

NML

DEFENCE TO THE
MISLEADING AND
CORRUPT
ALLEGATIONS ON FML
- NASINU BRANCH
LEAGUE AT COUNCIL
MEETING ON 24.06.07 BY
THE GENERAL
SECRETARY - FML

Defense by: Feroz Gulam Mohammed
Secretary, FML - Nasinu Branch League

against FML. However, the speaker did not mention what he said about the other side. He should be very explicit about the facts of the case and not try to confuse the members of FML in regard to the dispute leading to the current situation.

The entire FML Nasinu Branch League is being the entire FML. As for any allegations, the branch will go to the court of law to clarify its actions.

1. Background

It was reported that a motion was made for the speaker and the speaker to be removed from office, which was approved by the branch management committee and the speaker was removed from office. The speaker then moved a motion to suspend the entire branch league management based on such false and baseless allegations. It is yet to be justified that if a speaker can move such a motion in any Council of FML to dissolve the entire committee based on any disputes before it being presented to the dispute resolution committee (clause 85 of the FML Constitution).

Dear Brother in Islam,
Assalamu Alaikum Rahmatullahi Wabarkatuhu

It has been noted as one of the saddest moments of FML – Nasinu Branch and the entire members and Muslims in its constituency when the General Secretary, Br. Tabeez Akbar, made forty seven counts of allegations, and the Speaker of FML moved a motion to suspend the entire Nasinu Branch League Management based on such false and baseless allegations. It is yet to be justified that if a Speaker can move such a motion in any Council of FML to dissolve the entire Committee based on any disputes before it being presented to the dispute resolution committee (clause 85 of the FML Constitution).

As per the said day, a motion was moved by the branch league to forward this matter to the Dispute Resolution committee, but the Speaker stated and I quote "...it is a Council meeting and we don't have to go to clause 85 of the FML constitution" unquote. The request was made on the bases that any such disputes arising among any branches or its members are to be resolved in accordance with the constitution of FML, rather than getting it resolved in the Court of Law and for the whole world to know. We strongly believe that despite the Speakers legal expertise he has acted in total defiance of the Constitution of FML and at this phase his impartiality is questionable.

It is also to be clarified to every member of the Council of FML that FML Nasinu Branch League had never ever taken any legal action against FML in the Court of Law. Please be advised that Nasinu branch has acted

- Importation – the content of the letter that was written to the General Secretary on the 12th of February 2007, appendix L-3, should have stated that the said vehicle will be imported under FML – Nasinu Branch League and not FML. Please refer to appendix 77 attached herewith. Such error is rectified and apologies sought.
 - Registration – the registration was supposed to be under FML and for that please refer to appendix L-3, but as per appendix L-10, according to FIRCA the vehicle could only be registered under FML-Nasinu Branch League due to duty concessions. Please find a copy of appendix L-10 herewith.
- IV. Please be advised that the petition written by some of the brothers of the constituency in regards to the importation of the vehicle was written approximately 8 months after the idea of such importation was initiated and the vehicle imported. My simple question is:
- Where were these brothers for the past 8 months;
 - Why did they not object to such a transaction before it materialized;
 - Under who's influence are they objecting now – as per appendix L-1 Brother John Asgar Ali has written to the secretary of FML opposing any moves for such importation, please be advised that the said brother was in support of such a move when the idea of importing such a vehicle was instigated. Please refer appendix 70 attached herewith; and
 - Does the objection of 9 members and support of approximately 600 members from our constituency regard our action as wrong?
- V. Vehicle was registered as per appendix L-5
- VI. The integrity of the Chairman of BIA was questionable because he is the Vice President (member of FML management) and at the same time appointed as the Chairman of BIA, and who was given the task to justify the purchase of the vehicle. Do you think that his decisions will be impartial on any issues where he as the Vice President of FML is already involved in objecting to any such moves by any branches?
- VII. Be advised that the vehicle was not purchased from the Mosque account but from General account. As far as the demand for refund is concerned, the board has failed to clarify the branch as to which account the money has to be refunded from and for what reasons. Please also note that BIA was advised that the funds was purposely collected to renovate, decorate and to facilitate for the purpose of tableeg and dawah based at Koronivia Mosque and as such, the said vehicle is bought to facilitate for the purpose of tableeg and dawah. Also note that BIA rule of FML constitution, the board has no such authority to make any such rulings. The board is only there to give its opinion.
- VIII. Ruling received on 3rd March 2007.

against FML Trustees and specific members who at any point in time were involved in any matters where the Trustees or the said members failed to comply with the constitution of FML in regards to matters relating to Nasinu Branch League.

