIES

3.9 The Committee was informed that the income from rents of Durgah properties was very low. The Committee noticed that leasing/rent policy of Durgah endowment is not transparent. The Committee therefore recommends that there should be transparency in lease/rent policy and cases where the rent is low should be reviewed and rent be revised.

GRANTS TO DURGAH

The Government should bear the administrative costs of running Durgah and costs of running an office. There were also demands for special grant to Town Improvement Trust, Ajmer so that they can provide basic facilities to pilgrims. The Committee also feels that local administration and Durgah Committee did not provide enough funds to meet the requirement of pilgrims. The Committee, therefore, recommends that Central/State Governments should provide annual grant to the Durgah Committee and the Town Improvement Trust, Ajmer for ensuring adequate and satisfactory facilities to the pilgrims.

AMENITIES TO PILGRIMS

3.11 The Committee was informed that there was lack of amenities to pilgrims at Ajmer. The Committee feels that it is necessary to provide at least the following - (i) Adequate drinking water, (ii) Adequate toilets and bathrooms, (iii) More Vishramsthal, (iv) Food on Subsidised rate, (v) Strengthening of local transport. The Committee recommends that the Durgah Committee should ensure providing above amenities and approach, if need be, the Central and State Governments for making adequate funds available to it.

DEVELOPMENT OF DURGAH

3.12 The Committee feels that there is a need to develop and beautify the Duragh. The Committee recommends that a Master Plan may be prepared for the purpose of development of Durgah property and for providing facilities to the pilgrims. Steps may also be taken to beautify the Durgah, to widen the Approach road to Durgah with a divider in the middle, to remove the shops from Durgah premises, to enlarge the campus of Durgah, to maintain proper cleanliness and hygiene in Durgah, to check entry of animals in Durgah and ban the entry of beggars in Durgah Campus.

COURT CASES

3.13 The Committee was informed that a large number of court cases were pending in the courts. In all, there are 169 court cases- 124 filed by the Durgah Committee and 24 against it. The Committee recommends that court cases should be pursued vigorously and a mechanism should be evolved to settle the cases amicably out of court.

TENURE OF DURGAH COMMITTEE

3.14 There were demands that the tenure of Durgah Committee should be three years instead of five years. The Committee is also of the view that the tenure of the Committee should be 3 years. The Committee therefore recommends that the tenure of the Durgah Committee should be fixed as 3 years.

COORDINATION AMONG SAJJADANASHEEN, DURGAH COMMITTEE, KHADIMS AND LOCAL ADMINISTRATION

3.15 The Committee is of the considered view that **the goal of development of Durgah and adequate facilities to Zaireens cannot be achieved fully unless there is total coordination among Sajjadanashen, Durgah Committee, Khadims and the Local administration.** The Committee would therefore urge upon all concerned to bring about coordination among themselves and work relentlessly with

larger interest of Durgah and Zaireens. They should meet

LAND FOR VISHRAM STHALIS

3.16 The Committee found that there is inadequate space and provision for the sheds for pilgrims with the facilities of water, toilets, bathrooms, transport and medical facilities. The Committee recommends that the State Government should provide sufficient land to the Durgah Committee for a big and spacious Vishram Sthali near the Durgah which could be equipped with the facilities of water, lavatory, bathrooms, transport and medical facilities etc.

AIRPORT AT AJMER

3.17 The Committee was informed that there is no airport at Ajmer. The Committee is of the view that an airport is essential since a large number of pilgrims from other countries visit the shrine and they face a lot of problems. There were also demands that the railway line should be extended upto Pushkar. The Committee recommends that Government should seriously step up its efforts for early establishment of an airport at Ajmer and a railway line upto Pushkar.

