

(Name of State or U.T.)..... **WAQF BOARD REGULATIONS, 2014**

**CHAPTER-I**  
**PRELIMINARY**

**1. Short title and commencement.**— (1) These Regulations may be called the (Name of State or U.T.)..... Waqf Board Regulations, 2014.

(2) They extend to the whole of .....(Name of State or U.T.)

(3) They shall come into force from the date of publication in the Official Gazette.

**2. Definitions.**—In these Regulations, unless the context otherwise requires,—

(a) “Chairperson of the Committee” means Chairperson of the Committee appointed by the Board;

(b) “form” means the form appended to these Regulations;

(c) “masjid” includes idgah or any other place where the prayers are or have been held by Muslims in congregation (Jamaat);

(d) “new item of expenditure” means any expenditure not provided in the budget and being incurred for the first time;

(e) “rules” means the (Name of State or U.T.)..... Waqf Rules, 2014;

(f) “qabristan” includes takia, khanqah, dargah, peerkhana and karbala;

(g) “subordinate waqf” means waqf under the management of mutawalli or the Committee, registered with the Board and includes such portion of waqf alal-aulad as is reserved for charitable purpose.

(2) Words and expressions used and not defined in these Regulations but defined in the Act or the Rules shall have the same meaning as is respectively assigned to them in the Act or the Rules.

**3. Application.**—These Regulations shall apply to all officers and employees of the Board except,—

- (1) The Chief Executive Officer; and
- (2) Casual employees.

**CHAPTER-II**  
**CONDUCT OF MEETINGS OF THE BOARD**  
**AND THE COMMITTEES**

*[Section 17/110(2)(a)]*

**4. Meetings of the Board.**—The Board shall ordinarily meet in a month or often, if necessary as may be decided by the Board, at the office of the Board or at any other place, on such date and time as may be fixed by the Chairperson.

(2) An extra ordinary meeting of the Board may be held whenever called for by the Chairperson on his own initiative or on the requisition in writing of not less than two members specifying the purpose for which the meeting is to be held:

Provided that at such extra ordinary meeting the business for which meeting has been convened, shall alone be considered.

(3) At least seven days' notice alongwith agenda for ordinary meeting and three days' notice alongwith agenda for emergency meeting of the Board or its Committees shall be given to the members.

(4) Four members of the Board shall form the quorum at any meeting of the Board. In the event of sufficient number of members, not being present at the meeting to constitute quorum, the meeting shall stand adjourned to such time or date as may be fixed by the Chairperson. No quorum shall be necessary at such adjourned meeting.

(5) Matters in the agenda, which could not be taken up at a meeting for want of time or any other reason, shall stand adjourned to the next meeting.

(6) Urgent matters may be decided by circulation among all members of the Board provided, however, that no such decision shall be taken unless the majority

of the members agree. The Board at its next meeting shall ratify all such decisions.

*[Section 110(2)(k)]*

(7) The Chief Executive Officer or any other officer authorised by him or the Board shall authenticate any order or decision of the Board.

(8) A minute book shall be maintained for the meeting of the Board for recording the proceedings of the meeting. Protest and dissent shall be recorded in the minutes.

(9) After confirmation, the minutes shall be signed by the Chairperson and the Chief Executive Officer in the Minutes Book.

(10) Draft minutes of the meetings signed by Chief Executive Officer, shall be circulated to the members of the Board or its Committees and shall be subject to confirmation in its next meeting.

(11) Notwithstanding anything contained in the foregoing regulations, the Chief Executive Officer, may place before the Board any subject which he feels is of urgent or of important nature, though not included in the list of subjects/agenda. The Board may take into consideration the same and pass appropriate resolution.

**5. Recording of votes.**— (1) Votes may be recorded by show of hands or by ballot at the discretion of the Chairperson, or if desired by not less than thirty percent of the members present in the meeting.

(2) The decision in the meeting shall be by majority and in case of tie, the Chairperson shall have a casting vote.

*[Section 110(2) (b)]*

**6. Transaction of business at the meeting.**— No business other than what was included in the agenda, issued for the meeting shall be transacted at a meeting of the Board or its Committees, except with the special permission of the

Chairperson if it is of urgent nature, provided that at a special meeting only such business shall be transacted as is included in the agenda.

**7. Form of motion.**— Unless allowed otherwise by the Chairperson, every motion shall be in the form of a resolution which must be seconded before it is considered by the Board or its Committees.

**8. Proposal of motion by another member.**— A motion standing in the name of a member who is absent from the meeting may be proposed on his behalf by any other member with the permission of the Chairperson.

**9. Amendment in motion.**— Any member present may move an amendment in a motion. When two or more amendments are proposed, Chairperson shall put them to vote in such order as he may deem proper.

**10. Decision of Chairperson on amendments in motion to be final.**— The Chairperson shall decide whether an amendment is in order or not and his decision shall be final.

**11. Amendment to be seconded.**— An amendment shall be duly seconded before it is considered by the Board.

**12. Motion for adjournment of meeting etc.**— A motion for adjournment of a meeting or for closure of the meeting may be made at any time in the course of a meeting with the permission of the Chairperson.

**13. Consequence of carrying of a motion of adjournment.**— If a motion for adjournment is carried, such discussion shall stand postponed to the next meeting. If a motion for closure is carried, the substantive proposal or the amendment thereto, as the case may be shall, subject to the right of the mover to reply, be immediately put to vote.

**14. Point of order.**— Any member may, at any time in the course of discussion, call the attention of the Chairperson to a point of order.

**15. Raising of point of order by one member in the course of speech by another.**— If a point of order is raised by one member in the course of a speech

by another, the speaker shall forthwith resume his seat until the Chairperson, whose decision shall be final, has given his ruling.

**16. Chairperson to maintain order at meeting.**— The Chairperson shall maintain order at the meeting of the Board or its Committees. If a member fails to comply with the order of the Chairperson he may, with the approval of the majority of members present, debar him from attending the rest of the meeting.

**17. Moving of proposal relating to formal vote of thanks etc.**— Proposal relating to formal vote of thanks, messages of congratulations or condolences, and other matters of like nature may be moved without notice from the Chair or by any member present with the permission of Chairperson.

### **CHAPER-III**

### **COMMITTEES**

**18. Appointment of Committees.**— The Board may constitute Managing Committee of a Waqf, consisting of seven members and subject to such conditions and restrictions as it may deem fit.

**19.** The Board may constitute an Area Waqf Committee, to watch the interest of auqaf in that particular area consisting of seven members and subject to such conditions and restrictions as it may deem fit.

#### ***[Section 18/110(2)(c)]***

**20.** The Board may constitute the following Committees to assist it, in smooth functioning of its affairs—

- (1) Finance Committee;
- (2) Property and Leasing Committee;
- (3) Education and Religious Affairs Committee;
- (4) Masajid and Qabristan Committee;
- (5) Shia Auqaf Committee; and
- (6) Appointments Committee.

