MANIPUR GAZETTE

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GOVERNMENT OF MANIPUR
SECRETARIAT: MINORITY AFFAIRS DEPARTMENT

NOTIFICATION

Imphal, the 5th August, 2024

No: GIA-2/7/2020-MA-MA: In exercise of the power conferred by section 109 of the Waqf Act, 1995 (Central Act 43 of 1995), the Government of Manipur hereby makes and publish the following Rules, namely, –

The Manipur Wakf (General) (Amendment) Rules, 2024

1. Short title, and commencement.- (1) These rules may be called the Manipur Wakf (General) (Amendment) Rules, 2024.

(2) These rules shall come into force from the date of their publication in the Official Gazette.

2. Amendment of short title and substitution of reference to certain expression by certain other expressions throughout the rules.- In the Manipur Wakf (General) Rules, 2007 (hereinafter referred to as the principal rules), for the words "wakf", "aukaf" and "wakif", wherever they occur in the short title and throughout the rules, the words "waqf", "auquf" and "waqif" shall be substituted respectively and such other consequential amendments as the rules of grammar may require shall also be made.

3. Insertion of new rule 2A.- After rule 2 of the principal rules, the following new rule shall be inserted, namely: -

"2A. Qualifications of mutawalli: -

(1) The mutawalli shall be a citizen of India.

(2) Qualifications of mutawalli of a waqf shall be such as may specified by the waqif in the waqf deed.

(3) Where no qualifications are specified by the waqif, a mutawalli shall have-

a) knowledge of English, Hindi, Arabic/ Urdu, or the regional language of the place where the waqf property is situated;

b) knowledge of waqf law;

c) working basic knowledge of Sharia law as well as Muslim custom;

d) perfect physical and mental health:

Provided that where no qualifications are specified by a waqf under sub-rule (2) or no person having the qualification specified under this sub-rule is available, the Board may appoint any hereditary mutawalli or a qualified graduate from any recognized college or university as the mutawalli for the concerned waqf."

4. Amendment of rule 4.- In rule 4 of the principal rules, in the first para, after the words "Survey Commissioner", the words and figure "in **Form 1**" shall be inserted.

5. Amendment of rule 5.- In rule 5 of the principal rules, -

(i) the words and figure "in **Form 2**" shall be inserted in between the word "particulars" and the figure ":".

(ii) after sub-rule (c), the following sub-rule (d) shall be inserted, namely: -

"(d) Patta No., Dag No. and Area in hectare of the waqfs;" and

(ii) after sub-rule (d) so inserted, the existing sub-rules shall be renumbered accordingly.

6. Insertion of rule 5A and 5B.- In the principal rules, after rule 5, the following rule 5A shall be inserted, namely: -

"5A. Members of the Board and other matter relating to their election under section 14 (2) of the Act.- Election of members of the Board and other matters relating to their election under section 14(2) shall be the same as provided in the Manipur Waqf Board (Conduct of Election) Rules, 1997.".

"5B. **Election of Chairperson.-**

(1) After the appointment of members of a newly constituted Board is notified under section 14, the State Government shall, as soon as may be, fix, by giving to the members not less than ten clear day notice, a date for the first meeting of the Board for the election of the Chairperson from amongst the members of the Board. The notice shall state the time and place of the meeting as well as the fact that at such a meeting the Chairperson should be elected.

(2) The meeting shall be presided over by the Secretary of the concerned Department of the State Government dealing with waqf matters, who shall conduct the proceedings for the election of the Chairperson.

(3) The name of the candidate to the post of Chairperson shall be proposed by a member, which shall be seconded by another member and the voting shall be by secret ballot.

(4) A member shall have only one vote and the candidate securing the highest number of votes shall be declared to have been elected as Chairperson.

(5) The election of the Chairperson and the proceedings of the meeting convened to elect the Chairperson shall be recorded by the officer appointed by the Government and it shall form the minutes of the meeting.

(6) In case of a tie, the names of the candidates shall be put to lot and the Chairperson shall be selected from the lot.

(7) (a) Where a dispute arises as to the validity of election of the Chairperson or any member of the Board, any person interested may within thirty days of the declaration of the result of the election file an application before the Tribunal and the decision of the Tribunal thereon shall be final.

(b) No suit or other legal proceedings shall lie in any civil court in respect of any dispute/ question or other matter relating to the election of Chairperson or member of the Board.

(8) The Tribunal shall dispose of the application within one year of its filing.

(9) Expenses for the conduct of election of the members and the Chairperson of the Board shall be borne by the Government.

7. Substitution of rule 6.- In the principal rules, for rule 6, the following shall be substituted, namely: -

"6. Terms and conditions of service of the Chief Executive Officer of the Board:-

(1). (a) If the person appointed as Chief Executive Officer (CEO) under section 23 of the Act, is an officer who has retired from Government service, he shall draw pay in the sanctioned scale plus his pension in full subject to the condition that the total of the pay and pension so drawn (including pension equivalent to any gratuity drawn by him) shall not exceed the pay at the time of retirement.

(b) The person appointed as Chief Executive Officer on deputation basis shall be allowed to draw pay in his/ her own pay scale along with other allowances admissible to him in the previous employment under the State Government, plus deputation allowances as admissible under the State Government rules: Provided that the period of deputation shall ordinarily not exceed three years: Provided further that the State Government shall have powers to enhance or reduce the deputation period to the post in public interest either on the recommendation of the Board, or on its own motion.

(c) In case a vacancy to the post of Chief Executive Officer arises, the Government shall have powers to appoint from Executive Officers who have served at least 3 (three) years on regular basis of the Board as Acting Chief Executive Officer till the vacancy is filled.

(d) The confidential report on the work and conduct of the Chief Executive Officer shall be written by the Chairperson of the Board and shall be forwarded to the concerned Department in charge of Waqf matters, for review.

(e) The travelling allowance for the time being in force as applicable to an officer of equivalent rank in the Government shall apply to the Chief Executive Officer.

(f) Periodical increments of the time scale of pay to the Chief Executive Officer shall be sanctioned by the Board.

(g) Leave rules applicable to the Government employees and the rules relating to the casual leave applicable to the Board employees shall apply to the Chief Executive Officer.

(h) Casual leave shall be sanctioned by the Chairperson of the Board and leave other than casual leave by the Government.

(i) The date of retirement on superannuation of the holder of the post of Chief Executive Officer shall be the last day of the month to which he completes the age of 60 years.

(j) All other terms and conditions of service relating to disciplinary matters as applicable to the officers of equivalent rank in the Government under CCS conduct and Appeal Rule shall apply to the Chief Executive Officer.

(2) The appointment and service conditions of other employees of the Board shall be governed by the Regulations of the Board."

8. Deletion of rule 7.- Rule 7 of the principal rules shall be deleted.

9. Substitution of rule 8.- In the principal rules, for rule 8, the following shall be substituted namely:-

"8. Conditions and Restrictions subject to which Chief Executive Officer or any other officer may inspect any public office record and registers.-

(1) The Chief Executive Officer or any other officer of the Board, duly authorized by it in writing shall, for the purposes of carrying out inspection under section 29 of the Act, make an application in writing to the officer in charge of the office expressing his intention so to do.

(2) The officer in charge shall allow the inspection within seven days of the receipt of the application under sub-rule (1).

(3) The mutawalli or any other person having the custody of any document relating to waqf property shall produce the same within ten days before the Chief Executive Officer on being called upon to do so in writing and if so desired shall supply the copies of the documents within the next ten days.

(4) (a) On a written request by the Chief Executive Officer, an agency of the Government or any other organization shall supply, within ten working days, copies of the record

register of properties or other documents relating to waqf properties or claimed to be waqf properties.

(b) If for any reason the required documents cannot be supplied within ten working days, the concerned agency of the Government or the organization shall seek further time, not exceeding ten working days to supply the information/ documents.

(5) The supply of documents as required by Chief Executive Officer shall be free of cost:

Provided that before seeking information/ documents under sub-rules (3) and (4), the Chief Executive Officer shall obtain the approval of the Board."

10. Insertion of new rule 8A.- In the principal rules, after rule 8, the following rules shall be inserted, namely:-

"8A. Inspection and Issuance of copy of document.-

(1) All applications for inspection of Board's record shall be made to the Chief Executive Officer in **Form 3** of the amount specified under sub-rule 2:

Provided that this sub-rule shall not apply to applications submitted in response to notices calling for applications unless otherwise stated in the notice or to the applications made for scholarships and stipends.

(2) Permission on application for inspection of record or proceedings of the Board or any committee may be granted by the Chief Executive Officer on payment of twenty rupees per hour or fraction thereof, which shall be deposited by the applicant in advance with the office of the Board.

(3) Certified copy, in the manner provided in section 76 of the Indian Evidence Act, 1872 (1 of 1872), of record or proceedings of the Board, or any committee may be granted by the Chief Executive Officer on an application in **Form 4** and on payment of twenty rupees per hundred words or fraction thereof:

Provided that the application in **Form 4** shall be accompanied by the receipt of the Board for twenty rupees.

(4) The following persons shall be entitled to inspect records under this rule, namely:-

(a) For any waqf other than waqf-alal-aulad, the person interested in such waqf;

(b) For a waqf-alal-aulad, the waqif, his descendants, mutawalli and the beneficiaries of the waqf.

The applicants shall be provided the relevant copies as applicable within fifteen days from the date of application.".

11. Substitution of rule 9.- In the principal rules, for rule 9, the following shall be substituted, namely:- "Any person interested in any Waqf may by application, in writing and on payment of fee of Rs. 20/- (Rupees twenty) to the Board, inspect any document, records in the custody of the Board.".

12. Amendment of rules 10.- In sub-rule (2) of rule 10 of the principal rules,-

(i) in clause (a), for the words and figures "Rs. 5/- (Rupees Five)", the words and figures "Rs. 20/- (Rupees twenty)" shall be substituted.

(ii) in clause (b), for the words and figures "Rs. 3/- (Rupees Three)", the words and figures "Rs. 15/- (Rupees fifteen)" shall be substituted.

13. Insertion of new rule 10A.- In the principal rules, after rule 10, the following new rule shall be inserted, namely:-

"10A. Election of Chairperson.—

(1) After the appointment of the members of a Board is notified under section 14 of the Act, the Government shall notify, as soon as may be, the first meeting of the Board, for the election of the Chairperson from amongst the members of the Board, by giving the members, ten days' notice. The notice shall state the time and place of the meeting as well as the fact that at such meeting the Chairman should be elected.