The entire FML Nasinu Branch League is flying the golden flag of FML. As for any allegations, the branch will go to the bottom of every piece to justify its actions, Insha-Allah.

1. Purchase of vehicle.

First it was discussed that a vehicle was needed for tableeg and dawah works at Koronivia Mosque, which was approved by the branch management committee and an approval was sought from the Ministry of Finance. Such request was endorsed by the Ministry. Please be informed that there is no such clause in the Constitution of FML to prohibit any members to seek any such approvals from the said ministry. Please refer to appendix 72, clause 31 of branch rules.

I. Minutes were sent to FML Headquarters for further justification. This particular minute, appendix 70 dated 25/06/06 was received by FML and the matters were discussed in FML Management. **It is a total lie that such minutes were not received by FML management because the same minutes also related to other issues where FML Management corresponded, such as:**

- Employment of Maulana Imran Patel;
- Halal issues;
- Mortgage of our branch property; and most important
- Br. Mohammed Hanif (Treasurer) moving a motion to take legal action against FML Trustees in the matter of the Shopping Complex.

II. Now, if our action to write to the Ministry of Finance (FIRCA) was wide of the mark, why did FML Management failed to prevent us from entering into such transactions eight months prior to the vehicles arrival? Your failure to do so was seen as an approval by the FML Management and the importation subsequently materialized. Please also be advised that on many occasions we had written to FML on many issues concerning the branch and your bureaucracy has from time to time failed to correspond with the branch relating to the requested issues. Refer:

- Appendix 32 – Shopping Complex;
- Appendix 6 – Nasinu Abettor;
- Appendix 7 – Sale of Pork and Alcohol products;
- Appendix 8 – contribution of Prophet Mohammed (S.A.W.) birthday.

III. A letter was eared in writing that the vehicle that was supposed to be imported at that point in time is imported and registered under FML.

- IX. Please refer to article VII of this letter for the matter concerning the refund. As far as the involvement of BIA is concerned, please refer to article VI of this letter and be informed that BIA had replied to Brother John Asgar Ali's letter after 45 days and yet some of the letters concerning important Islamic issues are not replied by BIA for years. **Also note that in the last AGM of FML, one of the Molvies of FML stated that one can be involved in interest until such time another interest free financier is found.** Don't you think that this is totally against Islamic protocol? Do you think that one can still believe that the decisions made by BIA are in total compliance to the Supreme Constitution of Islam, the Holy Quran?
- X. The vehicle was registered under FML – Nasinu as per appendix L-10.
- XI. Refer article X of this letter.
- XII. Third party policy states that the third party policy from Sun Insurance lists owner as FML – Nasinu Branch League. Attached please find copy of third party policy herewith.

To conclude with, the money collected was receipted for Mosque and banked in general account, because there is no such account as Mosque account. This was rectified on 5th April 2007 and any correspondence before the said date has been corrected. Since we didn't have any tableeg and dawah account, we collected money and receipted it under the mosque account which was an error that was not rectified until the 5th of April. Please refer to appendix 15 attached herewith. **A common example would be that, we have been receiving money from students as development fees and is banked in College account as for development and student's magazine contribution. Please note that it is receipted for development purposes only but it is also used for school magazine.** Please refer to appendix 73. Approximately \$40,000 Fijian Dollars was purposely collected, excluding Juma and Eid collection. Please refer to appendix 73-B attached herewith. To justify that the collection was to renovate, decorate and facilitate the work of tableeg and dawah at Koronivia Masjid, the Branch League management committee is willing to corporate with the 3 appointees of the council to contact individual donors and rectify on their intentions for making donations receipted to mosque account. The branch management has acted in the best interest of the donors and any such transactions that has occurred was made after due consideration of their intentions. There is no doubt that the said vehicle is used solely for the purpose of tableeg and dawah and also note that it has support of the majority of the members of Nasinu constituency.