**21. Election of the Committee.**— Every Committee shall be elected by the Board for one year and shall have three members one of them shall be as woman out of which two shall be the members of the Board. One of the members of the Finance Committee shall be an expert in finances and one of the members of the Property and Leasing Committee shall be an engineer or architect. However, the Shia Auqaf Committee shall have seven members, one of whom shall be a Shia member of the Board and two shall be nominated by the Board from Shia Muslims of the area and four will be Presidents or their nominees of the registered Shia Anjumans of the area which were managing waqf properties at the time of formation of the Shia Auqaf Committee.

**22. Chairperson of the Committee.**— Every Committee shall have a Chairperson who, in the absence of the Chairperson of the Board, shall preside over the meetings.

**23.** The Chairperson of the Board shall be ex-officio member of every Committee and the Chief Executive Officer shall be the Secretary of each Committee.

**24.** Every Committee shall meet once in a month. Two members of the Committee shall form a quorum.

**25.** The Board may extend the term of any Committee by a resolution provided that extension shall be given for a specified period only which shall not exceed one year at a time.

**26.** Vacancy in each Committee by death, resignation or removal of a member, shall be filled by election of another person who shall fill such vacancy for the un-expired portion of the original or extended term of the Committee.

**27.** The Chief Executive Officer, in consultation with the Chairperson of the Committee, shall prepare the agenda and convene the meeting of the Committee.

**28.** The minutes shall be signed by the Chief Executive Officer and shall be subject to confirmation of the Committee at its next meeting, when the same shall

be signed by the Chairperson of the Committee and shall be effective from the date of confirmation.

**29.** Approval of the minutes of the Committee in its next meeting shall not be required if the same are approved by the Board before the next meeting of the Committee.

**30.** The minutes shall be forwarded to the Board at its next meeting for the approval or the information of the Board as the case may be.

**31.** The Board shall, if it does not approve of any resolution of the Committee, return with its recommendations or pass fresh resolution.

**32.** The Board may dissolve any Committee by a three fourth majority of the members present in a specially convened meeting for each Committee.

**33.** In addition to the powers and functions conferred on each Committee, it shall be open to the Board to delegate, by a special resolution, additional powers and functions for specified period when such course appears expedient for the proper conduct of business.

**34.** Till the Committees are constituted, the Board shall discharge their functions.

**35. The Function and powers of Finance Committee.**— The following shall be the functions and powers of the Finance Committee—

(a) to examine the budget of auqaf and submit it to the Board after making such modifications and with such observations as it may consider necessary;

(b) to examine the budgets of auqaf for which Committees have been appointed by the Board, where these budgets have been prepared, received from mutawallies or Committees or have been prepared by the Chief Executive Officer in the event of failure of mutawallies or Committees to submit them, return them for amendment or sanction them with or without modifications, provided that the

modifications shall not be inconsistent with the wishes of the waqif, if they can be ascertained;

(c) to examine the budgets of auqaf, directly administered by the Board and submit them to the Board with such modifications and observations as it may consider necessary;

(d) to lay down programme for the submission, examination and sanction of all budgets, consistent with the provisions of the Act and the Rules;

(e) to examine the accounts of auqaf directly administered by the Board and the Waqf Fund at such intervals as may be determined by a resolution of the Committee;

(f) to enquire and consider the financial irregularities and pass final orders thereon, or if it thinks fit, report to the Board with its observations;

(g) to consider proposals for new items of expenditure, whether included or not in the budget, reject them or sanction them if within its own powers and in the case of items beyond its powers, to submit them to the Board with its observation;

(h) to re-appropriate funds from one head of a budget to another, subject to such restrictions, if any, as may be imposed by a resolution of the Board.

(i) to sanction new items of expenditure—

(i) in the case of items included in the budget, full powers subject to the limits of provisions made in the budget;

(ii) for non-recurring items not included in the budget upto rupees fifty thousand in each case, provided funds can be found by re-appropriation or savings;

(iii) recurring expenditure upto rupees twenty five thousand per annum provided additional funds can be found by re-appropriation or from savings;

(iv) in the case of Shia auqaf the consent of Shia Auqaf Committee shall be taken in sanctioning new items of expenditure or revising budgets.



(j) to obtain, if necessary, during the currency of the financial year revised budget estimates for the Waqf Fund or the auqaf directly administered by the Board and take such action thereon as it considers necessary;

(k) to obtain, at its discretion, revised budget estimates during the currency of the year from any waqf or take such other action thereon as it considers necessary;

(l) to call for examination of the budgets of the waqf-alal-aulad properties from its mutawallies where any portion of its income is specified for charitable purpose;

(m) to consider the proposal for the creation of new posts or alterations in the scales of pay of the existing posts in the Board and forward its recommendations to the Board;

(n) to consider proposals for the improvement of the income of auqaf directly administered by the Board and to implement them;

(o) to institute inquiries wherever it thinks fit into the financial administration of a registered waqf and waqf-alal-aulad to issue necessary orders on the reports received as a result of inquiries or to submit them with its observations to the Board;

(p) to sanction payment, out of Waqf Fund, land revenue, cess, rent, rates or taxes due to the Government or to a local authority from a registered waqf, whose mutawalli refuses or fails to pay and also to recover the same with 15% damages, in case the failure or refusal of a mutawalli is wilful;

(q) to create Waqf Fund from the savings of registered auqaf and see that the savings of such auqaf applied for education and industrial purposes for the benefit of Muslims of the area. Subject to delegation made to a member, the Chief Executive Officer or any other officer of the Board, to consider report of the auditors on the accounts of subordinate auqaf and waqf-alal-aulad and pass necessary orders thereon:

Provided that the Committee shall obtain and forward with its observations a report containing general appreciation of the working of the auqaf during the year with special reference to their financial administration—

(i) to consider loan applicants and the terms to give loans to registered auqaf out of the fund created from the savings of the registered auqaf and recommend the same to the Board;

(ii) to see and ensure that savings of all auqaf which are registered or for which Committees to manage have been appointed, are deposited in the registered Waqf Fund.

**36. Functions and powers of Property and Leasing Committee.**— The following shall be functions and powers of the Property and Leasing Committee,—

(a) to see that the shops, houses, flats, lands, etc. in respect of auqaf directly administered by the Board are leased out to the best advantages of the auqaf;

(b) to consider schemes for improving the value of property by all legitimate means and to implement them, with the concurrence of the Finance Committee;

(c) to ensure proper upkeep of records and title-deeds of lands and buildings vested in the Board;

(d) to see that proper and effective steps are taken to guard waqf properties and where necessary, direct the Chief Executive Officer to move to the Tribunal for the removal of encroachments on waqf properties;

(e) to consider and propose to the Board schemes for conversion of any property belonging to auqaf into properties of different kinds;

(f) to take steps for maintaining all buildings, including all mosques, khanqahs, dargahs and takias etc. under the control of the Board or connected auqaf in proper state of repairs;

(g) to prepare plans and estimates for repairs and new construction, consider such estimates, sanction, modify, or reject them, subject to the provisions of the budget.

***[Section 52]***

(h) take steps to recover properties transferred in contravention of sections 51 and 56.

***[Section 52-A]***

(i) take steps to file FIRs against sellers, purchaser and encroachers of waqf properties

***[Section 56]***

(j) to take steps for the recovery of waqf properties leased between 01.01.2006 to 31.10.2013, where three years have elapsed from the date of leasing.