(2) The meeting shall be presided over by the Administrative Secretary of the concerned Department dealing with Waqf Matters, who shall conduct the proceedings for the election of the Chairperson.

(3) The name of the candidate to the post of Chairperson shall be proposed by a member, which shall be seconded by another member and the voting shall be by secret ballot.

(4) A member shall have only one vote and the candidate securing the highest number of votes shall be declared to have been elected as Chairperson.

(5) The election of the Chairperson and the proceedings of the meeting convened to elect the Chairperson shall be recorded by the officer appointed by the Government and it shall form the minutes of the meeting.

(6) In case of a tie, the names of the candidates shall be put to lot and the Chairperson shall be selected from the lot.

(7) (a) Where a dispute arises as to the validity of election of the Chairperson or any member of the Board, any person interested may within thirty days of the declaration of the result of the election file an application before the Tribunal and the decision of the Tribunal thereon shall be final.

(b) No suit or other legal proceedings shall lie in any civil court in respect of any dispute/question or other matter relating to the election of Chairperson or member of the Board.

(8) The Tribunal shall dispose of the application within one year of its filing.

(9) Expenses for the conduct of election of the members and the Chairperson of the Board shall be borne by the Government."

14. Insertion of new rule 14A.- In the principal rules, after rule 14, the following rule shall be inserted, namely:-

"14A. Appointment of Executive Officer.-

(1) Board shall appoint a person from any of the following categories to be Executive Officer under sub-section (1) of section 38 of the Act, namely:-

(a) An officer in the equivalent grade of the State Civil Services: or

(b) Senior officer of the Board in the cadre of Project Officers/ Superintendent/ Managers of equivalent cadre who -

(i) possesses a Bachelor's degree of any recognized University; and

(ii) have a minimum of 10 (ten) years of service in the Board.

(2) If the appointment is by deputation of a Government Servant, his period of deputation, terms of service and the pay and allowance shall be regulated as per Civil Services Rules.

(3) If the appointment of Government Servant is in addition to his own duties, he shall be entitled to draw such remuneration as may be fixed by the Board in consultation with the State Government.

(4) If the appointment is by promotion of Project Officers/ Superintendents/ Managers, the post must carry the scale of pay as fixed by the Board in consultation with the State Government.

(5) For any waqf having a gross annual income of not less than five lakhs rupees, the Executive Officer may be provided with the following supporting staff as deemed necessary, namely:-

(a) A Rent Collector/ Manager;

(b) A Clerk-cum-typist/ Office Assistant;

(c) A Revenue Clerk/Bill Collector; and

(d) One Grade-IV/ Multi-Tasking Staff."

15. Amendment of rule 15.- In the principal rules, in sub-rule (1) of rule 15, the Word and figure "in **Form 5**" shall be inserted in between the words "issue a notice" and "stating".

16. Substitution of rule 16.- In the principal rules, for rule 16, the following shall be substituted, namely:-

"16. Budget of Auqaf under the direct management of the Board.-

(1) The Chief Executive Officer shall prepare the budget for all the auqaf under the direct management of the Board for the next ensuing financial year by January of the current financial year in **Form 6** containing all details of estimates of receipts and expenditure for the next financial year.

(2) (a) The Chief Executive Officer shall prepare the list of all the auqaf under the direct management of the Board for which budget for the next ensuing financial year is to be prepared under sub-rule (1) by the month of December of the current financial year in **Form 7.**

(b) The Chief Executive Officer shall direct each of the officials of the auqaf under the direct management by the Board to furnish the budget in respect of the next ensuing financial year in **Form 8.**

(3) The budget so prepared under sub-rule (1) shall have a statement furnishing details of the increase, if any, in the income of the auqaf during the current financial year and also the steps taken for its better management and results obtained in **Form 9.**

(4) If the Board is satisfied that adequate provision has not been made in the budget, it shall have power to modify it in such manner as may be necessary to secure such provision and pass the budget before the beginning of the financial year to which it relates.

(5) If in the course of the year, the Chief Executive Officer finds it necessary to alter the figures shown in the budget with regard to the receipts or the distribution of the amounts to be expended on the different services undertaken by the Board on behalf of the waqf, a supplemental or revised budget may be framed and submitted to the Board.".

17. Insertion of new Rule 16A.- In the principal rules, after rule 16, the following new rules shall be inserted namely:-

"16A. Time and manner of preparation of budget by mutawalli.-

"(1) Every mutawalli of a waqf shall submit a budget at least thirty days before the beginning of the financial year to the Board showing its estimated receipts and expenditure for the ensuing financial year in **Form 10**:

Provided that the budget so prepared shall be sustainable and deficit budget may be avoided.

(2) The State Administration may give financial assistance in the form of Grants-in-Aid to Board for meeting establishment expenditure.

(3) The Board shall scrutinize the budget proposal and ensure that provision has been made therein for the obligatory expenditure referred to in sub-section (2) of section 44 of the Act and for carrying out the purpose which may have been specifically enjoined on the waqf by the deed of waqf.

(4) The Board may give such directions to modify the budget in case any item is considered to be contrary to the objects of the waqf or the provisions of the Act.

(5) If the Board is satisfied that adequate provision for certain items has not been made in the budget, it shall have power to modify it in such manner as may be necessary to secure such provision and return it to the mutawalli concerned.

(6) Every mutawalli shall consider the suggestions and incorporate the modifications made by the Board in the budget and pass the budget before the beginning of the financial year to which it relates.

(7) Notwithstanding anything contained in these rules, the Board may direct a mutawalli to modify its estimates to be in keeping with the provisions of the Act and the waqf deed and such mutawalli shall comply with the direction of the Board.

(8) As soon as the budget is passed, every mutawalli shall forthwith submit copies thereof to the Board.

(9) No sum shall be expended by or on behalf of a waqf unless such sum is included in the budget estimates sanctioned under section 44 of the Act and in force at the time of incurring the expenditure.

If in the course of the year, a mutawalli finds it necessary to alter the figures shown in the budget with regard to receipts or the distribution of the amounts to be expended on the different services undertaken by him on behalf of the waqf, a supplementary or revised budget may be submitted to the Board.".

18. Deletion of rule 19.- Rule 19 of the principal rules shall be deleted.

19. Deletion of rule 20.- Rule 20 of the principal rules shall be deleted.

20. Substitution of rule 21.- In the principal rules, for rule 21, the following rules shall be substituted, namely:-

"21. Recovery of property transferred in contravention of Act.-

(1) Upon receiving report from any person residing in the locality where the waqf property is situated or upon receiving information otherwise that a waqf property has been transferred in contravention of the provisions of sections 51 or section 56 of the Act, the Board, on being satisfied from the register of auqaf, maintained under section 37 of the Act that the property alleged to have been transferred is waqf property, shall obtain a certified copy of the deed of transfer from the registration office concerned.

(2) The Chief Executive Officer shall draw up a report specifying therein fully the waqf property, the details of the transfer deed executed in respect of the property, the name and full particulars of the person executing the deed or other document and the name with particulars of person or persons to whom the property has been transferred.

(3) The report shall be put up for orders of the Board which, after considering the report of the Chief Executive Officer and inspecting such of the documents as may appear necessary and/or making inquiry from such persons as is considered reasonable, pass orders for sending a requisition to the Collector of the respective district to obtain and deliver possession of the property to the Board.

(4) The requisition to the Collector shall be drawn by the Chief Executive Officer in **Form 11** and sent to the Collector of the respective district through special messenger or by registered post with acknowledgment due.

(5) The order passed by the Collector under sub-section (2) of section 52 of the Act, shall be in **Form 12.**

(6) If the person against whom an order under sub-section (2) of section 52 of the Act is issued, prefers an appeal to the Tribunal under sub-section (4) of the said section, he shall send a copy of the memorandum of appeal to the Collector immediately on the day of filing the appeal and the Collector shall arrange for its defense and shall also give intimation of such appeal to the Board.

(7) While obtaining possession of the property under sub-section (5) of section 52 of the Act,-

(b) no person executing the Collector's orders, shall enter any dwelling house without giving forty-eight hours' notice to the occupants of the dwelling house;

(c) no outer door of any dwelling house shall be broken open unless the occupants of such dwelling house refuse or in any way prevent access thereto;

(d) No person executing the Collector's order shall enter any dwelling house after sunset and before sun rise.

(8) After obtaining possession of the property, the Collector or any person duly authorized by him in this behalf shall hand over the said property to the Board or to any person duly authorized by the Board on proper acknowledgement.".

21. Substitution of rule 23.- In the principal rules, for rule 23, the following shall be substituted, namely:-

"23. Notice for removal of encroachment.-

(1) A notice for removal of encroachment under sub-section (1) of section 54 of the Act shall be served in **Form 13** through serving officer/special messenger so appointed by the Chief Executive Officer to the person for whom it is intended or to any adult member of his family, or by sending by registered post in a letter addressed to that person at his usual or last known place of residence or business.

(2) Where the notice under sub-rule (1) is delivered or tendered, the signature of the person to whom the copy is delivered or tendered shall be obtained in token of acknowledgement of the service.

(3) Where the person or the adult member of the family of such person refuses to sign the acknowledgement, or where such person cannot be found after using all due and reasonable diligence and there is no adult member of the family of such person, a copy of the notice shall be affixed on the outer door or some other conspicuous part of the ordinary residence or usual place of business of such person and where no constructions

is made and the premises are agricultural or non -agricultural land , the notice shall be affixed on some part of the property and the other notice shall be returned to the Chief Executive Officer who issued the notice, with a report endorsed thereon or annexed thereto, stating that a copy has been so affixed, the circumstances under which it was so done and the name and address of the person, if any, who identified the ordinary residence or usual place of business and in whose presence the copy was affixed.

(4) If the notice issued cannot be served in the manner specified above, the Chief Executive Officer may, if he thinks fit, direct that such notice shall also be published in at least one newspaper having circulation in the locality and he may also proclaim the contents of any notice in the locality by beat of drum or in any other manner which he may think appropriate, in the facts and circumstances of each case.".