2. DISPUTE ON ACCOUNT

- I. Notification received.

- II. This is clearly misleading that till date the total expense occurred during the collection were used from money donated for mosque and zaakat purposes. Please be advised that since we did not have sufficient money on hand at that point in time we had initially used the said figure of \$750 Fijian dollars only from the entire money that we had collected. Please refer appendix 12 attached herewith. Upon our return, in our executive meeting it was decided that the entire cost to be reimbursed from Canteen account. Please refer appendix 74. A directive was given to the treasurer but he had failed to comply with the ruling as it is well aware to you that he has failed to be an active member of the branch for many months. We had requested the general treasures to audit the entire transaction but till date there has been no response from him. Please refer appendix 15.
- III. Please be informed that according to appendix 8 the branch had requested the Ulma board to clarify on the celebration of the birthday of the Holy Prophet (S.A.W). **Please note that you have entirely misinterpreted the entire issue and are blowing it out of proportion.** And in the second part we have requested you to advise us as to which account shall we pay our contributions from. There is not even a slightest sign of argument on these issues.
- IV. The available balance is as per the given figure.
- V. Please be informed that according to Sabeto resolution dated 21st July 2002 section 10.2.2, subsection e) funds shall be held and managed by Nasinu branch. Please refer appendix 44. Under that resolution we do not need any such approval from any such boards.
- VI. It is totally unfair to state that the Branch had approved \$2,000 for the airfares of Maulana but paid him \$2484. Please be advised that only \$2,000 was paid for the airfares and the other figure of \$484 was paid to two hafiz. It was for their airfares to recite Quran tilawat at Koronivia Mosque, during the month of Ramadan. Please refer to appendix 16 and 17. **Please get your facts right before making any such accusations.**
- VII. As for the figure of \$3074.00, please refer to appendix 20. Appendix 28 clearly states that the fair of Maulanas family was approved by the branch to be paid from General account and it was done accordingly. When the Maulana went back to India his new fare was funded by IQRA Islamic Trust (\$2147). **Please note that Appendix A8 was never ever presented by our Treasurer to our Management and as the Council is aware that there are allegations on Br. Mohd Hanif of mishandling of approximately \$12000 in 2006 and \$10000 in 2007, where he may have paid to someone of his choice and Appendix A8 is another vital evidence against Br. Mohd Hanif. These are other reasons why the Branch League had a Special meeting where he was suspended. Appendix 18, action will be taken on such officials in our next AGM, Insha Allah and appendix A8 is Br. Mohd. Hanifs personal creation.**
- VIII. Because of the fact that the branch did not have a Mosque account and there was a dispute with General account, it was decided that a mosque account be opened and all monies relating to mosque be diverted into the

account. The Treasurer was advised to open a new Mosque account before Friday 06/04/07 and forms were picked up from Westpac Bank by our office staff. The Treasurer was advised to make arrangements with FML Management to open a new bank account. But till date the Treasurer has failed to open any Mosque account and on request the Management of FML appendix 21 authorized the Branch League to deposit all Mosque funds in General account no.0837046900. There is a breach of system when the mosque funds are deposited in General account. This system was wrong throughout, because funds receipted should only be deposited in their respective accounts balancing with the receipts. Also note that the Treasurer failed to open a new Mosque account. The Branch Management wrote to FML, (appendix 22) of our intentions on 18/04/07 and as per appendix 21, funds were receipted and deposited. The letter sent to FML, appendix 22 was also cc to Branch Treasurer. The fact is that, in spite the approval was granted by FML Management (appendix 24) our Branch Treasurer failed to open a new bank account, hence failing to follow the Resolution of FML Management till date. Refer to appendix 25 for confirmation of fund receipt and deposited as per approval by FML Management, appendix 24. Another example is the quarters at Koronivia Markas (property of FML) Haji Br. Afzal Khan collects rent funds and there were some costs which were to be deducted and then when a new account was being opened, funds were to be transferred there. Branch approved and requested the Treasurer to get approval for a new account for Koronivia Markaz, appendix 26 and 27 but again our Treasurer has failed to open any account till date. There is no way we can blame Haji Afzal Khan, and also note that these issues were addressed to FML Headquarters but they never raised these issues in Council.