***[Section 104-B]***

(k) identify and prepare a list and initiate steps for the recovery of waqf properties occupied by the Government agencies or get market rent fixed through the Tribunal;

(l) to consider estimates of repairs of buildings as well as new constructions and to arrange for the supervision of auqaf, sanction, modify or reject them, subject to the provision in the budget of the waqf concerned;

(m) to consider generally whether properties are being used to the best advantage of the waqf concerned and to report to the Board;

(n) to take steps wherever necessary to trace out the waqf properties and suggest means for their restoration and recovery of lost properties;

(o) to arrange for the supervision of auqaf and repair or new construction thereof and to ensure that they are properly and economically executed;

(p) to ensure that the nutawallies lease out waqf properties with the approval of the Board;

(q) to appoint Zonal Committees to assist the Property and Leasing Committee in its functions. The Zonal Committees shall not be of more than five members out of which at least one shall be the member of the Board.

**37. Functions and powers of Education and Religious Affairs Committee.**— The functions and powers of Education and Religious Affairs Committee shall be as under—

(a) to explore and consider such means as may help in promoting ethical, religious and technical education, subject to the budget provision and to place its recommendations before the Board for its approval;

(b) to provide scholarship and free education for deserving students with the approval of the Board;

(c) to chalk out suitable educational programme for disabled and blind persons and to make necessary arrangements for the same;

(d) to explore all such ways and means as may be helpful for developing the fund for educational requirements;

(e) to provide necessary assistance for orphans and widows;

(f) to recommend for the appointment of Committees for religious educational institutions directly managed by the Board and see that high standard of education is being imparted in Arabic Madarsas.

**38. Functions and powers of Masajid and Qabristan Committee.**— The functions and powers of Masjid and Qabristan Committee shall be as follows—

(a) to ensure that all requisite conveniences for the religious performances are provided on adequate scale in all mosques;

(b) to take necessary steps to ensure high standard of cleanliness in all mosques and qabristans;

(c) to take all steps to preserve and improve the attractiveness of mosques;

(d) to see that all imams, muezzins and other employees of the Board, connected with the mosques are performing their duties efficiently and punctually;

(e) to sanction expenditure subject to budget provision, to provide such conveniences as mussallas, lighting equipment, protection against sun and rain, hot water, other movable equipments for mosques etc. and also sanction expenditure, ensuring high standard of cleanliness in all the mosques and qabristans and see that the graves are properly maintained and proper arrangements for burying the dead bodies are made;

(f) to ensure that no pakki grave is made in a qabristan in view of shortage of space;

(g) to consider and suggest to Property and Leasing Committee, alterations to make mosques more attractive;

(h) to see that the mosques and qabristans are used only for the purposes authorised by Muslim law;

(i) to take steps for improving the surroundings and for necessary repairs of mosques and qabristans, wherever it is possible to do so;

(j) to appoint provisional committees of the areas to work under its supervision:

Provided that in each such provisional committee at least one member shall be a member of the Board and such provisional committee shall not be of more than five members.

**39. Functions and powers of Appointments Committee.**— The functions and powers of Appointments Committee shall be as follows—

(a) applications for every post shall be invited by advertising in Urdu Newspaper, having circulation in .....(Name of State or U.T.);

(b) for every post two names shall be recommended by the Appointments Committee, out of which one name shall be selected by the Board;

(c) knowledge of Urdu shall be essential qualification for every post for which a written test shall be conducted;

(d) promotion on every post shall be on the recommendation of the Appointments Committee on seniority-cum-merit-cum-fitness basis.

**40. Function and Powers of Shia Auqaf Committee.**— (1) The Shia Auqaf Committee shall be constituted where there is no separate Shia Waqf Board in the State.

(2) The functions and powers of Shia Waqf Committee shall be to manage and control all Shia auqaf directly administered by the Board and see that the mosques and imambaras are used only for religious purposes.

(3) The Managing Committee for Shia Auqaf shall be constituted in consultation with the Shia Auqaf Committee

#### **CHAPTER-IV**

#### **MAINTENANCE OF REGISTER OF AUQAF**

##### *[Section 37/110 (2) (g)]*

**41. Application for registration of auqaf.**— (1) An application for registration of auqaf shall be in Form I and shall be filed in the office of the Chief Executive Officer, who shall supply on demand, to the mutawallies of auqaf such form of application on payment of rupees ten;

(2) on receipt of an application for registration, the Chief Executive Officer may, before registration of auqaf, make such enquiries as he considers necessary in respect of the genuineness and validity of the application and the correctness of particulars mentioned therein and when the application is made by any person other than the person, administering the waqf property, the Chief Executive Officer shall hear him if he desires to be heard. When the Chief Executive Officer finds that there are discrepancies in the application for registration and the correctness of any particular mentioned therein, and the facts as ascertained as a

result of inquiry, he shall place the matter before the Board; obtain its orders and the particulars shall be registered.

**42. Suo-motu registration.**— The Chief Executive Officer, on receipt of information that any waqf is not registered with the Board, may require an officer of the Board to conduct local inquiry and on the report of the officer, if he is of the opinion that it is a waqf, to be registered under the Act, he shall issue notice to the person who is administering the waqf, to show cause as to why the said waqf should not be registered. The Chief Executive Officer shall consider the objections, if any, and pass appropriate order.

**43. The register of auqaf.**— The register of auqaf shall show in the remarks column the past and present position of the waqf, and utilisation of its income as per the wishes of the waqif.

*[Section (79)]*

**44. Books to be kept in the office of the Board.**— The following books and registers shall be kept in the office of the Board— (1) Register of Auqaf in the form prescribed under the ..... (Name of State or U.T.) Waqf Rules, 2014;

- (2) Waqf Property Register;
- (3) Waqf Fund Register;
- (4) Loan Register;
- (5) Minutes Book of the meetings of the Board and its Committees;
- (6) Register showing the list of members of the Board and its Committees, officers and staff, including imams, muezzins. Caretakers, mujawirs and khadims;
- (7) Account Books consisting of cash book, ledger and other registers as approved by the Board;
- (8) Mad-e-Amanat Register.

*[Section 44/110 (2) (h)]*

**45. Annual budget estimates of registered auqaf.**— (1) The mutawallies and the committees appointed for the management of auqaf shall prepare the budget in the form approved by the Board and shall submit them before 15<sup>th</sup> February every year;

(2) No mutawalli or Committee appointed to manage the waqf shall be allowed to keep more than five thousand rupees in his/its custody and the amounts exceeding five thousand rupees shall be deposited in the Bank;

(3) The financial year of the Board shall commence from 1<sup>st</sup> April each year;

(4) All moneys of the Board shall be deposited in such scheduled bank as may be approved by the Board for this purpose.