22. Insertion of new rule 23A.- In the principal rules, after rule 23, the following new rule shall be inserted, namely:-

"23A. Conducting of inquiry on encroachment of waqf property.-

(1) In cases relating to encroachment of waqf property, the Chief Executive Officer may call upon the parties to appear in person on specified date and time to put up their respective claims in regard to encroachment over the property in dispute.

(2) Where any person who has received notice under rule 23, desires to be heard in person or through his representative, the Chief Executive Officer shall authorize such hearing in writing and the party may be authorized to produce evidence which he intends to produce in support of the cause shown and the Chief Executive Officer shall fix a date for personal hearing and scrutiny of evidence as he considers appropriate in each case.

(3) The Chief Executive Officer may hear the parties, receive all such evidence as may be produced by them, take such further evidence, if any, as he thinks necessary in the facts and circumstances of each case, record summary of the evidence tendered before him and the summary of such evidence and any relevant documents filed before him shall form part of the records of the proceeding.

(4) The records of enquiry in every case shall include.-

(a) a minute of the proceedings;

(b) Notice calling for objections and objection received at the inquiry;

(c) Evidence received at the inquiry; and

(d) a brief record of reasons and the decision.

(5) Nothing shall preclude the Chief Executive Officer to listen to any party or required to attend any other person interested to make statement regarding the subject matter in dispute.

(6) After hearing the parties, perusing the objections and going through the evidence, if Chief Executive Officer is satisfied that the property in question is waqf property and there has been an encroachment on any such waqf property, he may by an order in **Form 14**, require the encroacher to remove such encroachment and deliver possession of the land, building, space or other property encroached upon to the Board or a mutawalli of the Board.

(7) When any party to any such proceeding dies, the Chief Executive Officer may cause the legal representatives of the deceased party to be made a party to the proceedings and shall thereupon continue the inquiry and if any question arises as to who shall be the legal

representatives of a deceased party for the purpose of such proceedings, then all the persons claiming to be representatives of the deceased party shall be made parties.

(8) If the waqf property is not vacated within fifteen days of the receipt of the order under sub-rule (6), the Chief Executive Officer may make an application before the Tribunal for grant of order of eviction under sub-section (3) of section 54 of the Act for removing such encroachment and deliver possession of the waqf property to the Board or the mutawalli.

(9) The Tribunal, after giving an opportunity of being heard, to the person against whom application has been made, pass order of eviction and cause a copy of the order of eviction to be pasted on the waqf property.

(10) If any person fails to comply with the order of eviction passed by the Tribunal within forty-five days of the service of the order, the Chief Executive Officer shall refer the matter, in **Form 15,** to the Executive Magistrate of the area.".

23. Insertion of new rule 24A.- In the principal rules, after rule 24, the following new rule shall be inserted, namely:-

"**24A. Procedure regarding removal of mutawalli.-**

(1) The Chief Executive Officer shall issue a notice in **Form 16** to the mutawalli against whom action for removal is contemplated under section 64 of the Act for the purposes of holding an inquiry against him.

(2) The Board shall conduct summary inquiry in the manner specified under rule 15.

(3) Upon the conduct of inquiry under sub-rule (2), and upon the order of suspension of the mutawalli by the Board under sub-section (5) of section 64 of the Act, the Chief Executive Officer shall issue a notice of suspension in **Form 17** to the concerned mutawalli calling upon him to explain as to why such order of suspension shall not be issued to him.".

24. Amendment of rule 25.- In the principal rules, in rule 25, after the words "The report", the word and figure "in **Form 18**" shall be inserted.

25. Substitution of rule 26.- In the principal rules, for rule 26, the following shall be substituted, namely:-

"(1) Any committee entrusted with the supervision of management of a waqf shall have a maximum term of three years unless the committee is superseded by the Board or it is in contravention of waqf deed or approved scheme of management of the waqf.

(2) The Board shall, before issuing any order of suspension, issue a show cause notice in **Form 19** to a committee against whom action for suspension is contemplated under sub-section (2) of section 67 of the Act calling upon the committee within such time, not being less than one month as may be specified in notice, as to why such action shall not be taken.

(3) The order of suspension passed by the Board under the proviso to sub-section (2) of section 67 of the Act shall be published on the notice board of the concerned waqf, District Waqf Advisory Committee office, and office of the State Board of Waqfs and shall also be served on the concerned mutawalli.

(4) A copy of the order passed by the Board under sub-section (2) of section 67 shall be supplied free of cost to the person adversely affected thereby and one copy of the same shall be published in Urdu, Hindi and English/local language newspaper having circulation in the area and on such publication, the order shall be binding on all persons having any interest in the waqf.

(5) The Board shall, before issuing an order for removal of a member of the committee from the membership of the managing committee under sub-section (6) of section 67 of the Act, shall

issue a show cause notice in **Form 20** to such member calling upon him to show cause as to why he shall not be removed from the membership of the committee.".

26. Amendment of rule 27.- In the principal rules, in sub-rule (1) of rule 27, after the words "suggestions", the word and figure "in **Form 21**" shall be inserted.

27. Insertion of new rule 27A.- In the principal rules, after rule 27, the following new rule shall be inserted, namely:-

"27A. Manner of holding inquiry under section 71 of the Act.-

(1) The Board or any person authorized by the Board may, either on an application received or on its own motion, hold an enquiry under section 71 of the Act.

(2) The Board shall send a copy of the allegations made against the waqf to the management of the waqf and obtain its explanation on each of the allegations.

The inquiry relating to administration of the waqf shall be held in the manner specified under rule 22.".

28. Substitution of rule 28.- In the principal rules, for rule 28, the following shall be substituted, namely:-

"28. Annual contribution payable by a mutawalli of waqf to the Board under section 72 of the Act.-

(1) The mutawalli of every waqf, the net annual income of which is not less than five thousand rupees, shall pay annually to the Board, seven per cent of such annual income as annual contribution.

(2) The mutawalli of a waqf shall, before the 15th day of June every year, submit a return of the net annual income of the waqf and the contribution payable by it, in **Form 22**, to the Chief Executive Officer/Executive Officer.

(3) On receipt of a return under sub-rule (2), the Chief Executive Officer shall verify the return submitted by the mutawalli and if he is satisfied as to the correctness of the return, may fix the annual contribution in accordance with such return and if no return is filed within the specified time, the Chief Executive Officer shall suomoto fix the annual contribution to be paid by the mutawalli.

(4) In case the Chief Executive Officer is of the opinion that the return submitted under sub-rule (2) is incorrect or false in any material particular, or the contents of such return do not comply with the provisions of the Act or the rules made or any order issued by the Board, he may, call upon the mutawalli to show cause within the time specified in the notice as to why such assessment of the return shall not be revised.

(5) The Chief Executive Officer, after considering the reply if any, received from the mutawalli concerned, may assess the net annual income of the waqf to the best of his judgment or revise the net annual income as shown in the return submitted by the mutawalli and the net annual income as assessed or revised shall be deemed to be the net annual income of the waqf.

(6) No contribution payable by a mutawalli under the rule shall be remitted or reduced except with the previous sanction of the Board.

(7) The reduction or remission sanctioned by the Board shall be operative only for the year for which it is sanctioned provided that where its continuance in subsequent year is found necessary; the Board shall give fresh sanction.

(8) The Board may, on an application from a mutawalli, by order, sanction remission or reduction of the contribution to be paid by mutawalli in the following cases, namely:-

(a) loss of money, stores of articles of the waqf not due to the negligence of the mutawalli or other employees of the waqf;

(b) loss of income due to failure of crop on account of drought or other unforeseen causes like flood;

(c) paucity of funds due to the mismanagement of the previous mutawalli;

(d) paucity of funds due to non-recovery of loans, advances and debt;

(e) where the waqf supports an orphanage, whose resources are insufficient for its due management; and

(f) Other causes, approved by the Board with three-fourths majority.

(9) Before a reduction or remission of contribution is sanctioned, the Board shall make a thorough investigation into the circumstances of each case and satisfy itself that such reduction or remission is necessary."

29. Substitution of rule 29.- In the principal rules, for rule 29, the following shall be substituted, namely:-

"29. Payment of monies into Waqf Fund and investment of such money under section 77 of the Act.-

(1) The Board shall authorize one of its officers (hereinafter referred to as "the authorized officer") to receive all payments to the Waqf Fund, to issue receipts and to make payments on behalf of the Board.

(2) (a) The authorized officer shall be required to furnish to the Board, securities or sureties for such amount as the Board may specify in that behalf.

(b) Solvency of sureties shall be verified by the Sub-Divisional Magistrate of the area where the official is residing at the beginning of each year.

(3) The authorized officer shall grant receipts for all moneys received by him to the credit of the Waqf Fund and counterfoil receipt bearing printed receipt numbers shall be maintained for the purpose.

(4) All such monies shall immediately be deposited in-

(a) a Scheduled Bank as defined in the Reserve Bank of India, Act, 1934 (2 of 1934), or 29

(b) a Post Office Savings Bank Account.

(5) (a) All deposits shall be made in the name of the Board.

(b) The Chairperson and any other member or officer of the Board authorized in this behalf by the Board shall have the powers to withdraw such deposit or any part thereof and operate on the bank account, subject to such conditions as the Board may think proper.

(6) No money shall be withdrawn from the bank unless it is required for immediate payment for the purpose of the Board.

(7) The appropriation of receipts to expenditure shall be avoided.

(8) (a) Payments from the Waqf Fund shall be made by cash or cheque.

(b) Cheque shall not be issued for sums less than five hundred rupees.

(9) Monies indisputably payable shall not be left unpaid and money paid shall not be kept out of the account a day longer than absolutely necessary.

(10) (a) Any person having a claim against the Board shall present a voucher duly verified and stamped.

(b) All vouchers shall be filled and signed in ink.

(c) The amount shall be written in figures as well as in words.

(d) All corrections and alterations in the vouchers shall be attested by the initials of the person signing the voucher.

(11) Receipts for all sums exceeding five thousand rupees either by cash or cheque shall bear the revenue stamp of the requisite value.

(12) An officer authorized to handle the monies of the Waqf Fund shall be responsible for their custody and also for reimbursing to the Board, in case of any loss by theft, fraud, fire or any other cause: Provided that if in any case, after such inquiry as the Board may make, the Board is satisfied that the loss was unavoidable and was not due to any negligence on the part of the officer responsible for the proper custody of the amount, the Board may not insist on reimbursement of the amount of the loss by the officer concerned, but may write it off.

