Nipashe Jumanne
Julai 16, 2024 Pg 0

Marekani kuachia fedha za FBME ilizozishikilia miaka 9

Na Grace Gurisha

SERIKALI ya Marekani imeahidi hadi Desemba, mwaka huu, itaachia fedha zinazomilikiwa na benki ya FBME Ltd inazozishikilia na wadai wote watalipwa ikiwamo Kampuni ya Coast Textile Limited, ambayo inadai Sh. bilioni 145 kulingana na amri ya mahakama iliyotolewa miaka tisa iliyopita.

Wakili wa Serikali Edwin Wediro, alidai katika Mahakama Kuu Kanda ya Dar es Salaam jana kuwa Mkurugenzi wa Bodi ya Bima ya Amana (DIB), Isaack Kihwili, amewasiliana na Ubalozi wa Marekani kuhusu uwezekano wa kuondoa zuio la kushikilia fedha hizo.

"Taarifa nilizonazo ni kwamba amri ya kushikilia fedha hizo itaondolewa na Serikali ya Marekani ifikapo mwisho wa mwaka huu na wadai wote watalipwa," Wakili wa Serikali alidai mbele ya Jaji Salma Maghimbi, wakati shauri la utekelezaji wa hukumu ya mahakama kuhusu fedha hizo lilipokuja kwa ajili ya kutajwa.

Aidha, alidai kuwa Mkurugenzi wa DIB na Mfilisi wa Benki ya FBME nchini Cyprus, walifanya kikao mwezi uliopita, kwa ajili ya kujadili masuala mbalimbali ikiwa ni pamoja na maendeleo ya mchakato wa ufilisi.

Wakili wa Serikali alidai mahakamani kuwa kundi jingine la wateja waliokea amana kwenye benki hiyo katika asilimia 70 ya madai iliyobaki, litalipwa ifikapo Septemba, mwaka huu. Hata hivyo, alidai kuwa Kampuni ya Coast Textile Ltd haitakuwa miongoni mwa wanufaika katika orodha ya mwezi Septemba.

Aliiomba mahakama kupanga tarehe nyingine ya kutajwa kusubiri matokeo ya uamuzi wa mamlaka nchini Marekani kuondoa zuio la fedha za Benki ya FBME, ambazo zinashikiliwa kwa tuhuma za kuhusika na madai ya utakatishaji fedha.

Kabla ya kuahirishwa kwa shauri hilo, Wakili Joseph Rutabingwa, anayeiwakilisha Kampuni ya Coast alikumbushia mahakama ilichomwagiza Mkurugenzi wa DIB kuwasiliana na Serikali ya Marekani kuhusu kuwapo kwa hukumu za mahakama dhidi ya Benki ya FBME, ambazo ni nne.

Jaji Maghimbi aliahirisha kesi hiyo hadi Oktoba Mosi, 2024 kwa ajili ya kusikilizwa.

Katika kesi hiyo, Kampuni ya Coast Textiles Limited iliamua kuomba mahakama kuingilia kati baada ya FBME, ambayo shughuli zake zilichukuliwa na BoT, kushindwa kutekeleza hukumu iliyotolewa na Jaji Aloysius Mujulizi, mwaka 2015 kuhusu malipo hayo.

Kampuni ilifungua maombi ya kukazia hukumu hiyo, ikiomba jumla ya Sh. bilioni 145.94 ipatikane kutoka kwa DIB, wafilisi wa FBME, na Mkurugenzi wa Bodi akishindwa kulipa atalazimika kuwajibishwa.

Mei 20, 2022, Jaji Amir Mruma, aliamuru Mkurugenzi wa DIB, ambaye aliteuliwa na BoT kama mfilisi wa FBME, kulipa kiasi hicho baada ya kukubali maombi ya utekelezaji wa hukumu yaliyowasilishwa na Coast Textiles Limited.

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pamoja na mambo mengine, atatoa maelekezo yake kuwezesha taasisi na mashirika ya umma kuwekeza (ATCL) na Shirika la Reli Tanzania (TRC), Benki ya NMB na CRDB.

Mchechu alisema wakati ya umma ... zinazofanya ... serikali, Mchechu, alisema hivi sasa, jukumu hilo litakuwa ni lazima kwa ... kwa undani shughuli za mashirika na taasisi za umma.

Uhuru Jumanne Julai 16, 2024. Pg: 03.

Mahakama yaelezwa fedha za FBME kuachiwa Desemba

Na MWANDISHI WETU

SERIKALI ya Marekani imeahidi kufikia Desemba, mwaka huu, itaziachia fedha zinazomilikiwa na FBME Bank Limited inazozishikilia na wadai wote.

Miongoni mwa wadai ni Kampuni ya Coast Textile Limited, inayodai sh. bilioni 145 kulingana na amri ya mahakama iliyotolewa takriban miaka tisa iliyopita.

Wakili wa Serikali, Edwin Wediro alidai hayo katika Mahakama Kuu ya Tanzania, Kanda ya Dar es Salaam jana, mbele ya Jaji Salma Maghimbi.

Alidai Mkurugenzi wa Bodi ya Bima ya Amana (DIB), Isaack Kihwili, amewasiliana na Ubalozi wa Marekani kuhusu uwezekano wa kuondoa zuio la kushikilia fedha hizo.

"Taarifa nilizonazo ni kwamba amri ya kushikilia fedha hizo itaondolewa na Serikali ya Marekani ifikapo mwisho wa mwaka huu na wadai wote watalipwa," alidai wakili huyo, shauri la utekelezaji wa hukumu ya Mahakama kuhusu fedha hizo lilipotajwa.