MINUTES

X TENTH MEETING

The Joint Parliamentary Committee on the functioning of Wakf Boards met at 3.00 p.m. on Tuesday, the 14th May, 2002 in Room No. 67, First Floor, Parliament House, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*

RAJYA SABHA

2. Shri Ghulam Nabi Azad
3. Shri Khan Ghufran Zahidi
4. Shri K. Rahman Khan
5. Shri M.A. Kadar
6. Shri M.P. Abdussamad Samadani
7. Shri S.M. Laljan Basha

LOK SABHA

8. Shri A. Narendra
9. Shri G.M. Banatwalla

12. Shri M.C.H., Farook
13. Shri Moinul Hassan
14. Shri Ali Mohd. Naik
15. Shri A.F. Golam Osmani
16. Shri Ramanand Singh

SECRETARIAT

Shri H..K. Chanana, Joint Secretary
Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri B.C. Sharma, Committee Officer

2. * * *
3. * * *

4. Thereafter, the Chairman apprised the Member that the following issues has been identified for detailed examination.

- (i) Monitoring of implementation of Wakf Act, 1995.
- (ii) Functioning of Central Wakf Council.
- (iii) Administration of Dargah Khwaja Saheb and the relevant Act governing it .
- (iv) Study of J & K Wakf Act.
- (v) Setting up of National Wakf Development Corporation.
- (vi) Separate Department for Wakf.
- (vii) Wakf properties with Archaeological Survey of India (ASI).
- (viii) Restoration of evacuee Wakf properties to Wakf Boards.

*** Relates to some other matters.

- (ix) Restoration of Wakf properties held by Government/Govt. bodies/Semi Govt. bodies with special reference to directives issued by the then Prime Minister, Mrs. Indira Gandhi and other relevant statutory provisions.
- (x) Exemption of Wakf properties from Rent Control Act and similar other Acts.
- (xi) Extension of Public Premises Act to Wakf properties.

After some discussion the Committee decided to take up initially "Administration of Dargah Khwaja Saheb and the relevant Act governing it." The Committee also directed the Secretariat that a status note on the subject may be obtained from the Ministry.

5. The Committee then adjourned at 3.45 p.m.

XI ELEVENTH MEETING

The Joint Parliamentary Committee on the functioning of Wakf Boards met at 3.00 p.m. on Monday, the 3rd June, 2002 in Room No. 139, First Floor, Parliament House Annexe, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*

RAJYA SABHA

2. Shri Khan Ghufran Zahidi
3. Shri Munavvar Hasan
4. Shri M.P. Abdussamad Samadani

LOK SABHA

5. Shri A. Narendra
6. Shri G.M. Banatwalla
7. Begum Noor Bano
8. Shri Ambati Brahmaniah
9. Shri M.O.H. Farook
10. Shri Moinul Hassan
11. Shri Chandrakant Khaire
12. Shri Manjay Lal
13. Shri Ali Mohd. Naik
14. Shri A.F. Golam Osmani
15. Shri Sheesh Ram Singh Ravi
16. Shri Iqbal Ahmed Saradgi
17. Shri Lal Bihari Tiwari

SECRETARIAT

Shri H..K. Chanana, Joint Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

2. At the outset, the Chairman welcomed the members of the Committee. Thereafter, the Committee discussed the matters relating to administration of Durgah Khwaja Saheb and the aspects related thereto in the light of the Status Note received from the Ministry of Social Justice and Empowerment, Government of India. The Committee discussed various issues including unauthorized occupation on Durgah properties by Government/Semi Government Bodies/Individuals etc., sharp decline in the income of the Durgah, role of Advisory Committee of the Durgah and their functions, lack of accommodation and other facilities for pilgrims, lack of transport facilities like Railway and Air connectivity etc.

make useful recommendations for better management of the Durgah, an on the spot study to assess the situation and interaction with the Durgah Committee, the officers of the Durgah, Khadims & Sajjadgan and cross-sections of people including pilgrims are necessary at Ajmer. The Committee, therefore, decided to visit Durgah Khawja Saheb, Ajmer, from 3rd to 5th July, 2002 and authorised the Chairman of the Committee to approach Honøble Chairman, Rajya Sabha to get necessary permission in this regard.