(13) Amount not required for expenditure during the year shall be invested by the Board-

(a) in one or other of the following securities. -

(i) promissory notes, debentures, stocks or other securities of the Central Government;

(ii) stock or debentures of, or shares in companies, the interest wherein shall have been guaranteed by the State Government or the Central Government;

(iii) debentures or other securities for money issued by or on behalf of any Municipal body under the authority of any Act; or

(b) in fixed deposits for a period not exceeding three years in-

(i) a Scheduled Bank as defined in the Reserve Bank of India Act, 1934 (2 of 1934); or

(ii) for the purchase or for the first mortgage of immovable property with the previous sanction of the Government.

(14) The investment under sub-rule (13) shall not be pledged, encased or withdrawn without the prior sanction of the Board.

(15) (a) The Board shall cause to be maintained such books of account and other books in relation to its accounts in such form and in such manner as may be specified by it.

(b) The pages in the account books, registers, receipts, etc., shall be serially numbered and each page shall be affixed with the seal of the Board.

(c) The number of pages that each book or register contains shall be noted on the first page after actual verification by the Chief Executive Officer.

(16) It shall be the responsibility of the Chief Executive Officer to ensure that the contributions, fees, rents and other amounts due to the Board are promptly demanded, released and credited to the Waqf Fund.

(17) The Chief Executive Officer shall be in charge of the work relating to the finance, budget and accounts of the Board.

(18) The Chief Executive Officer shall, in relation to the budget, account, and audit of the Board, -

(a) be responsible for ensuring that the budget estimates of the Board are properly framed keeping in view the instructions issued by the Board and the Government in this behalf and submitted to the Board within the time schedule;

(b) scrutinize the budget proposals submitted by the mutawalli thoroughly and assist the Board in scrutinizing the budget proposals;
(c) examine and advise on all scheme of new expenditure for which it is proposed to make a provision in the budget;
(d) ensure that monthly and annual accounts of the Board are compiled properly and promptly;
(e) obtain necessary periodical returns of progress of expenditure, watch and review the progress against sanctioned amounts and issue such instructions as may be found necessary to the officers and employees of the Board;
(f) scrutinize the proposals for supplementary grants and advise the Board suitably;
(g) keep himself in regular touch with the audit objections and inspection reports of the audit and for their early settlement;
(h) keep a close watch on the recoveries of dues to the Board and repayment of loan and interest;
(i) be responsible for the maintenance of accounts of the Board;
(j) obtain periodical returns of stores and stocks and their value from the officers and review them and offer his remarks on such accounts and place it before the Board;
(k) furnish any information and statistics that may be called for by the Board on matters relating to budget, accounts and audit;
(l) arrange for internal audit of accounts of the Board periodically and take urgent steps to rectify any defects noticed during such audit;
(m) report to the Board all instances of payments made contrary to the rules and regulations including cases where payments are made in the absence of any provision in the budget estimates.

(19) The Board may prepare revised estimates during the financial year keeping in view the actual and probable expenditure during the year.".

30. Substitution of rule 30.- In the principal rules, for rule 30, the following shall be substituted namely:-

"30. Budget of Board.-

(1) The Chief Executive Officer shall in every year prepare in **Form 23**, a budget in respect of the ensuing financial year, showing the estimated receipts and expenditure during that financial year and placed before the Board by 31st December.

(2) The Board shall scrutinize the budget proposal and make suitable modification, if necessary, and forward a copy of the same to the Government before 31st January.

(3) On receipt of the budget forwarded to it, the Government shall examine the same and suggest such alterations, corrections or modifications, to be made therein as it may think fit and forward such suggestions to the Board for its consideration.

(4) On receipt of the suggestions from the Government, if the Board does not agree with any modifications, corrections or alterations made by the Government in the Budget, the Board may forthwith make written representation to the Government with regard to the alterations, corrections or modifications suggested by the Government.

(5) The Government shall consider the representation of the Board and pass final orders in the matter and communicate its decision within a period of three weeks from the date of receipt of such representation.

(6) On receipt of the suggestions from the Government and if no representation has been made by the Board to such suggestions or the Government has communicated its decision regarding any representation, if any, made by the Board, the Board shall incorporate in its budget all the alterations, corrections, modifications finally suggested by the Government and the budget so altered corrected or modified, shall be passed by the Board.

(7) A copy of the budget so passed shall be forwarded to the Government and in case no objection is received from the Government within fifteen days, the budget shall be declared to be final.

(8) If, in the course of the year, the Board finds it necessary to alter the figures shown in the budget with regard to the receipts or the distribution of the amounts to be expended on the different services undertaken by the Board, a supplemental or revised budget may be framed and got sanctioned in the manner provided in these rules and copies thereof forwarded to the Government.

(9) No sum shall be expended by the Board unless such sum is included in the budget estimates sanctioned under section 78 of the Act and in force at the time of incurring the expenditure.".

31. Substitution of rule 31.- In the principal rules, for rule 31, the following shall be substituted, namely:-

"(1) Limitation for filing of application for suits/appeal before tribunal:

a) Any party aggrieved by the decision of the board under sub-section (1) or sub-section (3) of section 40 of the Act, may file an appeal to the Tribunal within thirty days from the date of the decision.

b) Any person aggrieved by an order of the Chief Executive Officer under sub-section (3) of section 54 of the Act may institute a suit in the Tribunal within sixty days from the date of the said order.

(2) Filing of application for suits/appeal before Tribunal.

(a) An application under sub-rule (1) shall be made in **Form 24**.

(b) An application filed before the Tribunal under sub-rule (1) shall be signed by the applicant and shall be presented by him in person or by his authorized representative to the Registrar or to an officer authorized by him in this behalf.

(c) The application filed under sub-rule (1) shall be accompanied by documents upon which the petitioner seeks to rely.

(d) The applicant shall file along with the application as many as additional copies of the application and documents as are the number of the respondents.

(e) The Tribunal may, in its discretion, accept an application for hearing under sub-rule (1), which is not accompanied by all or any of the documents, referred to above.

(f) Every application filed under this rule shall set forth a clear statement of facts concisely and under distinct and separate heads, and such ground of facts and relief claimed therein, shall be numbered consecutively.

(g) The application for interim relief shall set forth clearly and precisely any loss being caused to the applicant which cannot be adequately compensated in terms of money.

(h) Any application before the Tribunal relating to suits against the Board which do not comply with the mandatory provision of two months' notice under section 89 of the Act shall be dismissed summarily."

32. Insertion of new rule 31A to 31M.- In the principal rules, after rule 31, the following new rules 31A to 31N shall be inserted, namely:-

"

31A. Term and conditions of appointment of Chairperson and members of the Tribunal, other than the Ex-Officio members under section 83 (4)c and 83 (4A).- (1) The appointment of Chairperson under clause (a) and a member under clause (b) of sub-section (4) of section 83 of the Act shall be on deputation basis, subject to usual terms of deputation as applicable.

(2) A person shall not be qualified for appointment as member under clause (c) of sub-section (4) of section 83 unless he possesses Master Degree in Islamic studies/Urdu/Persian/Arabic or a Bachelor of Law, having knowledge of Urdu and Arabic:

Provided that the candidate must have adequate knowledge of English.

(3) Selection of a member referred to in clause (c) of sub-section (4) of section 83 of the Act shall be made by a Board headed by the Secretary (Law) in the State Government as Chairperson; an Islamic scholar of repute; and the Chairperson/ Muslin Member of the Bar Council as members.

(4) Tenure of the member so selected under sub-rule (3) shall be for a period of three years, extendable for a further period of two years at a time.

(5) Age of the member so selected under sub-rule (3) shall be below 50 years.

(6) Scale of pay of the members referred to in sub-rule (3) shall be Rupees 15,600-39,100/- with the grade pay of Rupees 7,600 plus usual allowances as admissible to group A officers.

(7) Leave of various kinds to members under this rule shall be as admissible to Government employees.

(8) (a) In case of deputation of Chairperson and members of the Tribunal referred to sub-rule (1), shall be for a period of three years, which may be extended for a further period of two years at the direction of the Government.

(b) The age of superannuation of the Chairperson and the member referred to in sub-rule (1) shall be the last day of the month in which the office attains the age of sixty-two years.

31B. Contents of petition under section 83 (6).-

(1) Every application shall set forth a clear statement of factors concisely and under distinct and separate heads, by clearly stating the grounds on which it has been filed, and the relief claimed therein, shall also be numbered consecutively.

(2) The application for interim relief shall set forth clearly and precisely any loss being caused to the petitioner which cannot be adequately compensated in terms of money.

(3) The filing of all applications before the Tribunal shall be subject to compliance of mandatory provisions of section 83.

(4) If mandatory provisions of section 89 or any other provision of the Act or the rules are not complied with, the Tribunal shall dismiss the application summarily.

31C. Copying fee.-

(1) Copying fee shall be charged at the rate of five rupees per page.

(2) Except, in cases where copies are supplied free of cost under the rules or instructions for the time being in force, the rate of the fee to be charged for the supply of copies, urgently required, shall be double the rate as specified in sub-rule(1).

(3) Copying fee shall be payable in cash in advance.

(4) The amount calculated in accordance with the rate mentioned in sub-rule (1), shall be retained by the Registrar as copying fee, and the surplus amount, if any, deposited by the party, shall be refunded to him at the time of supplying the copy.

31D. Powers to dismiss application without sending notice to the respondent.- The Tribunal, after considering all aspects of the application and after hearing the applicant or his authorised representative, may dismiss the application, without sending notice to the respondents.

31E. Services of notices.- (1) Every notice to petitioner/ respondents in the application shall be sent and served through Registered Post with acknowledgment due.

(2) Where the Tribunal is satisfied that the notice cannot be served in ordinary way and there are reasons to believe that the petitioner/respondents are keeping themselves away for the purposes of avoiding service of the notice, the Tribunal shall order substitute service of notice in accordance with the provisions of order 5 of rule 20 of the Code of Civil Procedure, 1908 (5 of 1908).

31F. Date of hearing of application, etc.- Unless the Tribunal dismisses the application, it shall notify the parties the date and place of hearing of the application, etc.