**46. The accounts of the Board shall be kept in the following manner.**— (a) The register of Waqf Fund shall show complete account of the fund of the Board;

(b) the daily cash book shall contain daily receipts and disbursement as per proper vouchers of receipts;

(c) the account books shall show daily deposits in the bank;

(d) the Loan Register shall show advances and their recoveries;

(e) the Mad-e-Amanat Register shall show the name of waqf and the amount received from each mutawalli or Committee;

(f) the Waqf Property and Leasing Register shall show amount of income and expenditure of properties directly administered by the Board;

(g) the amount of the waqf shall be entered in the account books in accordance with the accepted rules of book keeping and accountancy;

(h) all accounts of the Board shall be audited every year by the Chartered Accountant, approved by the Board and the audit report shall be submitted to the Board positively within one month from the date of its receipt, and a copy thereof shall be sent to the Government and the Central Waqf Council.



**CHAPTER-V**  
**TERMS AND CONDITIONS OF SERVICE OF THE OFFICERS AND**  
**EMPLOYEES OF THE BOARD**

*[Section 24(2)/110(2)(e)]*

**47. Qualifications for appointment.**— (1) No person shall be eligible for appointment in group A service, unless he is a graduate and possesses, administrative experience for at least five years and is conversant with land record and revenue laws. For technical posts, the qualifications shall be diploma in Engineering for Junior Engineer and degree in Engineering for Assistant Engineer. For group B and group C posts, the minimum qualifications shall be Senior Secondary. For group D posts, minimum qualification shall be 8<sup>th</sup> class pass provided that the Board may prescribe such other qualifications for recruitment to specified categories of the post as it may deem fit. Knowledge of Urdu shall be an essential qualification for all posts.

(2) Establishment Register in Form VII, shall be maintained having details of all employees of the Board.

**48. Working hours.**— The working hours of the employees of the Board shall be the same as fixed for the employees of the Government, unless opted otherwise by the Board.

**49. Appointments of the employees of the Board.**— Appointments to the posts under the Board shall be made by the authorities specified hereinafter.

**50. Appointing authorities.**— (1) The following shall be Appointing Authorities for each post—

<b>Posts</b>	<b>Appointing authority</b>
Group A B and C	Chairperson with the approval of the Board
Group D	Chief Executive Officer

(2) All the posts under the Board shall be classified as group A, group B group C and group D.

(3) The scales of pay of the employees of the Board shall be as follows:

Group A	(designation to be mentioned)	<b>pay scales of the employees of the board to be deter- mined by each board.</b>
Group B	(designation to be mentioned)	
Group C	(designation to be mentioned)	
Group D	(designation to be mentioned)	

(4) All the appointments, postings and transfers of the employees of the Board shall be on the recommendations of the Appointments Committee.

(5) An employee of the Board shall not remain on one post for more than three years. He may, however, be transferred earlier by the competent authority,

**51. Probation.**— Appointment to all the posts shall be subject to probation or /trial for a period of one year which may be extended further by the appointed authority at his discretion. If no extension is made, the employee shall be deemed to have been confirmed after the expiry of the probation period.

**52. Termination of probation.**— The appointing authority may, before the expiry of the period of probation, terminate the probation of any person and discharge him from services if he is a direct recruit, after giving him one month's notice or one month's pay in lieu of notice. In case of promotion on probation, the appointing authority may revert him to his permanent post under the Board. If any leave is granted, the period of notice and leave shall run concurrently.

**53. Disqualification for appointment.**— Any person who has been convicted of an offence involving moral turpitude or who has been dismissed from the service of the Central Government, State Government or any local authority or any person who has been declared medically unfit, or who has concealed material particulars at the time of appointment shall be disqualified for appointment under the Board.

**54. Medical Certificate.**— (1) Every person appointed for the first time to a post under the Board, shall furnish a certificate of health fitness to the Chief

Executive Officer. The medical certificate shall be in the following form and it shall be attached to the first bill submitted for the pay of person concerned:

“I..... hereby certify that I have examined Mr/Ms.....s/o, d/o, w/o ..... r/o ..... whose signature is attested below, a candidate for employment as ..... under ..... Waqf Board and have not discovered that he/she has any disease. (communicable or otherwise), constitutional weakness or body infirmity, except ..... I do not consider that the infirmity is disqualification for the said employment.

(2) In case of group A employees, the certificate shall be by the civil surgeon of the district or the medical superintendent of Government hospital.

**55. Security.**— (1) The Board may demand such security as it considers necessary from any of its employees but the amount of security so demanded shall not exceed the amount of cash likely to be handled by the employee.

(2) The rules laid down in the General Financial Rules of the Government shall be followed mutatis mutandis in matter relating to security deposit. For this purpose the expression ‘State Government’ or ‘Head of Department’ wherever it occurs in the said rules, shall mean the ‘Board’ and expression ‘Government servant’ wherever it occurs shall mean the ‘employee of the Board’.

**56. Date of retirement.**— (1) The date of retirement of an employee of the Board shall be the date on which he attains the age of 60 years. He may be retained in service after the said date, in exceptional circumstances with the sanction three fourth members of the Board in the interest of waqf, provided that he is medically fit but shall not be retained in service after the age of 62 years.

(2) No extension shall be granted for more than one year at a time. The medical fitness, as aforesaid, shall be certified before such extension.

(3) Notwithstanding anything contained in these Regulations, the appointing authority shall, if it is of the opinion that it is in the interest of auqaf so to do, have the absolute right to retire an employee of the Board by giving him notice of not less than three months in writing or three months' pay and allowances in lieu of such notice—

(a) if he is, in group A or group B service or post in a substantive, permanent or temporary capacity, after he has attained the age of 50 years;

(b) in any other case, after he has attained the age of 55 years.

**57. Service Book.**— (a) a service book shall be maintained in the form prescribed by the Government for its employees, for every employee of the Board. The service book shall be the record of the service of the employee;

(b) the Chief Executive Officer shall be responsible for the correct and up to date maintenance of the service book. He shall record an annual certificate of verification in the service book of the employees as early as possible after the end of every year.

**58. Character roll.**— In addition to the service book, character roll shall be maintained by the Chief Executive Officer. Character roll shall be maintained in such form as may be specified by the Board in which censures, other punishments and commendations shall be entered. Adverse remarks against any employee, if any, shall be communicated to him within six months. It shall contain a yearly report on the work of employee concerned. Every year in the month of April the Chief Executive Officer shall enter his report on the work of each employee under him for the preceding year. The report shall be forwarded to the Chairperson who will record his comments, with his signature and date. The reports of all the employees with the comments of the Chairperson shall then be kept by the Chief Executive Officer in safe custody.

**59. Promotion and efficiency.**— (a) all promotions to higher grade or ranks shall be on the recommendation of Appointments Committee, on the basis of merit-cum-seniority-cum-fitness;

(b) there shall no bar for reverting an employee from a higher post to which he may have been promoted on an officiating or trial basis, if he is not found up to the mark;

(c) annual or periodical increments in pay scales shall not be allowed as a matter of course and normally an employee against whom there has been an adverse report during a year shall not be allowed his increments until he earns a good report.

**60. Advance increment.**— The Board, may in exceptional circumstances, grant increment in advance to an employee in consideration of his special qualifications, experience and conduct.

**61. Seniority.**— The relative seniority of employees in any grade shall be determined according to the dates of continuous appointment to the grade. Employees promoted on the same date shall keep the position inter se which they held in the lower grades from which they were promoted. Seniority of persons recruited directly shall be determined according to the order of merit indicated at the time of selection for appointment.