4. The Committee then adjourned at 3.50 p.m. to meet again on the 4th June, 2002.

XII TWELFTH MEETING

The Joint Parliamentary Committee on the functioning of Wakf Boards met at 11.00 a.m. and again at 2.00 p.m. on Tuesday, the 4th June, 2002 in Room No. 139, First Floor, Parliament House Annexe, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*

RAJYA SABHA

2. Shri Khan Ghufran Zahidi
3. Shri M.A. Kadar
4. Shri N.R. Dasari
5. Shri M.P. Abdussamad Samadani
6. Shri S.M. Laljan Basha

LOK SABHA

7. Shri A. Narendra
8. Shri G.M. Banatwalla
9. Begum Noor Bano
10. Shri M.O.H. Farook
11. Shri Manjay Lal
12. Shri Ali Mohd. Naik
13. Shri A.F. Golam Osmani
14. Shri Sheesh Ram Singh Ravi
15. Shri Iqbal Ahmed Saradgi
16. Shri P.S. Gadhavi
17. Shri Lal Bihari Tiwari

Shri H..K. Chanana, Joint Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

WITNESSES

(i) **Representatives of the Ministry of Social Justice & Empowerment**

1. Shri C. Gopal Reddy, Secretary
2. Mrs. Swapna Ray, Joint Secretary
3. Shri Raja Sekhar, Deputy Secretary
4. Shri Sanjeev Chakravorty, Under Secretary

(ii) **Representative of Central Wakf Council**

Dr. M.R. Haque, Secretary, Central Wakf Council

(iii) **Representative of Durgah Khwaja Saheb, Ajmer**

Shri Shakil Ahmed, Nazim Durgah Khwaja, Saheb

2. The Chairman welcomed the Members of the Committee and the witnesses. The Committee heard the views of the representatives of Ministry of Social Justice and Empowerment, Central Wakf Council and Chief Executive Officer (Nazim) of Durgah Khwaja Saheb, Ajmer on matters related to administration of Durgah Khwaja Saheb at Ajmer and the implementation of the Durgah Khwaja Saheb Act, 1955 and sought clarifications.

During the course of evidence the Committee directed the Secretary Ministry of Social Justice and Empowerment to send a detailed note on the points/issues raised by it on the administration of Durgah Khwaja Saheb at Ajmer and aspects related thereto. The Secretary assured the Committee to send a requisite note within 15 days.

3. * * *

4. * * *

5. * * *

6. The committee also decided to hear the Secretary, Central Wakf Council on these issues in the near future.

7. The Committee then adjourned at 2.30 p.m.

XIV FOURTEENTH MEETING

The Joint Parliamentary Committee on the functioning of Wakf Boards met at 3.00 p.m. on Thursday, the 1st August, 2002 in Room No. 67, First Floor, Parliament House, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*

RAJYA SABHA

2. Shri Khan Ghufran Zahidi

LOK SABHA

3. Shri A. Narendra
4. Shri G.M. Banatwalla
5. Shri M.O.H. Farook
6. Shri Chandrakant Khaire
7. Shri Ali Mohd. Naik
8. Shri Iqbal Ahmed Saradgi
9. Shri P.S. Gadhavi
10. Shri Lal Bihari Tiwari

SECRETARIAT

Shri H..K. Chanana, Joint Secretary
Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

2. * * *

3. * * *

4. The Committee then discussed about the management of Durgah Khwaja Saheb, Ajmer in the light of its visit to Ajmer and the issues arising therefrom. The Committee decided to hear some eminent authorities on Islam on aspects related to the management of the Durgah.

amendments if any to the Durgam Act. s to suggest names of eminent authorities who could enlighten man also requested the Members that they may also suggest

6. The Committee also decided to visit Tirupati, Shirdi, Gulbarga, Amritsar, Taran Taran, Vaishno Devi Shrine and Durgah Hazrat Bal for a comparative study of arrangements made and facilities provided for pilgrims at each of these places, in the last week of August or first week of September, 2002 and authorised the Chairman to finalise the programme.

7. The Committee then adjourned at 4.10 p.m.

*** Relates to some other matters.

XV FIFTEENTH MEETING

The Joint Parliamentary Committee on the functioning of Wakf Boards met at 3.00 p.m. on Wednesday, the 18th September, 2002 in Committee Room -Bø Ground Floor, Parliament House Annexe, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*

RAJYA SABHA

2. Shri M.A. Kadar
3. Shri S.M. Laljan Basha
4. Prof. Ram Deo Bhandary

LOK SABHA

5. Shri Sudip Bandyopadhyay
6. Begum Noor Bano
7. Shri Ambati Brahmaniah
8. Shri Moinul Hassan
9. Dr. Madan Prasad Jaiswal
10. Shri Chandrakant Khaire
11. Shri Manjay Lal
12. Shri Ali Mohd. Naik
13. Shri A.F. Golam Osmani
14. Shri P.S. Gadhavi
15. Shri Lal Bihari Tiwari

Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

WITNESS

Shri Tanveer Ahmed, Chairman, Central Haj Committee, Mumbai

2. At the outset, the Chairman welcomed the Members of the Committee and the witness, Shri Tanveer Ahmed, Chairman, Central Haj Committee. The Chairman then stated the purpose of the meeting and requested the witness to present his views on the ways of better administration and management of Durgah Khwaha Saheb, Ajmer. The witness presented his views and thereafter members sought some clarifications.
 3. A verbatim record of the proceedings was kept.
 4. The Committee then adjourned at 4.40 p.m. to meet again on 19th September, 2002 at 11.00 a.m. in Committee Room -Cø PHA.
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**XVI
SIXTEENTH MEETING**

The Joint Parliamentary Committee on the functioning of Wakf Boards met at 11.00 a.m. on Thursday, the 19th September, 2002 in Committee Room -Cø Ground Floor, Parliament House Annexe, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*
RAJYA SABHA
2. Shri M.A. Kadar
3. Shri N.R. Dasari
4. Shri Munavvar Hasan
5. Shri S.M. Laljan Basha
6. Prof. Ram Deo Bhandary

LOK SABHA

7. Shri Sudip Bandyopadhyay
8. Begum Noor Bano
9. Shri Chandrakant Khaire
10. Shri Manjay Lal
11. Shri Ali Mohd. Naik
12. Shri A.F. Golam Osmani
13. Shri P.S. Gadhavi
14. Shri Ramanand Singh
15. Shri Lal Bihari Tiwari

SECRETARIAT

Shri H..K. Chanana, Joint Secretary
Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

WITNESSES

- (i) Shri Syed Kalbe Jawwad Naqvi, Imam-E-Juma and Chancellor, Madrasatul Waezeen, Lucknow.
- (ii) Shri Syed Sahabuddin, Ex. M.P.
- (iii) Mr. Akhtarul Wasey, Director, Islamic Studies Centre, Jamia Millia Islamia, Delhi.

2. At the outset, the Chairman welcomed the Members of the Committee and the witnesses. The Chairman requested the witnesses to present their views on the subject matter of administration and management of Durgah Khwaha Saheb, Ajmer with a view to provide better amenities to Pilgrims visiting the Durgah. The witnesses presented their views and thereafter members sought clarifications.

A verbatim record of the proceedings was kept.

3. The Committee thereafter decided to visit Gulbarga, Amritsar, Taran Taran, Vaishno Devi Shrine and Durgah Hazratbal in two phases for a comparative study of arrangements made and facilities provided to pilgrims at each of these places, in the 3rd/4th week of October, 2002 and authorized the Chairman to finalise the programme.

4. The Committee adjourned at 3.15 p.m.

XVII SEVENTEENTH MEETING

The Joint Parliamentary Committee on the functioning of Wakf Boards met at 3.00 p.m. on Tuesday, the 8th October, 2002 in Committee Room -Bø Ground Floor, Parliament House Annexe, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*
RAJYA SABHA
2. Shri Ghulam Nabi Azad
3. Shri Khan Gufran Zahidi
4. Shri K.Rahman Khan
5. Shri M.A. Kadar
6. Shri N.R. Dasari
7. Shri S.M. Laljan Basha
8. Prof. Ram Deo Bhandary

LOK SABHA

9. Shri A. Narendra
10. Shri G.M. Banatwalla
11. Begum Noor Bano
12. Shri Ambati Brahmaniah
13. Shri M.O.H. Farook

16. Shri Chandrakant Khare
17. Shri Manjay Lal
18. Shri Ali Mohmad Naik
19. Shri Iqbal Ahmed Saradgi
20. Shri Ramanad Singh
21. Shri Lal Bihari Tiwari

SECRETARIAT

Shri H..K. Chanana, Joint Secretary
Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

WITNESS

Maulana S. Asrar Hussain Razvi, Joint Secretary, Anjuman Sajjadagan.

2. At the outset, the Chairman welcomed the Members of the Committee and the witness. The Chairman requested the witness to present his views for improving administration and management of Durgah Khwaha Saheb, Ajmer with a view to provide better amenities to Pilgrims visiting the Durgah. The witness presented his views and thereafter members sought some clarifications.