31G. Proceedings to be open to public.- The proceedings before the Tribunal shall be open to the public:

Provided that the Tribunal may, if it thinks fit, order at any stage of the proceedings that the public generally or any person in particular shall not have access to or remain in the room of the Tribunal.

31H. Order of Tribunal.- (1) Every application filed before the Tribunal shall be heard and disposed of in accordance with the procedure set out for hearing of suits and appeals in the Code of Civil Procedure, 1908 (5 of 1905) and the Manipur Civil Rules of Practice.

(2) Every order of the Tribunal shall be in writing and shall be signed and dated under its seal.

31I. Orders and Directions in certain cases.- The Tribunal may, notwithstanding any of the foregoing provisions, give such orders or give such directions as may be necessary or expedient to secure the ends of justice.

31J. Language of Tribunal.- The language of the Tribunal shall be English:

Provided that the parties to proceedings before the Tribunal may file documents/ proceedings drawn up in Urdu or Hindi or the regional language, if they so desire:

Provided further that every such document/ proceedings in Urdu/ Hindi/ local language shall be accompanied by its true translation into English:

Provided also that the Tribunal may, in its discretion, permit the use of local regional language in the proceedings but the final order shall be in English.

31K. Seal of the Tribunal.- The official seal of the Tribunal shall be such, as the Government may specify.

31L. Code of Civil Procedure and the Manipur High Court Rules to be generally followed.-

In deciding any question relating to the procedure, not specifically provided by the Act or in these rules, the Tribunal shall, be guided by the provisions of the code of Civil Procedure, 1908 (5 of 1908) and the Manipur High Court Rules.

31M. Suits by or against the Board.- (1) The Chairperson of the Board or the Chief Executive Officer, shall be competent to sanction -

(a) filing of suit, writ, appeal or cases connected with a waqf matter/ property before the Tribunal/ Court or any other authority;

(b) defending of any suit, writ, appeal or case filed against the Board in connection with the affairs of any waqf before the Tribunal or court or any other authority.

(2) The Chairperson or the Chief Executive Officer shall be competent to appoint an advocate or a legal representative to file or defend a suit, writ, appeal or any other co-related, proceedings on behalf of the Board.

(3) The Board or any other person, authorised by the Board shall be competenet ot sign suit, writ, appeal, and affidavit or counter reply in the cases or proceedings connected with a waqf matter/ proporty before the Tribunal/ Court or any other authority.

(4) The Chairperson or Chief Executive Officer shall be competent to authorize any employee of the Board to tender evidence or poduce record on behalf of the Board before the Tribunal/ Cournt or any other authority.".

33. Substitution of rule 32,- In the principal rules, for rule 32, the following shall be substituted, namely:-

"32. Other procedure to be followed by Tribunal.-

(1) The Registrar or an officer authorized by him in this behalf shall endorse on every application, the date on which it was presented and fix the date for appearance before the Tribunal and shall sign the endorsement in token thereof.

(2) Every application shall be registered or numbered by the Registrar or the officer authorized by him in his behalf in a register to be kept for this purpose.

(3) The Tribunal shall maintain such registers as prescribed for use in civil courts as may be necessary.

(4) A copy of the memorandum of application, shall be served on the other party prior to filling of the same before the Tribunal:

Provided that in cases of extreme urgency, the Tribunal may, on an application if considers expedient so to do, dispense with the service of the copy of the application on the other party.

(5) Every application, plaint or memorandum of appeal or an application for execution or other application shall be accompanied by court fee.

(6) Written statement to the application preferred before the Tribunal may not be entertained from the respondent after sixty days have elapsed from the date of filing the application:

Provided that if the Tribunal is satisfied that the respondent was prevented by sufficient cause from filing the written statement within the said period of sixty days, it may entertain the written statement within a further period of thirty days, but not thereafter.

(7) Reply to the written statement preferred before the Tribunal may not be entertained after sixty days have elapsed from the date of filing the written statement.

Provided that if the Tribunal is satisfied that the applicant was prevented by sufficient cause from filing the reply within the said period of sixty days, it may entertain the reply within a further period of thirty days, but not thereafter.

(8) Maximum three applications each by the applicant and the respondent shall be allowed for adjournments on any ground and not thereafter.

(9) In case of division between the members of the Tribunal, decision of the majority of the members of the Tribunal shall prevail.

(10) Final hearing of any matter shall take place before the full bench:

Provided that matters other than final hearing may be entertained by a single member or two members in the absence of the third member.".

34. Amendment of rule 33.- In the principal rules, in the first para of rule 33, after the words "Annual report", the word and figure "in **Form 25**" shall be inserted.

FORM 1

[See rule 4]

REPORT OF SURVEY COMMISSIONER TO THE GOVERNMENT

1. The number of auqaf in the State, showing Shia auqaf and Sunni auqaf separately.
2. The nature and object of each waqf.
3. The gross income of the property from each waqf.
4. The amount of land revenue, cess, rates and taxes payable in respect of each waqf.
5. The expenses incurred in the realization of income and the pay or other remuneration of the mutawalli, if any, of each waqf.
   (a) Name of the waqf;
   (b) Name of the waqif, if any;
   (c) Date or the year of the creation of the waqf;
   (d) Details of the Waqf Deed;
   (e) Name of the mutawalli and his pay or remuneration, if any
   (f) Location and nature of immovable property showing the village or town where situated along with the municipal or survey number, area, description of the tenure and the estimated value thereof;
   (g) Description of movable property and value thereof, including investments and their particulars;
   (h) Site plan of the waqf property;
   (i) Encumbrances, if any, on the properties mentioned in clauses (f) to (h) above;
   (j) Manner of administration of waqf, whether under the scheme settled by a court of law or by a registered document or established custom or usage;
   (k) Whether the waqf is already under the general supervision of the Board;
   (l) Nature and value of grant received; and
   (m) Total cost of survey.

SIGNATURE OF

SURVEY COMMISSIONER

FORM 2

[See rule 5]

PARTICULARS OF LIST OF AUQAF

1. Name of waqf with description of waqf property (e.g. land building, graveyard etc.)
2. Location of waqf property, stating khasra no., village in rural areas and mohalla, ward, road, and municipal number in case of urban property.
3. Nature and object of waqf.
4. Details of waqf properties, if immovable:
   (a) Area, showing built up area separately;
   (b) Boundaries; and
   (c) Value.
5. Nature and value of movable property.
6. Date or year of creation of waqf.
7. Details of Waqf Deed.
8. Gross receipts.
9. Grants received.
10. Gross income of property comprised in each waqf.
11. Amount of land revenue, cess, rates and taxes payable in respect of such property.
12. Expenses incurred in realization of income.
13. Details of Administration
    (i) By Custom/Usage
    (ii) By scheme settle by court
    (iii) By Schemes of Management approved by the Board.
14. Name and address of mutawalli.
15. Pay or remuneration of mutawalli of each waqf, if any.

Note:- Separate list shall be prepared for Sunni and Shia auqaf.

FORM 3

[See rule 8A(1)]

APPLICATION FOR INSPECTION OF BOARD'S RECORD

Paste duplicate receipt here of application fee

To

The Chief Executive Officer,
Waqf Board, Manipur.

Name of the applicant..... S/o.W/o Shri .....
Resident of ..... Description of the file the record of which is to be inspected .....
Name of the tenant (if any) .....
Name of the parties (if any) .....
Purpose of inspection .....

Date: ..... SIGNATURE OF APPLICANT

Order passed on the application by Chief Executive Officer:.....
Time of inspection .....from..... to ..... viz ..... hours. Inspection fee paid Signature of official with designation in whose presence inspection was made.....

Date: SIGNATURE OF APPLICANT
AFTER INSPECTION MADE

FORM 4

[See rule 8A(3)]

APPLICATION FOR PROVIDING CERTIFIED COPY

Paste duplicate copies of:	
(i)	Application fee receipt
(ii)	Copying charges fee receipt Rs. 10/- per entry of Gazette notification,
(iii)	Rs. 20/- per 100 words or part thereof.
(iv)	Rs. 20/- per hour of inspection or fraction thereof.

To

The Chief Executive Officer,
Waqf Board, Manipur.

Name of applicant ..... s/o, w/o.....
Resident of .... Description of the file etc. from which the copy is required ... . Description of property including location .....
Name of tenant (if any) .....
Name of parties (if any).....
Nature of the case ..... Name and description of the Gazette or record of which copy is required.....
Purpose for which copy is required i.e. whether it is required for private use or for filing in some court etc. .....

Dated: ..... SIGNATURE OFAPPLICANT

No. of applicant in the copying registers.....
Copying fee received with application .....
Order passed.....

SIGNATURE OF CHIEF
EXECUTIVE OFFICER

Date: .....
Signature of copyist
Signature of recipient of the copy.....

FORM 5

[See rule 15]

NOTICE

Whereas it is learnt/informed/reported that the Waqf.....has ceased to exist or that the objects or parts thereof shown in the schedule below have ceased to exist.

Schedule

Sl. No.	Name of the waqf/ wakf property which has ceased to exist	Details of movable property	Details of immovable property					Details of funds if any
			Sl. No.	Area/ Extent	Village town	City	Usage	
1	2	3	4	5	6	7	8	9

It is therefore hereby notified that an inquiry will be taken up regarding the said cessation and to ascertain the property and the funds of that waqfs and to order for recovery of the said property or funds and its utilization under Sec. 39(2) of the Waqf Act.

Any objections in this behalf shall be furnished to the undersigned on .....(date) at.....(place and time) when the inquiry will be taken up.

Chief Executive Officer/
Authorized Officer

To

_____

_____

FORM 6

[See rule 16 (1)]

ANNUAL BUDGET ESTIMATE OF WAQF FOR 20..... 20.....

A B S T R A C T

Actuals for 20.....20.....	Sanctioned estimate for Current year 20.....20.....	Revised estimate for current year		Total Budget Estimate for the year 20.....20.....
		Actual for 8 months	Probable or Expected expenditure for 4 months	
1.	2.	3.	4.	5.

Opening Balance

Total.....

Receipts (Statement I)

Total.....

Expenditure (Statement II)

Total.....

Closing Balance

Total.....

