



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
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AMARAVATI, THURSDAY, DECEMBER 22, 2022

G.2351

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD,
4th FLOOR, IMDADGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.20 / T / KNL / 2012 / Z-IV.

Date: 27-10-2022.

KURNOOL DISTRICT - DARGAH KNOWN AS HZT SYED AHMED BASHA
SITUATED AT KURNOOL CITY - Sri SYED ASAD BASHA QUADRI, S/o. Late
HAFEEZ PEER RECOGNIZED AS MUTAWALLI U/Sec.42 OF THE WAQF
ACT, 1995.

Read : 1.This Office Proceedings of dated:09-11-2016.

2.Representation of Sri. Syed Asad Basha Quadri, S/o.late Hafeez,
Kurnool City & District, dated:30-09-2018.

3.This office Memo dated:11-10-2018 &18-12-2018.

4.Report of the I.A.Waqf, Kurnool District, vide Lr.No.12//KNL/
Towliath/2018, dated:15-10-2018 & 19-01-2018.

5. This Office Notification dated:27-01-2021.

6. Report of the I.A.Waqf, Kurnool District, vide Lr. No. Waqf/I.A/KNL
/Noti/2021, Dated:24-02-2021 along with news paper clipping.

7.Board's Resolution No.345 of 2022, dated:24-08-2022.

8.Orders of the Hon'ble Chairperson, APSWB, dated.21-09-2022.

ORDER:

The Waqf institution namely Dargah known as Hzt Syed Ahmed Basha Khadri Dargah situated at Kurnool City & District is a notified Waqf and got published in A.P. Gazette No.43-A, Part-II, dated:24-10-1963 in SI.No.3106 under the Towliath of Ahmed Basha as per the A.P.Gazette notification. Further as per the Survey Commissioner's report dated:22-04-1956 the name of Mutawalli mentioned as Syed Hussain Basha at column No.10. The Rule of Succession to the office of the Mutawalli is hereditary by custom.

Basing on the request made by the applicant, dated:13-07-2016, the APSWB authority has appointed to Sri.Syed Asad Basha Quadri, S/o. late Hafeez Peer as Mutawalli to the subject Waqf institution U/sec. 63 of Waqf Act, 1995 for a period of two (2) years vide Board's proceeding No.20/T/KNL/2012/Z-IV, Dated:09-11-2016 and the period was expired on 08-11-2018.

After completion of the said period Sri.Syed Asad Basha Quadri, S/o.late Hafeez Peer has submitted representation to the Board in the ref.2nd read above with a request to recognize him as hereditary Mutawalli U/sec.42 of Waqf Act, 1995.

In the ref. 3rd read above, this office has issued a Memo to Inspector Auditor Waqf, Kurnool District for calling detailed report in the subject matter.

Accordingly, the I.A. Waqf, Kurnool District has submitted his reported in the ref. 4th read above that the Dargah is not having any attached property and also no income to Dargah. Further the Court cases, Land disputes, enquiry etc are not pending in respect of the subject institution. The I.A Waqf, Kurnool District has further reported that applicant is grandson of Sri. Syed Hussain Basha notified Mutawalli as per Survey Commissioners report. The applicant is managing the day to day affairs of Dargah and requested to recognize him as Mutawalli to the subject Dargah U/sec. 42 of Waqf Act, 1995.

In the ref 5th read above, this office has issued paper notification for calling claims and objections if any for appointment of Sri. Syed Asad Basha Quadri, S/o. late Hafeez Peer, as Mutawalli to the subject Waqf institution may file their claims and objection if any within a period of (15) days from the date of Publication of this Notification with documentary evidence, otherwise the matter will be decided on the basis of the material available on record.

In the ref. 6th read, the Inspector Auditor, Waqf, Kurnool District, has reported that the paper notification was published in Andhra Jyothi Telugu daily News paper in

Kurnool District edition on 01-02-2021 and there was no claims & objections received for appointment of Sri. Syed Asad Basha Quadri, S/o. late Hafeez Peer as Mutawalli of the subject Waqf institution.

The subject matter was placed before the Board and the Board has passed resolution No.345 of 2022, dated.24-08-2022 in the ref.7th read above to recognize Sri. Syed Asad Basha Quadri, S/o. late Hafeez Peer as Mutawalli U/sec.42 of Waqf Act, 1995 to Dargah known as Daragah Hazrath Syed Ahmed Basha situated at Kurnool City & District.

Accordingly, Sri.Syed Asad Basha Quadri, S/o. late Hafeez Peer is hereby recognized as Mutawalli to Dargah known as Daragah Hazrath Syed Ahmed Basha situated at Kurnool City & District for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be

deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer (FAC),
A.P. State Waqf Board, Vijayawada.

To
Sri.Syed Asad Basha Quadri, S/o. late Hafeez Peer,
Mutawalli of Daragah Hazrath Syed Ahmed Basha
Kurnool City & District.

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