A verbatim record of the proceedings was kept.

3. The Committee adjourned at 3.15 p.m.

XVIII EIGHTEENTH MEETING

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The Joint Parliamentary Committee on the functioning of Wakf Boards met at 3.00 p.m. on Wednesday, the 9th October, 2002 in Room No. 53A First Floor, Parliament House, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*

RAJYA SABHA

2. Shri Khan Gufran Zahidi
3. Shri K.Rahman Khan
4. Shri N.R. Dasari
5. Shri S.M. Laljan Basha
6. Prof. Ram Deo Bhandary

7. Shri A. Narendra
8. Shri G.M. Banatwalla
9. Begum Noor Bano
10. Shri M.O.H. Farook
11. Shri Chandrakant Khaire
12. Shri Manjay Lal
13. Shri Ali Mohmad Naik
14. Shri Iqbal Ahmed Saradgi
15. Shri Ramanad Singh
16. Shri Lal Bihari Tiwari

SECRETARIAT

Shri H..K. Chanana, Joint Secretary
Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

WITNESSES

- (i) Maulvi Saiyad Haji Sultanchha, District Kutch, Gujarat.
- (ii) Qari Abdul Rahman, Darululoom-Manzar-e-Islam, Bareilly, U.P.
- (iii) Shri A.P. Sharma, Palam Colony, Delhi.

2. At the outset, the Chairman welcomed the Members of the Committee and the witnesses. The Chairman requested the witnesses to present their views on the subject matter of administration and management of Durgah Khwaha Saheb, Ajmer with a view to provide better amenities to Pilgrims visiting the Durgah. The witnesses presented their views and thereafter members sought some clarifications.

A verbatim record of the proceedings was kept.

3. The Committee also decided to meet on 22nd and 23rd October, 2002 to hear representatives of Khadims, Durgah Committee, Ministry of Social Justice and Empowerment, Government of India, Government of Rajasthan, Sajjadanashin and Nazim, Durgah Khwaja Saheb Ajmer on administration and management of Durgah Khwaja Saheb, Ajmer. The Committee directed the Secretariat to obtain a note on judicial pronouncements made in respect of Durgah Khwaja Saheb, Ajmer from time to time from the Ministry of Social Justice and Empowerment, Government of India and circulate the same to the Members before the next meeting.

4. The Committee adjourned at 12.45 p.m.

XIX NINETEENTH MEETING

n the functioning of Wakf Boards met at 3.00 p.m. on Tuesday, 14.08.2019 at Ground Floor, Parliament House Annexe, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*

RAJYA SABHA

2. Shri K.Rahman Khan
3. Shri N.R. Dasari

LOK SABHA

4. Shri A. Narendra
5. Shri G.M. Banatwalla
6. Shri Sudip Bandyopadhyay
7. Shri Chandrakant Khaire
8. Shri Ali Mohd. Naik
9. Shri A.F. Golam Osmani
10. Shri P.S. Gadhavi
11. Shri Lal Bihari Tiwari

SECRETARIAT

Shri H..K. Chanana, Joint Secretary
Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

WITNESSES

(i) Representatives of Khadims, Durgah Khwaja Saheb, Ajmer

1. Shri Syed Sarwar Chishty
2. Shri Gulam Kibria
3. Shri Mohsin Chishty
4. Shri Akhtar Hussain
5. Shri Taslimuddin
6. Shri Iqbal Ahmed
7. Shri Ahsan Chishty

(ii) Sajjadanashin, Durgah Khwaja Saheb, Ajmer

1. Deewan Syed Zain-ul Abedin Ali Khan
2. Shri Deepak Sharma, Press Advisor to Sajjadanashin

...ned the Members of the Committee and the witnesses. The
...ent their views on the subject matter of administration and
management of Durgah Kiwaja Sanab, Ajmer with a view to provide better amenities to Pilgrims visiting
the Durgah. The witnesses presented their views and thereafter members sought some clarifications.

A verbatim record of the proceedings was kept.