Alidai Mkurugenzi wa DIB na Mfilisi wa Benki ya FBME nchini Cyprus walifanya kikao mwezi uliopita kujadili masuala mbalimbali, ikiwemo maendeleo ya mchakato wa ufilisi.

Wakili wa Serikali aliendelea kudai kundi jingine la wateja walioweka amana katika benki hiyo, asilimia 70 ya madai yaliyobaki yatalipwa ifikapo Septemba, mwaka huu.

Hata hivyo, alidai Coast Textile Limited haitakuwa miongoni mwa wanufaika katika orodha ya Septemba.

Kutokana na hali hiyo, aliiomba mahakama kupanga tarehe nyingine ya kutajwa kusubiri matokeo ya uamuzi wa mamlaka nchini Marekani kuondoa zuio la fedha za Benki ya FBME, zinazoshikiliwa kwa tuhuma za kuhusika na madai ya utakatishaji fedha.

Wakili Joseph Rutabingwa, anayeiwakilisha Coast Textile Limited, alikumbushia kile mahakama ilichomwagiza Mkurugenzi wa DIB kuwasiliana na Serikali ya Marekani kuhusu kuwepo kwa hukumu za mahakama dhidi ya Benki ya FBME, ambazo ni nne.

Katika kesi hiyo, Kampuni ya Coast Textiles Limited iliamua kuiomba mahakama kuingilia kati baada ya FBME, ambayo shughuli zake zilichukuliwa na Benki Kuu ya Tanzania (BoT), kushindwa kutekeleza hukumu iliyotolewa na Jaji Aloysius Mujulizi mwaka 2015 kuhusu malipo hayo.

Kampuni ilifungua maombi ya kukazia hukumu hiyo, ikiomba sh. bilioni 145.94 ipatikane kutoka kwa DIB, wafilisi wa FBME, ambapo Mkurugenzi wa Bodi akishindwa kulipa atalazimika kuwajibishwa.

Mei 20, mwaka 2022, Jaji Amir Mruma aliamuru Mkurugenzi wa DIB, ambaye aliteuliwa na BoT kama mfilisi wa FBME, kulipa kiasi hicho baada ya kukubali maombi ya utekelezaji wa hukumu yaliyowasilishwa na Coast Textiles Limited.

Jaji Maghimbi aliahirisha kesi hiyo hadi Oktoba mosi, mwaka huu, kwa usikilizwaji.

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THE Treasury Registrar Nehemia Mchechu speaks with editors during a meeting in Dar es Salaam yesterday. (Photo by a Correspondent)

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FBME Bank to pay creditors after release of withheld funds

By FAUSTINE KAPAMA

THE US Government has committed to releasing funds withheld from FBME Bank Limited, enabling payment to creditors, including Coast Textile Limited, owed 145bn/-.

This development follows a court decree issued nearly nine years ago.

State Attorney Edwin Wediro informed the High Court in Dar es Salaam yesterday that the Director of the Deposit Insurance Board (DIB), Mr Isaack Kihwili, has engaged with the US Embassy in Tanzania to lift the sanction on the frozen funds by the end of this year.

State Attorney Edwin Wediro told the High Court in Dar es Salaam yesterday that Director of Deposit Insurance Board (DIB), Mr Isaack Kihwili, has communicated with the US Embassy in Tanzania on the possibility of lifting the sanction on the withheld funds.

"The information I have is that the freezing order will be lifted by the Government of United States of America by the end of this year and all creditors will be paid," the State Attorney told Judge Salma Maghimbi when execution proceedings relating to the decree came for mention.

He explained further that the DIB Director and Liquidator of the FBME Bank in Cyprus held a meeting last month to discuss various issues, including the updates on the liquidation process.

The State Attorney informed the court that another group of depositors of the bank in the remaining 70 percent of claims will be paid by September, 2024. He was, however, quick to explain that Coast Textile Limited will not be among the beneficiaries in the September list.

> "The information I have is that the freezing order will be lifted by the Government of United States of America by the end of this year and all creditors will be paid," the State Attorney told Judge Salma Maghimbi when execution proceedings relating to the decree came for mention.

He, therefore, requested the court to set another mention date pending the outcome on the decision by authorities in the US to lift the ban on FBME Bank money, which are being withheld on suspicious of involvement in money laundering claims.

Before adjournment of the matter, Advocate Joseph Rutabingwa, who represents Coast Textile Limited, reminded what the court had directed the DIB Director to communicate with the US government on existence of court decrees against FBME Bank, which are four.

The judge adjourned the proceedings to October 1, 2024 for hearing.

In the case, Coast Textiles Limited seeks court's intervention after FBME Bank, whose operations were taken over by the Bank of Tanzania (BoT), failed to implement the judgment given by Judge Aloysius Mujulizi in 2015.

The company applied for execution of the judgment, requesting the sum of 145.94bn/- be realised from the DIB, the liquidators of FBME, the default of which the Director of Board be held accountable.

On May 20, 2022, Judge Amir Mruma ordered the DIB Director, who was appointed by BoT as liquidator of FBME, to pay such amount after granting an application for execution of the decree filed by Coast Textiles Limited.

The judge pointed out that as per section 3 of the Civil Procedure Code, the decree of the court is the formal expression of an adjudication which so far as regards the court expressing it, conclusively determine the rights of the parties with regard to the matter.

ya mwendokasi nchini, kwa sasa serikali shaji katika taasisi pamoja na