**62. Reduction of establishment.**— When a post is abolished, the junior most employee in the grade shall be discharged or reverted to the next post below.

**63. Order for abolition of posts.**— (a) an order for abolition of a post or for reduction of the post of an employee shall not be brought into operation in the case of a permanent employee before the expiry of three months after the notice has been given to the employee affected and in other cases before the expiry of one month after the service of notice;

(b) in the case of an employee on leave, the order shall not be brought into operation before the leave expires, but the leave and the period of notice shall run concurrently.

**64. Casual leave.**— Eight days' casual leave in a calendar year or as determined by the Board shall be admissible to the employees of the Board.

**65. Earned leave.**— The employees of the Board shall be governed by the leave rules applicable to the employees of the Government, as amended from time to time.

**66. Disciplinary Authority.**— (1) The Chairperson shall be the disciplinary authority in the case of group A, B and C employees.

(2) The Chief Executive Officer shall be the disciplinary authority in the case of group D employees.

**67. Suspension.**— (1) The appointing authority may by general or special order, place an employee of the Board under suspension for a period of six months—

(a) where disciplinary proceeding against him is contemplated or is pending;

(b) where in the opinion of the authority aforesaid, he has engaged himself in activities prejudicial to the interest of auqaf; or

(c) where a case against him in respect of any criminal offence is under investigation, inquiry or trial.

(d) the Board may, for reasons to be recorded, extend the period of suspension for a further period a period of six months.

(2) During suspension, an employee shall be entitled to subsistence allowance at 50% of the average monthly pay earned by him during the twelve months immediately preceding the month in which he is suspended.

(3) after six months, the payment of subsistence allowance may be reviewed by the Board.

(4) An employee of the Board shall be deemed to have been placed under suspension by an order of the appointing authority—

(a) with effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise, for a period exceeding 48 hours;

(b) with effect from the date of his conviction, if he is not dismissed or compulsorily retired consequent to such conviction.

(5) disciplinary proceedings in the case of a suspended employee shall be completed within six months.

**68. Penalties.**— (1) The following penalties may for good and sufficient reasons be imposed on an employee of the Board, namely —

**(a) Minor**

(i) censure;

(ii) withholding of increments and promotion;

(iii) recovery from pay of the whole or part of any pecuniary loss caused to the Board by negligence or breach of order;

**(b) Major**

(i) reduction to a lower class of post or to lower time scale or to lower stage in a time scale;

(ii) compulsory retirement of an employee in permanent employment;

(iii) removal from the service of the Board;

(iv) dismissal from the service of the Board.

(2) The following shall not amount to a penalty within the meaning of this regulation—

(a) non-promotion, whether in a substantive or an officiating capacity of an employee, after consideration of his case, to a service, class or post for promotion on which he is eligible;

(b) reversion to a lower service, class or post of an employee, officiating in a higher service, class or post on the ground that he is considered, after trial to

be unsuitable for such higher service, class or post on administrative grounds unconnected with the conduct.

**69. Procedure for imposing major penalty.**— (1) No order imposing any of the major penalties, specified in clause (b) of sub-regulation (1) of regulation 68 shall be passed against an employee of the Board (other than an order based on facts which have led to his detention for more than 48 hours or conviction by criminal court), unless he has been informed in writing of the grounds on which action is proposed to be taken and has been afforded an opportunity of defending himself. The grounds, on which action is proposed to be taken, shall be reduced to definite charge or charges which shall be communicated to the person charged, together with a statement of allegations on which each charge is based and any other circumstances proposed to be taken into consideration in passing orders on the case. He shall be required within a reasonable time to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires, or if the authority concerned so directs, an inquiry shall be held. At that inquiry, oral evidence shall be heard and recorded as to such of the allegations as are not admitted and the person charged shall be entitled to cross examine witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the inquiring officer may, for sufficient reasons to be recorded, refuse to call a witness. The proceedings shall contain record of the evidence, a statement of the findings and the grounds thereof. The disciplinary authority shall consider the record of the inquiry, record its findings on each charge and pass appropriate order thereon.

(2) These Regulations shall not apply where the person concerned has absconded, or where for other reasons it is impracticable to communicate with him. All or any of the provisions of this regulation may, in exceptional cases for sufficient reasons to be recorded, be waived off by the Board, where there is



difficulty to observe exactly the requirements of these Regulations without doing injustice to the person charged.

**70. Procedure for imposing minor penalty.**— No order imposing any of the minor penalties specified in clause (a) of sub-regulation (1) of regulation 68 shall be passed except after the employee is informed in writing of the proposal to take action against him and of the allegation on which action is proposed to be taken and given an opportunity to make a representation.

**71. Termination of services.**— Services of an employee can be terminated—

(a) in the case of an employee appointed on probation during or at the end of the period of probation, in accordance with the terms of his appointment;

(b) in the case of a person appointed otherwise than under a contract to hold a temporary appointment, on the expiration of the period for which he was appointed; and

(c) in the case of a person employed under an agreement in accordance with the terms of such agreement.

**72. Pay and allowances on re-instatement.**— (1) When an employee who has been dismissed, removed or suspended, is reinstated, he may be allowed the difference between full pay with allowances and the subsistence grant, at the discretion of the Disciplinary Authority. In such a case the period of absence from duty shall be treated as a period spent on duty for all purposes.

(2) The pay and allowances of an employee who is removed or dismissed from service shall cease from the date of removal or dismissal. Leave shall not be granted to an employee when the authority competent under these Regulations to impose the penalty, has decided to dismiss, remove or compulsorily retire him from the service of the Board.

**73. Appeal.**— (1) An appeal in the case of group A, B and C employees shall lie to the Board and that of group D employees shall be to the Chairperson.

(2) An employee may appeal to the appellate authority from an order by any subordinate authority imposing any of the penalties mentioned in regulation 68

(3) An appeal shall also lie against—

(a) an order of suspension;

(b) an order reverting an employee to a lower class or post, officiating in a higher class or post otherwise than as a penalty; and

(c) an order determining the pay and allowances for the period of suspension to be paid to an employee on his reinstatement or determining whether or not such period shall be treated as a period spent on duty for any purpose.

**74. Forms and contents of appeal.**— (1) An appeal shall be preferred within one month of the date on which the appellant was informed of the order appealed against

(2) It shall contain all material statements and arguments relied on by the appellant and shall contain no disrespectful or improper language and shall be complete in itself.

(3) Every such appeal shall be submitted through the Chief Executive Officer or through the authority from whose order the appeal is preferred.

**75. Withholding of appeal.**— (1) The authority which made the order appealed against may withhold an appeal if—

(a) it is an appeal against an order from which no appeal lies; or

(b) it does not comply with any of the provisions of regulation 74; or

(c) it is a repetition of an appeal already decided and no new facts or circumstances are adduced:

Provided that an appeal withheld on the ground that it does not comply with the provisions of sub-regulations (2) or (3) of regulation 74 shall be returned to the appellant and if resubmitted within one month thereof after compliance with the said provisions, shall not be withheld.

(2) Where an appeal is withheld, the appellant shall be informed of the fact and the reasons thereof.