4. The Committee then adjourned at 5.25 p.m. to meet again on 23rd October, 2002 at 11.a.m.
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XX TWENTEENTH MEETING

-
The Joint Parliamentary Committee on the functioning of Wakf Boards met at 11.00 a.m. on
Wednesday, the 23rd October, 2002 in Committee Room -Aø Ground Floor, Parliament House Annexe,
New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*

RAJYA SABHA

2. Shri Khan Ghufran Zahidi
3. Shri K.Rahman Khan
4. Shri S.M. Laljan Basha

LOK SABHA

5. Shri A. Narendra
6. Shri Ambati Brahmaniah
7. Shri Moinul Hassan
8. Shri Chandrakant Khaire
9. Shri Ali Mohd. Naik
10. Shri A.F. Golam Osmani
11. Shri Lal Bihari Tiwari

SECRETARIAT

Shri H..K. Chanana, Joint Secretary
Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

(i) Representatives of Durgah Committee

1. Shri Akhtarul Wasey, Member,
2. Shri Shakil Ahmed, Nazim

(ii) Representatives of Khadims, Durgah Khwaja Saheb, Ajmer

1. Syed Sarwar Chishty.
2. Shri Ahsan Chishty.

(iii) Sajjadanashin, Durgah Khwaja Saheb, Ajmer

Dewan Syed Zain-ul Abedin Ali Khan

(iv) Representatives of Ministry of Social Justice and Empowerment

1. Shri C. Gopal Reddy, Secretary
2. Smt. Sarita Prasad, Addl. Secretary
3. Smt. Swapna Ray, Joint Secretary
4. Shri B.K. Pandey, Director
5. Shri R.S. Vundru, Deputy Secretary

(v) Representatives of Government of Rajasthan

1. Shri G.S. Sandhu, Revenue Secretary
2. Shri Niranjan Arya, District Magistrate Ajmer

2. At the outset, the Chairman welcomed the Members of the Committee and the witnesses. The Committee expressed its displeasure on non-appearance of the President, Durgah Committee, Durgah Khwaja Saheb, Ajmer and directed the Secretariat to examine the matter if it amounted to contempt of Parliament. The Chairman then requested the witnesses to present their views on the subject matter of administration and management of Durgah Khwaha Saheb, Ajmer with a view to provide better amenities to pilgrims visiting the Durgah. The witnesses presented their views and thereafter members sought some clarifications.

A verbatim record of the proceedings was kept.

3. The Committee then decided to visit Gulbarga on 5th and 6th November, 2002 for an on-spot-study of Durgah Khwaja Banda Nawaz, Gulbarga, Karnataka.

4. The Committee adjourned at 5.15 p.m.

TY FIRST MEETING

The Joint Parliamentary Committee on the functioning of Wakf Boards met at 3.00 p.m. on Tuesday, the 26th November, 2002 in Committee Room -Aø Ground Floor, Parliament House Annexe, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - *Chairman*
RAJYA SABHA
2. Shri Khan Ghufran Zahidi
3. Shri M.P. Abdussamad Samadani
4. Shri S.M. Laljan Basha

LOK SABHA

5. Shri Moinul Hassan
6. Shri Manjay Lal
7. Shri Ali Mohd. Naik
8. Shri A.F. Golam Osmani
9. Shri Ramanad Singh
10. Shri Lal Bihari Tiwari

SECRETARIAT

Shri H..K. Chanana, Joint Secretary
Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

2. At the outset, the Chairman welcomed the Members.
3. The Committee discussed the approach and broad outlines for preparation of the Report on Durgah Khwaja Saheb and directed the Secretariat to prepare the draft Report in the light of points that emerged during oral evidences of the witnesses who appeared before the Committee.
4. * * *
5. * * *
6. * * *
7. The Committee then adjourned at 4.05 p.m. to meet again on 11th December, 2002.

*** Relates to some other matters.

XXII
TWENTY SECOND MEETING

The Joint Parliamentary Committee on the functioning of Wakf Boards met at 3.00 P.m. on Tuesday, the 17th December, 2002 in Room No. 67, First Floor, Parliament House, New Delhi.