Statement I (Receipts)

Serial No	Particulars	Actual for previous year	Actual for year of report	Revised budget for ensuring year	Budget estimates	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

1. Opening Balance
2. Cash at Bank
3. On hand (Cash. Cheque & DD)
4. Income from Rent:
   a) Residence
   b) Office Complex's
   c) Shops
   d) Schools
   e) Shadi Mahal
   f) Others

Total .....

5. Security Deposits
6. Goodwill
7. Income from Hundi
8. Income from Agriculture Land:
   a) Sale of Agricultural Crops
   b) Sale of usufructs of trees (income from fasal)
   c) Sale of trees
   d) Annuity
   e) Tasdik Allowance
   f) Cash Grants

   Total:.....

9.A. Miscellaneous receipts :
   a) Nazar/Presents
   b) Subscription fee

c) Meelad/Ramzan Donation

d) Nikah fee

e) Hide & Skin

f) Golak collections

Total .....

9. B. Receipts from :

a) Grant-in-aid

b) Loan recovery

c) Salary & Festival Advance recovery

d) Interest from bank

e) Loan from Central Waqf Council, New Delhi

f) Fixed Deposit Receipts

g) Royalty/E.M.D

Total .....

10. Any other receipts

Grand Total: .....

Statement II (Expenditure)

Serial No	Particulars	Actual for previous year	Actual for year of report	Revised budget for ensuring year	Budget estimates	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

I. General Administration

1. Salaries
2. T.A.
3. Office Expenses:

(i) Purchase of furniture

(ii) Purchase of Stationery & forms:

a) Printing Receipts

b) Printing/Purchase of Books of Accounts.

(iii) Postal Charges

(iv) Telephone Charges

(v) Water Charges
(vi) Electric Charges
(vii) Office imprest amount
(viii) Purchase of Vessels
(ix) Purchase of Machinery & Electrical items
(x) Meeting Expenses

Total .....

4. Legal Expenses
5. Audit Expenses
6. Corporation/Municipal/Land Tax
7. Waqf Contribution to Board

Total .....

II. Capital Expenditure:

(i) Construction Expenses
(ii) Repayment of Loan/Advances
(iii) Security deposit
(iv) Building License/Plan Fee
(v) Royalty
(vi) E.M.D

Total:.....

III. Charitable Expenses:

(i) Scholarship/Freeship
(ii) Medical Expenses
(iii) Marriage Expenses
(iv) _____

Total: .....

IV. Festival Expenses

(i) Meelad

(ii) Shab-e-Meraj
(iii) Shab-e-Qadar
(iv) Shab-e-Barat
(v) Idgah/Mosque/Dargah expenses
(vi) Urs

Total: .....

V. Miscellaneous Expenses

(i)

(ii)

Total: .....

Grand Total: .....

FORM 7

[See rule 16(2)(a)]

LIST OF WAQFS

List of Wakfs under direct management as on .....for preparation of Budget under Section 45.

No.	Name of the Waqf	Name of the Administrator	Order No. date period of Direct Management
1	2	3	4

Date:.....

Chief Executive Officer

..... State Board of Waqfs

FORM 8

[See rule 16(2)(b)]

PREPARATION OF BUDGET PROPOSALS BY WAQFS UNDER DIRECT MANAGEMENT

From:

The Chief Executive Officer,
State Waqf Board, Manipur.

To

_____
_____
_____

Sub.: Preparation of Budget proposals by waqfs under direct management.

Sir,

The .....waqf is under direct management of the ..... State Board of Waqf u/s 45 as per Order No. .....dated for a period of .....

As per Sec. 45 of Waqf Act, 1995, the budget of the above institution needs to be placed before the Board. Therefore you are requested to prepare and furnish the budget covering the estimated receipts and expenditure in the prescribed proforma with a statement giving details of the increase if any with income of the waqf and also steps taken for its better management.

The budget prepared shall reach the under signed by 31st December.....(Year).

Date: .....

Chief Executive Officer/
Authorised Officer .....
State Waqf Board, Manipur.

FORM 9

[See rule 16(3)]

STATEMENT GIVING DETAILS OF INCREASE IN THE INCOME OF AUQAF UNDER DIRECT MANAGEMENT.

Name of Waqf :

District :

Sl. No.	Details of income sources	Brief details of audit of the previous year 19----	Order No. date of taking over under direct management	Details of increase in immovable property after taking over under direct management	Increase in the income if any
1	2	3	4	5	6

(1)

(2)

(Details to be adopted from the statement In receipts of Budget)

Steps taken for better management:

1.

2.

3.

Results:

1.

2.

3.

Signature of Administrator

FORM 10

[See rule 16A(1)]

SEPARATE BUDGET BY MUTAWALLIES AND AUQAF UNDER THE DIRECT MANAGEMENT OF THE BOARD FOR THE YEAR 20.... - 20....

Estimated Receipts	**Estimated Expenditure**
Receipts of rent from the properties	Salary of the employees of
Donation/contribution	Miscellaneous receipt, if any
Maintenance of property expenditure	miscellaneous expenditure with details
Excess of expenditure over receipt	Excess of receipt over expenditure
2. Actual for the current year	
3. Actual for the preceding year	
proposed	

Date:

Place:

FORM 11

[See rule 21(4)]

REQUISITION UNDER SUB-SECTION (1) OF SECTION 52 OF THE WAQF ACT 1995 TO THE COLLECTOR FOR RECOVERY OF WAQF IMMOVABLE PROPERTY TRANSFERRED IN CONTRAVENTION OF SECTION 51 OR SECTION 56

1. Details of waqf property
2. Particulars of transfer deed. if any, executed in respect of the above property.
3. Name and full particulars of the person executing the deed, if any.
4. Name and full particulars of the person to whom the property has been transferred.
5. Result of comparison of the details of waqf property with the entries in the register of auqaf maintained under section 37 of the Waqf Act, 1995
6. Result of inquiry from the record of the Board regarding absence of sanction for the said transfer as required under section 51 or transferred in violation of section 56 of the Waqf Act.
7. Request to pass reasonable order to obtain and deliver possession of property to the Board.

Place: .....

Date:.....

CHIEF EXECUTIVE OFFICER
WAQF BOARD

FORM 12

[See rule 21(5)]

ORDER OF THE COLLECTOR FOR DELIVERING POSSESSION OF WAQF PROPERTY

To

Shri .....

.....

Whereas a requisition has been received under sub-rule (2) of rule 61 of the ..... Waqf Rules, from the Chief Executive Officer, ... Waqf Board, regarding transfer of waqf property, detailed in the Schedule below in your favor by Shri ..... in contravention of section 51 or section 56 of the Waqf Act, 1995.

Now, therefore in exercise of the powers conferred by sub-section (2) of section 52 of the said Act, I, ... Collector, District ..... hereby direct you to deliver possession of the said property to the ..... Waqf Board or to any person duly authorised by the said Board, within a period of thirty days from the date of service of this order failing which eviction proceedings shall be initiated against you. If you are aggrieved by the order, you may, within a period of thirty days from the date of service of this order, prefer an appeal to the Tribunal. In case you fail to comply with this order, and do not prefer an appeal within the time specified, the said property shall be taken possession of by me or by any person duly authorised using such force, as may be necessary for the purpose, and deliver it to the said Board.

Date

SIGNATURE OFTHE COLLECTOR SEAL

FORM 13

[See rule 23(1)]

FORM OF NOTICE UNDER SUB-SECTION (1) OF SECTION 54 OF THE WAQF ACT, 1995

To

Shri .....

.....

Whereas I, ... the undersigned, am of the opinion, on the grounds specified below that you are an encroacher of the waqf property mentioned in the schedule below and that you should vacate the said premises: Grounds .... Now, therefore, in pursuance of the provisions of sub-section (1) of section 54 of the Waqf Act, 1995, I hereby call upon you to show cause on ... . why such an order should not be made; And in pursuance of sub-section (3) of section 54 of the Act, I also call upon you to appear before the undersigned in person or through a duly authorised representative, capable to answer all questions connected with the matter along the evidence which you intend to produce in support of the cause shown, on..... at ..... for personal hearing. In case, you fail to appear on the said date and time, it will be presumed that you are an encroacher on the said waqf property and further action shall be taken for your eviction according to law.

SCHEDULE:

Details of Waqf Property:

Signature and seal of the

Date: ..... Chief Executive Officer

Copy to: Mutawalli

FORM 14

[See rule 23A(6)]

ORDER FOR VACATION OF THE UNAUTHORIZED OCCUPATION OF WAQF PROPERTY

Whereas, I the undersigned, am satisfied for the reasons recorded below that Shri/Smt./Km. ..... is an encroacher and unauthorized occupant of the waqf premises specified in the Scheduled below:—

REASONS:

SCHEDULE

Details of waqf property:

Now, therefore, the undersigned under section 54 of the Waqf Act, 1995, hereby order Shri/Smt./Km ..... and all persons who are in unauthorized occupation of the waqf property or any part thereof to vacate the said premises within 15 days of the service of this notice. In the event of refusal or failure to comply with this order within the period specified above, the matter shall be referred to the Tribunal for passing appropriate order.

DATE:

SIGNATURE AND SEAL OF
THE CHIEFEXECUTIVE OFFICER

FORM 15

[See rule 23A(16)]

APPLICATION TO EXECUTIVE MAGISTRATE UNDER SECTION 55 OF THE WAQF ACT 1995

To

The Executive Magistrate,

.....

Whereas the Waqf Tribunal has passed an order under sub-section (4) of section 54 of the Waqf Act 1995 on ..... (copy annexed);

Whereas Shri./Smt./Km. ..... has failed to vacate the land, building, space or other property to which the order relates, within the time specified in the order;

Whereas under section 55 of the Waqf Act 1995, you are requested to make an order, directing the encroacher to remove the encroachment, as the case may be, vacate the land, building, space or other property and to deliver possession thereof to Shri ..... mutawalli/ Secretary of the Managing Committee of the property / Waqf Board. In default of compliance with the order, remove the encroachment or evict the encroacher within one month of the receipt of this application from the waqf premises with the assistance of police.

Whereas your attention is drawn to proviso to sub-section (6) of section 7 of the Waqf Act, 1995 (as amended).