3. Blatant disregard for Council Resolution

- I. Resolution was made in a Special General Meeting on 19/01/07 (appendix 18) to suspend members who were deemed to be functioning against the interest of the members of Nasinu Branch League Constituency. This was done by the members in a Special General Meeting and the Branch League Management has no powers to overturn this resolution. Please refer to appendix 18. Minutes were sent to FML Headquarters on 21/01/07 and copies of minutes and members attended. Appendix 30 was written to the FML management League to advise the League for such meeting. FML Headquarters advised Br. Saukat to call and confirm that all brothers from FML management are busy and will not be able to attend our Special General Meeting and requested to send minutes to FML Headquarters after the meeting. One copy of the minutes of the Special Meeting resolution was sent to the Management of FML and the Speaker before Council. Now since the entire Management of FML, including the Speaker and the Trustees were well aware that a Special General Meeting had taken place and resolved that two members are to be suspended. There

was no objection by the Council on the suspension on these brothers and as such the Branch League management has acted in the best interest of the members of its constituency. There is no way one can conclude that the Branch League acted against the Council of FML in the matter 'status quo'. Please be informed that Status Quo was ruled on Nasinu branch on the 21st of January 2007, where as the two concerned brothers were suspended on the 19th of January 2007, which is clearly 2 days before the council resolution of Status Quo.

- II. The branch had written a letter concerning the matter but the management League but the league has failed to reply on the issue.
- III. Since Br. John Asgar Ali had not attended any Branch Management Meetings since 14th of December 2006, and as such had failed to be an active member of the Branch Management, it was in the best interest of the management and the members of the constituency for such members to be removed from such high profile duties. Please refer to appendix K-3
- IV. Please refer to article 3 section III of this letter.
- V. **You are making a mockery out of your kind self and the bureaucracy that you represent when you put such accusations as corruption and wrong practices being practiced by Nasinu Branch League.** Can you please answer a few questions of wrong practices that are being endorsed by FML:
 - Samabula Shopping Complex – a tender was awarded to a working committee member. Two issues arise from this corrupt practice:
 1. it was in total defiance to the Constitution of FML which does not allows any personal interest by any of its executive members, and we don't have to remind you that the said brother who was awarded this tender was a working committee member;
 2. the tender which was awarded was \$900,000 more than another tender which was submitted by another brother.
 - Samabula Mosque – almost a million dollar has been spent on the project and yet the Mosque is only 80 percent completed. Please be reminded that the initial budget for the project was \$600,000. **Also note that money was collected to build the mosque but some part of it was diverted to build quarters.**
 - Islamic Institute – which ended in bankruptcy due to mismanagement by FML management and as a result our primary school is mortgaged;
 - Tableeghi Jammah, Facts and Truth – authorizing the distribution of such a book which is openly criticizing the work of dawah, which is an obligation on every Muslim male and female. The content of the

book has even gone to the length of labeling the brothers who are involved in the work of propagating the teachings of the Holy Prophet (S.A.W) as Hindu's, Munafik and Qadiani's.

These are only a few corrupt and wrong practices being adopted by FML management and as time passes more such practices will be highlighted Insha-Allah.

Please be informed that Br. Subhan Ali made a false statutory declaration (appendix K-5) that he was not a party to take FML to court. Please refer to appendix 33 which clearly states that he supported such a move and he even agreed to contribute \$50.00 as legal cost and later denied any such involvements.