MEMBERS PRESENT

1. Shri Sangh Priya Gautam - Chairman

RAJYA SABHA

2. Shri Khan Ghufran Zahidi
3. Shri K. Rahman Khan
4. Shri S.M. Laljan Basha
5. Prof. Ram Deo Bhandary

LOK SABHA

1. Shri A. Narendra
2. Shri G.M. Banatwalla
3. Shri Ambati Brahmaniah
4. Shri M.O.H. Farook
10. Shri Manjay Lal
11. Shri Ali Mohd. Naik
12. Shri A.F. Golam Osmani
13. Shri Iqbal Ahmed Saradgi
14. Shri P.S. Gadhavi
15. Shri Lal Bihari Tiwari

SECRETARIAT

Shri H..K. Chanana, Joint Secretary
Shri P.P.K. Ramacharyulu, Deputy Secretary
Shri M.K. Khan, Under Secretary
Shri B.C. Sharma, Committee Officer

2. At the outset, the Chairman welcomed the Members.
3. The Committee then took up for consideration the draft report on Durgah Khwaja Saheb, Ajmer. After some discussion, the Committee adopted the draft report with some changes and authorised the Chairman, to incorporate changes of editing and consequential nature.
4. The Committee also decided that the report may be presented on 20th December, 2002 subject to availability of Hindi version of the report in the Rajya Sabha by the Chairman and in his absence by S/Shri

The Committee also decided that the report may be laid on the table in the name of Shri Ali Mohd. Naik or Iqbal Ahmed Saradgi.

5. The Committee further decided that it will present a separate Report on Amendments to the Durgah Khwaja Saheb Act, 1955 in the near future.
6. The Committee further decided that if due to any reason, the report is not presented/laid to in the House, the same may be presented to the Honøble Chairman, Rajya Sabha during the inter-session period.
7. The Committee also decided that two sets of memoranda, representations, oral evidences and other related papers may be kept in the Parliamentary Library.
8. The Committee then adjourned at 3.50. p.m.

APPENDICES

APPENDIX-I

PRESS RELEASE

Joint Parliamentary Committee on the functioning of Wakf Boards under the Chairmanship of Shri Sangh Priya Gautam, M.P. is at present examining administration and management of Durgah Khwaja Saheb at Ajmer and the provisions of Durgah Khwaja Saheb Act, 1955, including the facilities available to pilgrims.

Individuals/Associations/Organisations who are interested in submitting their views/suggestions for improving the administration/management of Durgah Khwaja Saheb, Ajmer and facilities available there for the pilgrims and also amendments to the Durgah Khwaja Saheb Act, 1955, if any, for consideration of the Committee may send the same in writing to Shri M.K. Khan, Under Secretary, Rajya Sabha Secretariat, Room No. 125, Parliament House Annexe, New Delhi-110001 so as to reach latest by 30th September, 2002.

Those who are interested in tendering their views on the subject before the Committee in person may kindly indicate their willingness to that effect accordingly.

NEW DELHI;
September 4, 2002

APPENDIX-II

LIST OF WITNESSES WHO TENDERED ORAL EVIDENCE BEFORE THE COMMITTEE



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Ministry of Social Justice and Empowerment on 4th June and 23rd

October, 2002.

2. Shri G.S. Sandhu, Revenue Secretary, Government of Rajasthan on 23rd October, 2002.
3. Shri Tanveer Ahmed, Chairman, Central Haj Committee on 18th September, 2002.
4. Shri Syed Shahabuddin Ex-M.P., Maulana Kalbe Jawwad Saheb, Imam-E-Juma, Chancellor-Madrasatul Waezeen, Lucknow, Prof Akhtarul Wasey, Director, Jamia Millia Islamia, Delhi and Khwaja Hasan Sani Nizami, Durgah Hazarat Nizamuddin, Delhi on 19th September, 2002.
5. Maulana S. Asrar Hussain Razvi, Joint Secretary, Anjuman Sajjadgan and Mutawallian, Hyderabad on 8th October, 2002.
6. Maulvi Saiyad Haji Sultanchha, Kutch, Shri Qari Abdul Rahman, Darul Uloom Manzar-e-Islam, Bareilly and Shri A.P. Sharma, Delhi on 9th October, 2002.
7. Dewan Zainul Abideen, Sajjadasheen, Durgah Khwaja Saheb, Ajmer, representatives of Durgah Committee, Ajmer and Khadims, Durgah Khwaja Saheb 22nd and 23rd October, 2002.

Web Link: <http://164.100.24.167/book2/reports/wakf/6threport.htm> this link is referring.