**76. Transmission of appeal.**— (1) The authority which made the order appealed against shall, without any avoidable delay, transmit to the appellate authority every appeal which is not withheld under regulation 75 and thereupon such appeal shall be transmitted to that authority together with the comments thereon with the relevant record.

(2) The authority to which the appeal lies may direct transmission to it of any appeal withheld under regulation 75 and thereupon such appeal shall be transmitted to that authority by the person withholding the appeal and the relevant record.

**77. Consideration of appeal.**— (1) In the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provisions of regulation 67 and having regard to the circumstances of the case the order of suspension is justified or not. He may confirm or revoke the order.

(2) In the case of other appeals the appellate authority shall consider—

(a) whether the procedure prescribed in these Regulations has been complied with, and if not, whether such non compliance has resulted in failure of justice; and

(b) whether the penalty imposed is excessive, adequate or inadequate and after such consideration, pass such order as it thinks proper.

**78. Implementation of order in appeal.**— The authority which made the order appealed against, shall give effect to the order passed by the appellate authority.

**79. Service conditions of imams, muezzins, caretakers, khadims and mujawirs shall be as follows.**— (1) Provisions of regulations from 47 to 80 shall not apply to imams, muezzins, caretakers, khadims, and mujuwirs.

(2) The vacancies for the posts of imams, muezzins, caretakers, khadims and mujawirs shall be filled up by inviting applications. The qualifications for the posts of imams and muezzins shall be a certificate of Aalim, Hafiz or Nazira or its equivalent from a reputed Islamic Educational Institution. The candidate shall have to appear before the Appointments Committee for this purpose. A panel of two names for each post shall be drawn by the Appointments Committee and sent to the Board, which shall select one out of two names for each post, recommended by the Appointments Committee.

(3) The following fixed remuneration, be paid to Imams and Muezzins;

(a)	Imam Aalim.....	<b>The remuneration to be determined by each Board</b>
(b)	Imam Hafiz.....	
(c)	Imam Nazira .....	
(d)	Muezzin.....:	
(e)	caretaker, khadim and mujawir	

Provided that this may, at the discretion of the Board, be revised, increased or decreased from time to time on the basis of performance of a person and finances of the Board.

(4) The imams and the muezzins may be allotted a Hujra at the discretion of the Board for their residence in the mosque where such Hujra exists.

(5) The imam or muezzin shall not allow any person to stay in the Hujra. The imam or the muezzin occupying the rooms/areas in excess of the Hujra attached to the mosque, shall be liable to pay licence fee as determined by the Board.

(6) The imam or muezzin shall not start a Madarsa in the mosque.

(7) The imam or muezzin shall not make any construction in the mosque without the prior permission of the Board.

(8) The transfer of imams and muezzins shall be at the discretion of the Board and shall be complied within seven days.

(9) The duty hours of the imams and the muezzins by their very nature, are part-time. i.e. leading five time prayers and upkeep of the mosque. However, this may be varied from time to time, as determined by the Board in consultation with the local persons (Muqtadis) where the mosque is situated.

(10) A person to be appointed as caretaker, khadim or mujawir shall be “Bashara”, be regular in the observance of Roza and Namaz, be acquainted with “Fateha and Durood” and be physically fit to maintain the Dargah; or as determined by the Board.

(11) The imams, muezzins, Khadims, mujawirs and caretakers shall not be entitled for regularisation in service or parity in pay with other employees of the Board.

(12) Breach of any condition of sub-regulation (5), (6), (7) and (8) shall be construed as misconduct entailing termination of their services without notice forthwith.

(13) Register containing particulars of imams, muezzins, khadims, caretakers and mujawirs shall be maintained in Form VIII

**80. Conduct and other conditions of the Board employees.—** (1) The following shall be the norms and standards for the conduct of the employees of the Board in public interest—

(a) Every employee of the Board shall at all times maintain absolute integrity and devotion to duty;

(b) no employee of the Board shall, except with the previous sanction of the Board, permit his son, daughter, wife, husband or dependent to accept employment with any waqf with which he has official dealing or with any other institution having official dealings with the Board;

(c) save as otherwise provided in these Regulations, no employee of the Board shall, except with its previous sanction, accept or permit any member of his family to accept directly or indirectly on his behalf or on behalf of any other

person, any gift of substantial value, unreasonable gratuity or reward from a person not related to him;

(d) no employee of the Board shall directly or indirectly engage in the business of money lending;

(e) an employee of the Board is prohibited from having pecuniary relations with any mutawalli or with staff or establishment of any waqf or other institution;

(f) except with the previous sanction of the Board, no land belonging to any waqf may be granted on lease to any employee of the Board, whether in permanent or temporary employment;

(g) no employee of the Board shall acquire any immovable property anywhere in India by purchase or gift without the previous sanction of the Board;

(h) except with the previous sanction of the Board, an employee of the Board shall not purchase any movable property for a value exceeding rupees ten thousand;

(i) every employee of the Board, shall make to the Board, through proper channel, a declaration of all immovable properties which may, from time to time be held or acquired by him or his wife or by any member of his family, living with him or in any way dependent upon him;

(j) if in any disciplinary inquiry against an employee of the Board or charges of corruption, it is proved that the employee of the Board or any person on his behalf is in possession, or has, at any time during the period of office of such employee, been in possession for which such employee cannot satisfactorily account, of pecuniary resources or property disproportionate to his known source of income then on such proof it shall be presumed, unless the contrary is proved, that such employee of the Board is guilty of misconduct;

(k) no employee of the Board shall serve or accept paid employment in any company or firm or other institution or act as an agent, whether paid by salary or commission to any insurance company or society etc.:

Provided that sitting fees accepted by an employee of the Board who is elected or nominated to the Board of Directors or Committee of a Co-operative Society, etc. shall not be treated as remuneration for the purpose of this clause.

(l) no employee of the Board shall, except with the previous sanction of the Board, engage directly or indirectly in any trade or business or undertake any employment provided that an employee of the Board may, without such sanction, undertake honorary work of charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer, but he shall not undertake or shall discontinue such work if so directed by the Board;

(m) employee of the Board shall avoid habitual indebtedness;

(n) no employee of the Board shall, except in accordance with the special or general order of the Board, communicate directly or indirectly any official document or information to any employee of the Board not authorised to receive the same or to any non-official person or to any Trust;

(o) no employee of the Board shall, by any utterance, writing or otherwise discuss or criticise in public or at any meeting or association or body, any policy pursued or action taken by the Board nor shall in any manner participate in such discussion or criticism;

(p) no employee of the Board shall give evidence before a Public Committee, except with the previous sanction of the Board;

(q) except with the previous sanction of the Board no employee of the Board shall offer himself as a candidate for election to local authorities or other institutions;

(r) no employee of the Board shall, except with the previous sanction of the Board, have recourse to any court or the press for the vindication of his official acts or character from defamatory attacks. Nothing in this rule shall derogate from the right of an employee of the Board to vindicate for his private acts or character;

(s) when an employee of the Board is suspended, he must give his address to the head of his office. He must also give his address to the officer, if any, holding an inquiry into his conduct. He must obey all orders to attend any inquiry into his conduct and if he fails to do so, the inquiry may be held in his absence;

(t) if any question arises as to the interpretation of these Regulations, the decision of the Board shall be final;

(u) except as expressly provided for in these Regulations, the provisions of CCS (CCA) Rules shall, mutatis mutandis, apply to the employees of the Board;

(v) where any officer or employee, of the Board is found guilty of any negligence or breach of Rules, Regulations or orders in consequence of which pecuniary loss has been caused to the Board, the Chief Executive Officer may, in addition to any other punishment to which he is liable with respect to such negligence or breach, may order that the whole or any portion of the loss, shall be made good by such officer or employee;

(w) no officer or employee of the Board who is convicted of an offence involving moral turpitude shall be retained in the service of the Board.