As for the court action, please be informed that proper protocol was followed and:

1. Nasinu Branch took FML Officials who were deemed as a party to wrong practices and not FML as a whole;
2. We wrote to FML in regards to our objections concerning the matter. Please refer appendix 32;
3. Since there was no response from FML regarding the concerned matter, a motion was moved before the Council on 19/04/06, appendix 34;
4. As a result of the motion of 19/04/06, the branch had a Special Meeting with FML on 20/06/06 and information as to the status of our objection was discussed. Please refer appendix 35 and 36;
5. Noting the fact that our objections were not properly addressed we again wrote to FML Headquarters on 28/06/06 for their further clarification. Please refer appendix 33-B.
6. Upon no reaction from FML management, a letter was written to the Dispute Resolution Committee of FML, and yet again there was no affirmative response from the resolution committee. Please refer to appendix 37;
7. On the 29th of September 2006 a motion to suspend Nasinu Branch by the National President was moved for no apparent reason. Please refer appendix 38;
8. After the National President's motion, the branch decided to take legal action. Please refer appendix 71.

Please note that the legal action was taken after the motion to suspend the branch and as such the content of your accusation is baseless. Brother Asgar Ali and Brother Mohd Hanif were present in the branch management meeting and they promised to contribute cash for the legal cost. Please refer appendix 32. In fact Brother Asgar financed the court action by giving us a loan of \$1,200.00.

4. DISREGARD AND DISRESPECT OF FML

- I. Please refer article 3 subsection I of this letter.
- II. No such capital work has been carried out worth \$50,000 at Koronivia Mosque and there is no such member registered by the name of M. Tahir

by the branch, and Allah (SWT) is my witness that no such transaction has eventuated. Please refer to appendix I-1 and note that the author and the contents of the letter are a big pile of lies. Full development report was on the Notice Board for four weeks before 2005 AGM and brothers had raised questions but were fully answered. We challenge a full enquiry in this matter. Refer appendix 40 and you will get your answer.

5. Branch members Complaints

- I. Membership Appendix.
- II. Br. Shamshad Ali has full freedom to write and oppose anything which he feels is against his principals. Please be informed that a letter was written to the said brother regarding his accusations and till date no response has been received from him. Please refer appendix 41.
- III. Please be informed that such accusations are baseless. There are no such evidence of their accusations
- IV. Br. Mohd Hanifs letter - appendix B4, where the content of the letter, up to 3rd paragraph is correct but on the last paragraph it should read and I quote "...I Mohammed Hanif was hiding from the Branch and refused to pay wages of the Pesh Imam of Koronivia Mosque as approved by Branch League Management Committee, despite several attempts being made by Br. Feroz G. Mohd" unquote. Please be informed that Koronivia Mosque had no Pesh Imam since Maulana Imran Patel went back to India and Br. Shahim was in jamat, therefore the Branch employed one temporary Pesh Imam to conduct five times salaah and Eid-ul-adha namaaz. On Sunday 31/12/06 our Temporary Pesh Imam wondered why he had not being paid for almost 3 weeks and he demanded to be paid instantly or else he holds no responsibility for Eid Salaah which was supposed to be on the following day. For almost three weeks Br. M Hanif was informed of the situation but no affirmative response was received from him and as a result, I had to call and inform him that there was fire at the school (In fact there was a fire in the incinerator) which resulted in Br. Asgar Ali coming to the school in less than 10 minutes time. We can now see how Br. Asgar Ali and Br. Mohd Hanif are treating our Branch Management till today.
- V. In simple terms Nasinu as a whole doesn't needs any Board of Governors, motions moved 27/06/07 and were never tabled till date. Refer to appendix 44-B, 45, and 46, where I officially reported the matter of mishandling of \$12000.00 by Board of Governors and requested Acting President Br. Kaiyum Khan to look into the matter. No action till date, why?

Also, note that the Treasurer failed to consult the Budget for 2007 with the Finance team of the Branch Management but on his own prepared the budget and got it approved in BOG. This is a clear breach of Council Ruling appendix 44.