Date:

SIGNATURE AND SEALOFTHE
CHIEFEXECUTIVE OFFICER

FORM 16
[See rule 24A(1)]

NOTICE FOR HOLDING OF ENQUIRY

Notice to Mutawalli/Secretary of _____ (Waqf institution) under Sec. 64(3) of the Waqf Act, 1995 to conduct an enquiry. Whereas, you Sri _____ S/o _____ _____ were appointed as Mutawalli/ Secretary of (Waqf Institution) vide Board's Order No. _____ dated for a period of years and whereas, it is now established that you have violated the provisions of the Waqf Act, 1995, and liable for action under Sec. 64(1) for anyone/more than one reasons indicated below (tick whichever is appropriate)

(a) has been convicted more than once of an offence punishable under Sec. 61 of the Waqf Act, 1995
(b) has been convicted of offence of criminal breach of trust or any other offence involving moral turpitude, and such .conviction has not been reversed and he has not been granted full pardon with respect to such offence; or
(c) is of unsound mind or is suffering from any other mental or physical defects or infirmity which would render him unfit to perform the functions and discharge the duties of a mutawalli; or
(d) is an undischarged insolvent; or
(e) is proved to be addicted to drinking liquor or other spirituous preparations, or is addicted to the taking of any narcotic drugs; or
(f) is employed as a paid legal practitioner on behalf of or against the waqf or;
(g) has failed, without reasonable excuse, to maintain regular accounts for two consecutive years or has failed to submit, in two consecutive years, the yearly statement of accounts, as required by sub-section (2) of Section 46; or
(h) is interested, directly or indirectly., in a subsisting lease in respect of any waqf property, or in any contract made with or any work being done for, the waqf or is in arrears in respect of any sum due by him to such waqf; or
(i) continuously neglects his duties or commits any misfeasance, malfeasance misappropriation/misapplication of funds or breach of trust in relation to the waqf or in respect of any money or other waqf property; or
(j) willfully and persistently disobeyed the lawful orders made by the Central Government, State Government, Board under any provision of this Act or rule or order made thereunder;
(k) misappropriate or fraudulently dealt with the property of the waqf.
(l) as per the information/ audit report/report before the Board;
    (1)
    (2)
    (3)

Therefore, by virtue of the powers conferred under Sec. 64(3) of the Waqf Act, 1995, notice is hereby given that an enquiry will be held under Sub Rule (1) of Rule 66 of ..... Waqf Rules 1996 by the ..... State Board of Waqfs.

You are therefore called upon to file your objections, if any, to the said enquiry, within seven days, from the date of service of this Notice. If you fail to file your objections, the Board shall proceed with the enquiry and take a decision under Sec. 64 of the Waqf Act, 1995 as required under law.

Chief Executive Officer

To

Shri
Copy to the concerned.

FORM 17

[See rule 24A(3)]

NOTICE (NOTICE FOR SUSPENSION OF MUTAWALLI/MANAGING COMMITTEE OF _____(WAQF INSTITUTION) UNDER SEC. 64(5) OF THE WAQF ACT, 1995)

Whereas, action under Sec. 64(1) is contemplated against you Sri _____ S/o _____Mutawalli/ Managing Committee of (Waqf Institution). Whereas, the ..... State Board of Waqfs has taken up an enquiry under Sec. 64(3) of the Waqf Act, 1995 in this connection, and therefore your continuance in this office may hamper the proceedings of the enquiry. Now therefore, in exercise of the powers conferred under Sec. 64(4), ... State Board of Waqfs has decided to keep you under suspension from the office of the Mutawalli/Secretary of Managing Committee of (Waqf institution).

You are therefore, called upon to explain as to why orders keeping you under suspension should not be issued. If you fail to furnish an explanation, the Board shall proceed in accordance with law and action will be taken to suspend you from the office of the Mutawalli/Secretary of the Managing Committee of the above said institution, until the conclusion of enquiry initiated under Sec. 64(3) of the Waqf Act, 1995.

Chief Executive Officer

Date: .....

Mutawalli/Secretary

_____

_____

Copy to the concerned

FORM 18

[See rule 25(1)]

ANNUAL REPORT REGARDING WAQF INSTITUTIONS UNDER THE DIRECT MANAGEMENT OF THE BOARD UNDER SEC. 65 OF THE WAQF ACT

1. Name of the Waqf Institution.
2. Details of Registration of Institution under Section 37.
3. Order No. & date of taking the Institutions under direct management.
4. Name of the Official/person appointed as Administrator of Waqf Institution.
5. Income of the Waqf for the preceding year
6. Steps taken by the Administrator to improve the income of Waqf.
7. Period for which the Waqf is under the direct management and reasons for not entrusting the waqf to the Mutawalli/Managing Committee during the year.
8. Details of immoveable property and the income there from.
9. Details of project intended after taking the institution under direct management.
10. No. of Resolutions made after taking the Institution under the direct management.
11. Details of collection of arrears by way of rents/lease amount etc.
12. Details of Waqf contribution paid.
13. Recommendation of Board to the state Government regarding continuance under direct management.

(i)

(ii)

(iii)

(iv)

Chief Executive Officer

Waqf Board

FORM 19

[See rule 26(2)]

SHOW CAUSE NOTICE

Show Cause Notice under sub-section 2 of section 67 of the Waqf Act, 1995 for superseding a Committee for supervision/management of (Waqf institution) _____constituted under Sec 67(1) of the Wakf Act, 1995, for a term of _____period by the Board because the Committee so constituted is not performing/managing the issue in the interest of Wakfs for the reasons:

i)

ii)

iii)

iv)

(reasons shown above shall be the complaints and written objections about the same, observation of mis-management and misuse during the course of inspection etc., shall be indicated specifically).

Now therefore by virtue of the powers conferred with the ..... State Board of Waqfs under Sub Sec. (2) of Sec 67 of the Wakf Act, 1995, you are called upon to explain within one month from the date of issue of this Notice as to why an order of suppression of the Committee should not be passed. If no reply is received from you within the stipulated time, then the Board will proceed to pass an order under Sub Sec (2) of Sec, 67 of the Waqf Act, 1995.

By Order of the Board

Date:.....

Chief Executive Officer

To

The Secretary/President,
Managing Committee

Copy to the Chairperson, Distt. Waqf Advisory Committee _____the concerned.

FORM 20

[See rule 26(5)]

SHOW CAUSE NOTICE

Show Cause Notice to be issued to a Member for his removal from a committee under Sec. 67(6) of the Waqf Act, 1995)

Whereas Janab _____S/o_____was appointed as a Member of the Managing Committee of (Waqf institution) _____ by the Board under Sec. 67 (1) of the Waqf Act, 1995 on _____Whereas, now there is sufficient evidence that Janab _____Member of the above said committee has abused his position in such member or has knowingly acted in a manner prejudicial to the interests of the Wakfs for the following reasons:

(i)

(ii)

(iii)

(iv)

(v)

(contents be taken from complaints, report of mis-conduct of the member in the meetings of the managing committee, report from the Mutawalli/Secretary of the Committee duly verified shall be indicated specifically)

Therefore, by virtue of powers conferred with the ..... State Board of Waqfs under Sub Sec (6) of Sec. 67 of the Wakf Act, 1995, Janab _____is hereby called upon to show cause as to why an order should not be passed for your removal from the membership of the above said committee within seven days from the date of service of this Notice. If no reply is received, the Board shall proceed with in accordance with law under Sec.67(6) of the Waqf Act, 1995.

By Order of the Board

Date: .....

Chief Executive Officer

To

Janab_____ Member,

Managing Committee

Copy to the Chairperson, Distt. Waqf Advisory Committee _____the concerned.

FORM 21
[See rule 27]

NOTICE (NOTICE UNDER SUB-SECTION (1) OF SECTION 69 OF THE WAQF ACT, 1995 TO THE MUTAWALLI/ MANAGING COMMITTEE OR THE APPLICANT TO ADOPT THE SCHEME OF MANAGEMENT APPROVED BY THE BOARD FOR PROPER ADMINISTRATION OF WAQF)

Whereas, under sub section (1) of Section 69 of the Waqf Act 1995, a Model Scheme of Management is prescribed for any Waqfs and whereas, in view of provision prescribed in above sub section, the Muthavalli/ Secretary of Managing Committee of (Waqf institution) _____is required to propose to prepare Scheme of Management with reference to Mansha-e-Waqif of _____(Waqf institution).

It is hereby notified that the Mutawalli/applicant under Sub Sec (1) of Sec. 69 of the Waqf Act, 1995, shall furnish the said Scheme alongwith the Resolution of the Managing Committee/General Body within fifteen days from the date of receipt of this Notice.

Date: Chief Executive Officer

To

The Mutawalli/applicant

Of Managing Committee,

_____

_____

Copy to the Chairperson, Distt. Waqf Advisory Committee, _____the concerned.

FORM 22
[See rule 28(2)]

(STATEMENT INDICATING THE NET ANNUAL INCOME OF THE WAQF AND THE CONTRIBUTION PAYABLE TO BE FURNISHED BY TH 15 JUNE EVERY YEAR).

1. Name of the Waqf
2. The income assessed as per Statement of Accounts
3. Deduction from the income as per Sub Sec. (1) of Sec. 75
   i)
   ii)
   iii)
   iv)
   v)
4. Net profit derived from the Waqf
5. 7% Waqf Contribution payable to the Waqf Board.

Signature of Mutawalli/

Secretary of the Managing Committee

To

The Chief Executive Officer Karnataka State Board of Waqfs

Or

Authorised Officer _____ _____ Copy to the Chairperson,
DWAC _____

FORM 23

[See rule 30(1)]

(Part-A)

BUDGET ESTIMATE OF INCOME AND EXPENDITURE FOR THE FINANCIAL YEAR 20....-20..... DETAILS

INCOME **EXPENDITURE**

Head of income	Actual for immediately preceding year	Budget estimate of current year	Revised estimate of current year	Budget estimate for next financial year	Head of expenditure year	Actual for year immediately preceding current year	Budget estunates of current year	Revised budget estimate for the current year	Budget estimates for next financial year
1	2	3	4	5	6	7	8	9	10
1. Contributions from auqaf under section 72 (1)					1. Deficit from previous year.				
2. Other income:-									
(a) Interest on investments and advances.					(a) Allowance of fees to the Chairperson or members of the Board or Committees				
(b) Fees for supply of documents and other petty items.					(b) (i) Pay of Chief Executive Officer				
					(ii) Pay of establishment in the Board's office				
(c) Rents of land and building					(c) (i) Travelling Allowance				
					(ii) Other allowances				
(d) Cash grants and amenities					(d) (i) Rents,				
					(ii) Postage				
					(iii)Stationary				
					(iv) Books and periodicals				
					(v) Electric and lighting charges				
					(vi)Telephone charges				
					(vii)Printing charges				
					(viii)Furniture				
					(ix) Miscellaneous				
(e) Sale of securities, stocks, debenture or other valuable charges					(e) (i) Lawyer's fee				
					(ii) Stamp charges				
					(iii)Court fees				
(f) Sale of immovable properties					(f) (i) Interest on loans				
					(ii) Loans and advances				
(g) other receipts					(g) (i) Grants and scholarships				
					(ii) Capital expenditure on land and building				
					(iii)Maintenance and repair				
					(iv) Purchase of securities				
					(h) (i) Fuel for vehicles				
					(ii) Maintenance for vehicles				
Total.....									