## **CHAPTER-VI**

### **POWERS AND FUNCTIONS OF THE CHAIRPERSON OF THE BOARD**

**81. Chairperson to be Chief Administrative Officer.**— The Chairperson shall be the Chief Administrative Officer of the Board and shall be responsible for the proper functioning of the machinery set up by the Act.



**82. Chairperson to preside over the meetings.**— The Chairperson shall preside over all the meetings of the Board and Committees appointed by the Board, when he is present.

**83. General supervision over the Chief Executive Officer.**— The Chairperson shall direct the Chief Executive Officer in the discharge of his duties and shall exercise general supervision over the execution of the decisions and the orders of the Board.

**84. Fixation of date and time of meetings.**— The Chairperson shall fix date and time for ordinary meetings of the Board at his own instance or on special request from at least two members of the Board for an urgent meeting if such contingency arises.

**85. Maintenance of order and discipline.**— The Chairperson shall see that the order and discipline in the meetings of the Board and the Committees, in which he is present are maintained.

**86. Powers to spend money in case of emergency.**— The Chairperson shall have power to spend upto rupees fifty thousand in case of emergency which shall be subject to approval by the Board in its next meeting.

**87. Power to order inquiry.**— The Chairperson shall have power to order an inquiry in respect of any matter connected with the administration of any waqf under the Board and for that purpose he may, by general or special order, authorise the Chief Executive Officer or any member of the Board or its officers or employees to enter into such property or office for inquiry and the findings of such inquiry shall be placed by the Chairperson at the meeting of the Board.

**88. Power to nominate a member of the Board to discharge functions of Chairperson.**— The Chairperson shall have power to nominate the senior most member of the Board to discharge his duty during his absence.

**CHAPTER-VII**  
**POWERS AND FUNCTIONS OF THE CHIEF EXECUTIVE OFFICER**

*[Section 23]*

**89. Control of Chairperson.**— The Chief Executive Officer shall work under the general supervision and control of the Chairperson.

**90. Responsible for safe custody of records etc.**— The Chief Executive Officer shall be responsible for safe custody of all records and the movable property of the Board.

**91. Responsible for executing decision of the Board etc.**— The Chief Executive Officer shall be responsible for execution of decisions of the Board and its Committees.

**92. Responsible for taking necessary measures.**— The Chief Executive Officer shall be responsible for taking all necessary measures in respect of all waqf buildings in general and the mosques in particular and except where otherwise required by any provision of the Act, the Rules or the Regulations, he shall be the principal correspondent on behalf of the Board.

**93. Responsible for pointing out financial irregularities.**— The Chief Executive Officer shall be responsible for bringing all financial irregularities to the notice of the Finance Committee and the Board as early as they occur.

**94. Examination of budget.**— subject to such instructions as may be issued by the Board and the Finance Committee, he shall examine the budgets of all registered auqaf whose income exceeds five thousand rupees per annum, return them for amendment or sanction them with or without any modification, provided that the modifications shall not be inconsistent with the wishes of the waqif so far as such wishes can be ascertained.

**95. Preparation of budgets of certain auqaf.**— (a) The Chief Executive Officer shall prepare the budget of auqaf whose mutawallies fail to submit their budgets, subject to such restrictions as may be imposed by the Board;

(b) the Chief Executive Officer shall prepare the budget of auqaf directly administered by the Board and submit the same to the Finance Committee or the Board.

**96. Consideration of auditor's report on auqaf.**— The Chief Executive Officer shall consider the auditor's report on auqaf with income exceeding five thousand rupees per annum and issue necessary orders thereon unless there is any important question of principle or difficulty which requires the orders of the Finance Committee or the Board.

**97. Maintenance of register of different classes of auqaf.**— The Chief Executive Officer shall be responsible for preparing and maintaining a register containing full information relating to the nature, extent, income, if any, and objects and beneficiaries of different classes of auqaf.

**98. Publication of annual statement of accounts.**— Subject to such instructions as may be given by the Finance Committee, the Chief Executive Officer may publish the annual statement of accounts in one Urdu news paper in the State.

**99. Preparation of annual report on working of auqaf.**— Under the directions of Chairperson, the Chief Executive Officer shall prepare an annual report on the working of all auqaf of the Board, and its Committees and submit it to the Board, provided that a separate report shall be prepared and submitted for the auqaf directly administered by the Board.

**100. Power to pass the bills.**— Subject to such restrictions as may be imposed by the Finance Committee, the Chief Executive Officer shall have the power to pass all bills.

**101. Calling of reports etc. from mutawallies.**— The Chief Executive Officer shall have the power to call reports, returns, budgets and other documents from the mutawallies of registered auqaf.

**102. Maintenance of accounts.**— The Chief Executive Officer shall be responsible for the proper maintenance of the accounts of the Board.

**103. Expenditure of money with proper sanction.**— The Chief Executive Officer shall be responsible for ensuring that every money is expended with proper sanction.

**104. Proper representation of Board in suits etc.**— The Chief Executive Officer shall be responsible for ensuring proper representation of the Board in all suits, appeals and other proceedings, instituted by or against the Board and may for this purpose appoint, with the concurrence of the member of the State Bar Council, legal practitioners to act for the Board on such fee as approved by the Board or the Chairperson.

**105. Execution of work.**— The Chief Executive Officer shall take such action as may be desired by the Property and Leasing Committee for the execution of works.

**106. Incurring expenditure of miscellaneous nature.**— The Chief Executive Officer shall exercise powers of incurring expenditure of miscellaneous nature subject to such limits as may be imposed by a resolution of the Board.

**107. Authentication of the order of the Board.**— The Chief Executive Officer or any officer authorised by him, shall authenticate orders and decisions of the Board.

*[Section 77(d)/110(2)(d)]*

**108. Allowances of Chairperson and members.**— (1) Chairperson and every member of the Board whether local or outstation shall be entitled for a daily allowance of rupees one thousand.

(2) Chairperson and members from outstation shall be entitled to perform journey from the place of residence to the place of meeting by rail in first class or second class AC coach or by bus, whichever is available.

(1) Persons travelling by their own car shall be entitled to a road mileage of rupees ten per kilometer in place of train or bus fare.

**109. Miscellaneous.**— (1) The Board shall have a common seal which shall be in the custody of the Chief Executive Officer or any other person duly authorised by him or the Board in this behalf;

(2) The Board shall sue and be sued by its Chief Executive Officer or any other person duly authorised by him or the Board in this behalf.