6. CONFLICT OF INTEREST

- I. If you brothers have any objection in the work of IQRA, why have you failed to respond to the many issues that have been brought up by them? It is a normal practice of any organization to condemn any such activities which it feels is unconstitutional, immoral and unethical in any way and there are always provisions for the accused to respond to such accusations and defend its integrity, and in which you have largely failed. I claim to be a servant of our Prophet (SAW) and I do not have to use IQRA or any other organization or individuals to fight for truth and I have all the courage to speak the truth and promote the Din of Allah (SWT).
- II. Please be informed that there was no such apology made for the letter (appendix C-2). All that was said by me in the meeting was that, and I quote "...the content of the letter that I have written was correct but I should have written it in a more brotherhood manner" unquote. The resolution on that particular issue made by brother Kaiyum was, and I quote, "...the advertisement made by FML in relation to crest chicken being labeled as halal was an error made by the FML staff and a new advertisement will be forwarded to the daily newspapers for the withdrawal of such advertisement" unquote. Br. Kaiyum Khan has since failed to do so and till today Crest chicken is considered halal.

7. COMMERCIAL DEVELOPMENT

I request this Council to re-open the inquiry into the tender process of the shopping complex where I am willing to provide vital evidence of corrupt practices being adopted by some of the FML Management in awarding the tender. Unless it is approved, my evidence will hold no grounds. Also note that upon the approval of the tender, Hamid's Construction, a working committee member, received \$600,000 in advance. As per his contract, he was paid \$150,000 to supply aluminum windows and doors but instead he has supplied wooden materials which would have cost him a maximum of \$20,000, and the "funny thing" is that, it's happening right under your nose. And now the question is, who is responsible for such high level of corruption:

- The president;
- The Council;
- The League Management; or
- The branches.

Note: it is a matter of \$130,000 (paid \$150,000 for Aluminum but wooden materials worth about \$20,000 supplied by the contractor)

8. LETTER TO THE MINISTRY OF EDUCATION

Please be informed that the letter which was written to the ministry of education was not written on the letterhead of the branch or endorsed as the secretary of the branch. As a concerned parent I believe that I have got my rights to voice my

concerns regarding any issues which will directly or indirectly affect my children's wellbeing in any manner. Please once again be reminded that if you have any objection to any of my personal affairs, please feel free to correspond with me, not as a branch secretary but as a concerned parent. For your information, the content of the letter still stands and I challenge the concerned parties to prove me otherwise. **As a result, I had to remove my kids away from that very un-Islamic institute.**

9. ALLEGATIONS AGAINST BOARD OF CONSUMER AFFAIRS

Appendix G-1 stands to the fact that stunning of animals before they are slaughtered, is considered haram. Why our Board of Consumer Affairs is promoting such idea when we have various fatwas from scholars who have condemned such practices as haram (appendix 95, 96, 97, 98). Under section 9 (e) page 41 of the Constitution, it clearly states that the BOCA has to have a working relation and exchange information on Halal matters with overseas based Islamic organizations. Why this particular board is failing to address these Fatwas from overseas based organizations?

KFC on the other hand was selling pork pizza at their centerpoint outlet for approximately three weeks but was still considered as halal by FML. Later after writing to FML, the BOCA withdrew their halal certification from KFC Centerpoint. If my concerns were wrong, then why BOCA did withdrew its halal certification (appendix 82)

Please be informed that the Board has given halal certification to Fiji meats industries board. For your kind information please refer to appendix 50 and clearly see for yourself the type of meat that they supply to the consumers. The advertisement of FMIB is misleading the community at large and yet no action has been taken against the concerned Board.

Brother Farook Khan, who is a member of Consumer Affairs Committee, member of Islamic Institute of the South Pacific, the national executive of Dawah committee and chairperson of BOG of Makoi Branch last year approved an advertisement which consists of many pictures of some very fine alcohol, in Makoi primary schools annual magazine. Appendix 74.

Citing only some of the many wrongs that the immediate members of your administration is involved in, do you still think one should believe and respect any such board.

10. ALLEGATIONS AGAINST BOARD OF GOVERNORS

Please be informed that the allegation still stands. The Council had directed the matter to the Dispute Resolution Committee and due to the failure of the Dispute Resolution Committee to address this issue, a meeting was called and a resolution was adopted that it be addressed in the next branch AGM and which is yet to be held.

11. FALSE ALLEGATIONS

This relates to the change of signature in the Special General Meeting. After the suspension of the treasurer, it was our duty to inform the Bank of our withdrawal of the signatory of the suspended treasurer and approve the acting treasurer as a signatory. The bank replied verbally on the phone that all accounts are seized and the matter to be discussed with the National President. Despite demanding the bank to give us in written of such decisions, the bank failed to do so. We challenge the Bank management to prove it otherwise.