DEFICIT/Surplus at the end of the next financial year .....

(Part-B)

BUDGET ESTIMATE OF RECEIPTS AND PAYMENTS FOR THE FINANCIAL YEAR

Receipt	Actual for the year immediately preceding current year	Budget estimate of current year	Revised budget estimate for current year	Budget estimate for next financial year	Head of payments	Actual for year immediately preceding current year	Budget estimate of current year	Revised budget estimate for current year	Budget estimate for next financial year
1	2	3	4	5	6	7	8	9	10

Cash balance from previous year

(i) Income

(ii) Loans

(i) Expenditure

(ii) Payment of loans*

Cash balance at the end of year **

* From the surplus of income over expenditure or from balance of loans, etc. when there is no surplus.

** Includes advances of pay, travelling allowances and lawyer's fees.

(Part-C)

Actual for year immediately preceding current year	Budget estimate of current year	Revised budget estimate for current year	Head of assets	Budget estimate for next financial year	Head of liablilities	Budget estimate for next financial year	Revised estimate for current year	Budget estimate for current year	Actual for year immediately preceding current year
1	2	3	4	5	6	7	8	9	10
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs	Rs.	Rs.	Rs

Cash balance*

Loans

Deficit/Surplus at the end of the year

* Includes advances of pay, travelling allowances and lawyer's fees.

(Part-D)

BUDGET ESTIMATES OF INCOME AND EXPENDITURE DURING THE FINANCIAL YEAR ABSTRACTS

Actual for the immediately preciding year	Budget estimate for current year	Revised budget estimate for current year	Budget estimate for next year	Remarks
1	2	3	4	5

Deficit/Surplus at the end of the next financial year.....

FORM 24

[See rule 31(2)(a)]

BEFORE THE TRIBUNAL .....

Between (A) : Name and Full address ..... Applicant

V/S

B, C and D .... Respondent

DETAILS OF THE APPLICATION

1. Particulars of the orders against which the application is made. The application is made against the following order:
   (a) Order number
   (b) Date
   (c) Passed by
   (d) Subject in brief
2. (a) Facts of the case
   (b) Grounds for relief, including the relevant legal provisions in support of relief
3. Matters not previously filed or pending with the Tribunal or any Court including High Court/Supreme Court. The Applicant further declares that he had not previously filed any application/Writ Petition regarding the matter in respect of which this application is made. In case the applicant had previously filed any application/Writ Petition, the copy of the decision should be given.
4. Relief/Prayer

Verification: I (Name of the Application) ..... S/o.....
W/o ..... D/o ..... age.....
Occupation..... residing at .....
.....do hereby verify that the contents of the Paras 1 to 4 are true to my knowledge and information and that I have not suppressed any material facts.

(Note: Application shall be accompanied by a Court fee of rupees five hundred)

(SIGNATURE OF APPLICANT)

Date: .....

Place:.....

FORM 25

[*See rule 33*]

CONTENT OF THE ANNUAL REPORT ON THE WORKING AND ADMINISTRATION OF THE .....WAQF BOARD AND THE ADMINISTRATION OF AUQAF IN .....

INDEX

Section I:———— Administration and management

Section II: ———— Financial position

Section III: ———— Remunerative enterprises

Section IV: ———— Removal of encroachment, protection and leasing of waqf property

Section V: ——— Status of litigation with details of number of cases filed/ defended in Tribunals and courts and the results

Section VI: ———— Development works

Section VII: ————Religious works including maintenance of mosques and shrines.

Section VIII: ———— Charity

Section IX: ———— Grant of educational and vocational institutions and centres

Section X: ———— Any other activity

Section 1: Administration and management

1. **Jurisdiction:-**

(i) The area and population of Muslims.
(ii) Number of auqaf.
(iii) Number of circle and branches, if any.
(iv) Number of mutawallis.
(v) Number of waqf institutions.
(vi) Status of survey of waqf properties.
(vii) Number of new waqf registered during the year.

2. Personnel:-

(i) Number and names of Board members
(ii) Number of members by election and their names along with the electoral colleges.
(iii)Number of members by nomination, their names and category.
(iv)Chairperson-name and date of election.
(v) Chief Executive Officer – name and period from which working
(vi)Names of other officers (office and field)

3. Meetings and attendance:-

(i) Number of ordinary and special meetings of the Board and meetings adjourned meetings.
(ii) Regularity in holding of Board's meetings and attendance of members in the meetings.
(iii) Whether meetings of the Board held as per Rules and Regulations. If not, reason thereof.
(iv) Information regarding agenda and resolution-number of resolution
(a) tabled during the year;
(b) passed;
(c) discussed and withdrawn;

(d) referred again by the Chief Executive Officer to the Board;
(e) referred by the Chief Executive Officer to the State Government, and
(f) dropped.

4. Committees

(i) Number of Standing Committees, their functions alongwith names of members.
(ii) General summary of work of each Committee, average attendance and comments of the Board regarding the Standing Committees.

5. Summary of other meetings held in the head office or elsewhere during the year.

6. Date and details of Annual General meeting of the Board

Section II: Financial Position

1) Summary of the accounts during the year

Head of account	Opening balance	Receipt during the year	Expenditure during the year	Closing balance
1	2	3	4	5

2) **Investments, loans and grants: Details of capital investments, loans and grants may be given.**
3) **Audit:-**
   (i) The period for which the audit has been completed under section 80, and action taken on the audit report.
   (ii) Cases of mis-appropriation of money by the waqf intuitions and action taken under the provisions of the Waqf Act, 1995 by the ..... Waqf Board.
   (iii) Cases of improvement in the finances of any waqf, whether under direct management.
   (iv) Vigilance cases against the staff of Board.

Section III: Remunerative enterprises

1. Development of waqf properties from the funds of the Board or form loans from Central Waqf Council or any other institution and the achievements thereof and increase in the income by the development of the waqf.
2. Details of any other commercial project taken by the Board.

Section IV: Removal of encroachments, protection and leasing of waqf property.

1. Whether the list of encroachments is maintained by the Board and a programme to identify the encroachment on waqf properties is taken up by the Board. If so, details thereof.
2. Progress in implementation of the relevant provisions of the Waqf Act, 1995 to remove encroachments. Implementation of the orders and requisition sent to the Collector and Executive Magistrates regarding the removal of encroachment and restoration of waqf properties to be given with the action taken in detail. Problems faced by the Board in enforcement of orders to be highlighted. Information for removal of encroachment to be given in the following table:

Sl. No.	Category of the waqf	No. of encroachment detected	No of encroachments removed	No of cases where proceeding are pending
1	2	3	4	5

3. Leasing of waqf properties: Total number of waqf properties leased,. Number of proposals for lease received and disposed of by the Board. Amount of lease, donation etc. received to be given in details.

Section V: Status of litigation

1. Details of applications, suits and writ petition pending in various courts to be given. 8 Expenditure incurred by way of counsel fees to be given in the report. The efficiency of the panel of Advocates to be examined by checking number of cases in which orders are passed in favour of the Board.
2. Number of applications filed and defended in Tribunal and writs and suits filed in other courts during the year. Expenditure on counsel fee and other expenditure in legal cases during the year to be given.
3. Regarding Tribunals, the number of appeals and applications filed their disposal by each Tribunal may be reviewed. Problems faced by the Tribunal(s) in the disposal of cases may be highlighted. The Tribunal fee collected and its remittance to the waqf fund to be examined.

Section VI: Development works

1. Details of construction of buildings in head office and branch offices and schools etc. with their estimate and expenditure during the year.
2. Maintenance of all such buildings mentioned in para (1) to be given with estimate and expenditure on maintenance.
3. Development and maintenance of waqf property (not religious) like boundary walls etc, with estimate and expenditure during the year.

Section VII: Religious work

1. Details of construction of mosques with estimate and expenditure.
2. Details of maintenance expenditure of mosques, dargahs etc, along with amount of electricity bills.
3. Amount spent on urs and other festivals.
4. Details of salary of Imams and moazzins with number in different categories.
5. Details of grants to mosques.

Section VIII: Charity

1. Amount of pension of widows and orphans and details of their number district wise.
2. Amount of pension of retired Imams with details
3. Amount of other charity, like marriage of poor girls and others.
4. Amount of scholarship and number of students with classes.
5. Any other expenditure.

Section IX: Grant to educational and vocational institutions and centers

1. Details of expenditure on schools directly managed by the Board with their names, number of teaching staff etc.
2. Details of recurring grants to school, college etc. run by private organizations with the names of educational institutions.
3. Details of recurring grants to madarsa's with their names and place.
4. Information of one time grant of schools, colleges, madarsa's etc. with name of institution, their address and amount of grant.

5. Details of grants to vocational centre.
6. Details of activities with expenditure on the promotion or Urdu.

Section X: Any other activity

1. Visit of distinguished persons and address.
2. Relationship between the Board and the Chief Executive Officer in the smooth administration of the Board.
3. Inspection of Waqf Committees. Waqf Institutions and inspection by the Chief Executive Officer or other officers and the compliance of the said inspection.
4. Action taken on the review by the Government on the annual report of the preceding year. Conclusion any other important matter affecting the general Administration of the Board and the waqf institutions.

Chief Executive Officer,
WAQF Board

By orders, etc.

NINGTHOUJAM GEOFFREY,
Commissioner-cum-Secretary (Minority Affairs),
Government of Manipur.

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