(3) All correspondence by or with the Board shall be in the name of the Chief Executive Officer.

(4) Except the Chairperson and the Chief Executive Officer, no member or an official of the Board shall communicate with the Press or any outsider.

(5) The Chairperson, members, Chief Executive Officer and other official of the Board shall observe secrecy in those matters whose disclosure may be prejudicial to the interest of the Board or any waqf.

BY ORDER AND THE NAME OF  
THE (Name of State or U.T.)..... WAQF BOARD

(NAME.....)

**Chairperson**

(Name of State or U.T.)..... WAQF BOARD

**FORM-I**

(Section 36)

**APPLICATION FOR REGISTRATION OF WAQF  
UNDER SECTION 36 OF THE WAQF ACT, 1995**

To

The Chief Executive Officer,

.....

.....

.....

Sir,

I ..... s/o,w/o .....  
resident of ..... being the mutawalli of waqf/beneficiary/person  
interested in the waqf properties which have been described below, do hereby  
apply for the registration of the said waqf under section 36 of the Waqf Act, 1995.

1. Description of waqf properties—
  - (a) List of property and its description with estimated value.
  - (b) Municipal number, if within municipal limits.
  - (c) Khatian and khasra number.
  - (d) Area leased out to tenant.
  - (e) Area of land under self possession.
  - (f) Encumbrances and allowances, if any, and persons, bodies or institutions in actual physical possession of the same.
2. Gross annual income from such properties.
3. The amount of land revenue, cesses, and rates and taxes payable annually in respect of waqf properties.
4. Estimate of expenses annually incurred in the realisation of the income from waqf properties—

- (a) in case of immovable properties, cost annually incurred to a maximum of 12.5% of the gross income;
  - (b) 1% in the case of income from securities, debentures share dividends, etc.;
  - (c) 1% in the case of income from fixed contributions in lumpsum such as (i) regular allowance paid by a trust fund or (ii) when the entire waqf property has been let out; and
  - (d) 1% in case of the cash value of crops which do not require the employment of a collection staff.
5. List of expenditure directed by the waqif or according to waqf deed or usage or customs for—
    - (a) salary of mutawalli and allowances to individuals;
    - (b) expenses for charitable purposes;
    - (c) expenses for religious purposes;
    - (d) expenses for other purposes;
  6. A correct statement of the accumulated income out of the waqf properties in cash or kind.
  7. The rule of succession to the office of mutawalli under the waqf properties.
  8. The manner in which the waqf is administered at present, that is, whether under a scheme settled by a court of law or by a popularly constituted Committee.
  9. Name of waqif
  10. Name of mutawalli(s) with present addresses.
  11. Year and date of the waqf deed.
  12. List of papers submitted.

**VERIFICATION**

I solemnly declare that the above statement is true to my knowledge and that I have not concealed anything.

**Signature:** .....

**Address:** .....

.....

.....

N.B.— A copy of the Waqf Deed should be annexed with every such application where no deed was drawn up at the time of the creation of the waqf, the applicant should write a brief history and full particulars of the origin, nature and object of the waqf and of all other necessary facts to his knowledge.



(Name of State or U.T.) ..... WAQF BOARD

**FORM NO. II**

[Section 110(2) (b)]

**APPLICATION FOR INSPECTION**

To

The Chief Executive Officer,

.....  
.....

1. Name of the applicant..... s/o, w/o  
..... resident of.....  
..... description of file, the record of  
which is to be inspected .....
2. Name of tenant, if any .....
3. Name of parties, if any .....
4. Description of the paper which is .....  
required for inspection.....
5. purpose for inspection .....

(Signature of applicant)

Dated: .....

Order passed on the application:

Time of inspection .....from ..... to..... viz.  
.....hours.

Inspection fee paid:.....

Signature of official with designation in whose presence inspection was made: ...  
.....

Dated: .....

Signature of applicant.....  
after inspection made:.....  
Dated.....

**..... WAQF BOARD**  
**FORM NO. III GENERAL**  
**APPLICATION FOR COPY**

To

The Chief Executive Officer,

.....  
.....  
.....

1. Name of the applicant..... s/o, w/o.....  
resident of ..... description of file  
etc. from which the copy is required.....
2. Description of property including location:.....
3. Name of tenant, if any .....
4. Name of parties, if any .....
5. Nature of the case .....
6. Name and description of the Gazette or record of which copy is  
required:.....
7. Purpose for which copy is required i.e. whether it is required for private use or  
for filing in some court etc.: .....

Dated:.....

Number of application in the copying register: .....

Copying fee received with application .....

Order passed: .....Signature of Chief Executive Officer .....

Dated .....

Signature of copyist : .....

Dated: .....

Signature of recipient of the copy: ..... Dated:.....

(Name of State or U.T.)..... WAQF BOARD

[Section 110(2) (d)]

FORM NO. IV

GENERAL APPLICATION FORM

To

The Chief Executive Officer,

.....  
.....  
.....

Name of the applicant..... son of .....

address of residence .....

Connected property:..... Location:.....

Sir,

The above humble petitioner submits as under—

- 1.
- 2.
- 3.

(Signature of applicant)

Dated:.....

(Name of State or U.T.)..... WAQF BOARD

FORM NO. V

[regulation 4(8)]

MINUTE BOOK OF THE MEETING OF THE BOARD AND THE  
COMMITTEES

Date	Name of members present	Resolution	Name of mover	Name of seconder	Amendment moved	Substance of discussion held	Result of the motion		Form of resolution adopted and carried	Remarks
							Favour	Against		
1	2	3	4	5	6	7	8	9	10	11

(Name of State or U.T.)..... WAQF BOARD

FORM NO. VI

[regulation 44(6)]

REGISTER SHOWING LIST OF MEMBERS OF THE BOARD

Date	Name of members	Full address	Mobile No	No. and date of notification	Date of commencement of term	Term of allotment	Date of completion of term	Termination		Remarks
								Date	Cause	
1	2	3	4	5	6	7	8	9	10	11

(Name of State or U.T.)..... WAQF BOARD

FORM NO. VII

[regulation 47(2)]

**ESTABLISHMENT REGISTER**

Sl.No.	Name of official	Father's/Husband's name	Residence	Date of birth	Mobile No.	Educational Qualification	Date of appointment	Name of post	Post held			Date of attaining superannuation	Termination of services		Remarks
									Pay	From	To		Date	Cause	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

(Name of State or U.T.)..... WAQF BOARD

FORM NO. VIII

[regulation 79(13)]

**REGISTER OF IMAMS, MUEZZINS, KHADIMS, CARETAKERS AND MUJAWIRS**

Sl.No.	Name of official	Father's/husband's name	Residence	Date of Birth	Qualification	Date of appointment	Name of post	Post held			Date of attaining superannuation	Termination of services		Remarks
								Pay	From	To		Date	Cause	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

(Name of State or U.T.)..... WAQF BOARD

FORM NO. IX

INSPECTION BOOK

Name of waqf .....

Place of location.....

(Village, Tehsil and District)

Date and time of visit	Name and designation of officer or other gentlemen making the visit or inspection	Remarks and suggestions
1	2	3