12. WRITTEN AND VERBAL ABUSE OF AUDITORS

A. Mishra & Co. failed to comply with the auditing rules, where he went to prepare a new account and disregarded our Branch prepared financial accounts which were presented for auditing, and as a result charging us more fees for the preparation of accounts.

He prepared his own accounts with the help of Br. A. Hakim, our School Manager and the Treasurer and which consisted of two Balance sheets. Such practices have never been done in the past. Please be informed that the balance sheet has wrong entries, such as, Magazine fees. Actually there is no such thing as magazine fees receipted and collected. At this point in time I would like to challenge the chairperson of the BOG to immediately call an AGM of the branch, and present this particular account and see for himself whether our branch members accept A. Mishra's prepared accounts.

Again Allah (SWT) is my only witness that I was never abusive to the auditors at any point in time. His claims are totally wrong. I had only asked him of the time frame that he can give us for the preparation of our annual accounts and who had given him an approval to prepare new accounts of the branch. In his response he stated that he does not recognize me and my Committee and he only knows Br. A. Hakim, Treasurer and the School Manager. He even went to the extent of accusing our assistant treasurer of wrong practices.

13. COMPLAINTS AGAINST SPEAKER

Mr. Secretary, please be informed that there are more than six and a half billion people on the face of this earth, and no two people can think alike. It is through us (branches) that the FML management is formed and as such we got full authority to question the integrity of any member or members collectively to elucidate on any doubts which may arise from time to time and I believe that this is what you are doing at this juncture. Let me remind you that, during the times of the Holy Prophet (S.A.W.) there were many instances where his actions and judgments were questioned by the Sahaba's. Please bare in mind that in the face of ALLAH (S.W.A) we are all equal, and if you can question our judgments and actions, we should be allowed the same. If somebody is a millionaire, has authority or political influence, Alhum-dullilah, good on him or her, but when it comes to community and in particular the welfare of the Islamic community, we

should bare one thing in mind and that is that we have to come to a common ground and not expect better treatments because of your riches, abilities and control. I have questioned the integrity of the Speaker of FML before and as you can see that I have once again questioned his integrity in my opening statements, and Insha-Allah this trend will continue to happen anytime I or any member of our community will feel that impartiality at any level is in question.

GENERAL CONCLUSION

It is an undeniable and inevitable fact that according to various traditions of the Holy Prophet (S.A.W), one of the foremost signs of the Last Days is that the people of the "BOOKS" will be ruled by leaders who will be corrupt, immoral, deceitful, dissipated, unscrupulous, etc, etc. Amongst us, there will also be religious scholars who will be used as fuel to burn the fire of hell. It is quit evident that such an era, which was prophesized many hundred years ago, was no other than the one in which we already are in, and the sad thing is that we are not doing anything to avoid our involvement in such dishonorable situations. It is also stated in the traditions that there will never be unity between the believers, and we have not left any stoned unturned, to prove its authenticity.

My dear respected brother, please be informed that the entire allegations that you and the FML Management has put on me and my Branch League is incorrect, misleading, unacceptable and unexpected of the position that you hold and which may result in defamatory actions in the Court of Law. FML Management from time to time has failed to address many genuine concerns of its member branches and individuals and went ahead to do what it thought was best without any due consideration to the Constitution and proper consultation. Some very serious concerns at this point in time are:

- 2002 Sabeto Resolution – the notion of imposing the BOG on Nasinu Branch League was applied by the Sabeto Resolution of 2002. Under such resolution, section 10.2.2 – subsection e) all financial issues had to be held and managed by the Branch League. The FML management has dictated its way into enforcing the resolution of the Council meeting of 13/10/02 (appendix 44), where without proper consultation with the newly appointed BOG such rules and regulations, which was never discussed by the appointed BOG and directly adopted from Kamil College (appendix 80) was enforced on the Branch league. As a result of such, the Branch League has lost a considerable amount of money due to mismanagement by the BOG and thus the BOG has lost its credibility.
- Mortgage of Nasinu Muslim Primary School – please be reminded that our primary school is mortgaged to finance the Islamic Institute and has elements which contradicts the Constitution of FML, clause 5 (a). Till date there is no definite roadmap to payoff the account. The debt has been increasing gradually from the first date of inquiry.

- New concept of BBOG and NBOE – the Constitutional and Ministerial requirement of implementing any such concept is that it should first be addressed and authorized in the Branch League AGM or Special General Meeting before it is enforced (appendix 81). We have already witnessed that such a concept has been a total disaster in the Islamic Institute where we have lost almost a million dollars due to mismanagement. If only it was managed by an elected committee, it would have been a success like any other elected Branch League of FML operated schools.
- Appointment of paid School General Manager – under the FML constitution, clause 18 (i) the General Manager of Schools is an Office-Bearer of the League and as such, he has to be a levied member of FML. Under section 21 of the constitution all office-Bearers has to be elected and not appointed. Under section 23 (c) he shall not be an employee in receipt of any direct employment from the League or its branches or subsidiary organizations, and as such, your new BBOG and NBOE concept is in total defiance to the Constitution of FML. A member involved in such unconstitutional act has to be immediately disciplined under clause 64 (n) and a failure to do such may result in Court actions against the members involved.
- AGM 2007 of the Branch League – for no apparent reason the FML management is not conducting the AGM of the Branch League. We want the Council to instruct the Management to immediately conduct the AGM of the Branch within 21 days of the Council Meeting.
- Motion to dismiss Branch League – under clause 64 (n) of the constitution, the powers of the council is limited and as such, doesn't have any authority to dismiss any Branch Management League in a Council Meeting unless it is established that the Branch League has failed to comply with clause 64 (n) of the Constitution.
- The FML management League cannot deny the fact that our National President's business involves the sale of "**pork and alcohol**" (appendix 94). And despite their knowledge, the Management has largely failed to address this very serious issue in their Council and as such has lost its trustworthiness. It is evident through the editorial columns of our daily papers that the Muslim community is also demanding answers of such laxity by FML Management but their queries seems to be falling on deaf ears.

**The three appointees of the Council to investigate allegations against NML
– Nasinu Branch League**

The three appointees of the Council meeting dated 24/06/07 had failed to comply with the Council ruling to conduct an investigation into allegations against the Nasinu League branch within 14 days, as per Council's directives. As such, on the very last moment, the next Council meeting of 29/07/07 was deliberately differed to cater for the failure of the three appointees to conduct their investigations. A letter was sent on 25/07/07 for a meeting to be held between

the branch and the three appointees to be held on 29/07/07 (appendix 87). The branch responded on the three appointees request for the meeting (appendix 88), informing them of the Branch officials unavailability due to personal commitments. These same brothers had earlier committed themselves for fourteen days after the council meeting but due to council deferment, they had committed themselves in their personal activities. Yet again another letter was received on behalf of the three appointees (appendix 89) at about 4.30 pm on a Friday. There was a breakdown in the communication because the Secretariat was closed on the following day, so the branch secretary made a personal effort to honor the meeting of 29/07/07 and informed that no branch officials were available and that his presence there was on a personal note. The Chair of the investigating committee admitted that due to his personal reasons the investigation could not be conducted within 14 days as per Council ruling and requested Branch Secretary to answer all the questions of only some allegations labeled against the Branch management. The Investigation committee was also informed that the submission against allegations has been completed but they have got no liberty to forward it to the Investigation committee because that was not required of them through Council and it would have been much appropriate that, since the allegations were put on the Branch League in the Council, it is only fair for the Branch League to forward their defense in the Council, in the presence of all the Branches. Later it was decided in the Branch meeting to forward the submission to the Investigating committee and a meeting with them was requested (appendix 90) but was denied by the Chair of the Investigating Committee (appendix 91). A letter was written on the 3rd of August (appendix 92) and another letter on the 8th of August was written in a very dictatorship manner demanding for the submission without the authority of the Council.

Khuda Hafiz

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Feroz Gulam Mohammed
Secretary, FML – Nasinu Branch League