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G.2354

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.02 / M / KNL / 2018 / Z-IV.

Date: 27-10-2022.

NANDYAL DISTRICT (ERSTWHILE KURNOOL DISTRICT) - DORNIPADU MANDAL - MASJID KNOWN AS JAMIA MASJID AND ITS ATTACHED PROPERTIES SITUATED AT W.GOVINDINNE VILLAGE - Sri MULLA MOKTHAR BASHA, S/o. MULLA MOHIUDDIN BASHA APPOINTED AS MUTAWALLI U/Sec.63 OF THE WAQF ACT, 1995 FOR A PERIOD OF TWO (2) YEARS.

Read :1. This office Proceedings dated:26-02-2019.

2. Representation of Sri. Mulla Mohiuddin Basha, S/o. Late Mulla Idur Basha, Ex Mutawalli of Jamia Masjid, W.Govindinne (V), Dornipadu Mandal, Kurnool District, dated:21-11-2019.

3. This office memo dated:08-02-2021.

4. Report of the Inspector Auditor, Waqfs, Kurnool District, vide Lr. No. 18/KNL/M/2017, Dated:22-04-2021.

5. This Office Notification dated. 28-05-2021.

6. Report of the Inspector Auditor, Waqfs, Kurnool District, vide Lr. No. 18/KNL/M/2017, dated.08-07-2021 along with copy of paper Notification Published.

7. Board's Resolution No.339 of 2022, dated:24-08-2022.

8. Orders of the Hon'ble Chairperson, APSWB, dated.22-09-2022.

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ORDER:

The Waqf institution namely Mosque known as Jamia Masjid, situated at W.Govindinne (V), Dornipadu (M) of Kurnool District, along its attached lands in Sy.No.523 to an extent of Ac. 13.90 Cts, Sy.No. 578 to an extent of Ac. 62.42 Cts, Sy. No. 580 to an extent of Ac.3.75 cts, Sy. No. 656 to an extent of Ac.0.30 Cts and Sy.No. 665 to an extent of Ac. 156.12 Cts total an extent of Ac.236.49 cents situated at W.Govindinne (V) are notified Waqf and got published in the A.P. Gazette No. 18-A, dated: 02-05-1963 under Serial No. 1997 under the Towliath of 1) Sri. Mulla Ahmed Fakru Mian, 2) Sri. Mulla Ahmed Miah & 10 others. The Rule of the succession to the office of the Mutawalli by custom hereditary

In the ref. 1st read above the Board has appointed to Sri.Mulla Mohiuddin Basha, S/o. Late Idur Basha as Mutawalli to Mosque and its attached landed property situated at W.Govindinne (V) Dornipadu Mandal of Kurnool District U/sec. 63 of Waqf Act, 1995 for a period of (2) years and the period of Mutawalli was expired on 25-02-2021.

In the ref. 2nd read above, the Ex-Mutawalli to Sri. Mulla Mohiuddin Basha, S/o. late Idur Basha has submitted a representation to this office with a request to appoint his elder son namely Sri.Mulla Mokthar Basha as Mutawalli to the subject institution and its attached property as he became old age and unable to manage the affairs of the institution.

In the ref.3rd read above, this office has issued memo to Inspector Auditor Waqfs, Kurnool District for calling detailed report along with certain documents information called for with regard to the applicant for onward process.

Accordingly, the inspector Auditor Waqfs, Kurnool District has reported vide ref. 4th read above, that the attached lands of the subject Masjid are intact and there are no court cases are pending, Sri. Mulla Mohiuddin Basha, S/o. late Idur Basha is managing the affairs of the subject institution without objections from any corner from the Mussalies of Masjid and paying electricity bills, salaries to Pesh Imam & Mouzan and also paying Waqf fund to Board regularly, due to old age he has unable to discharge duties of Mutawalli and requested to appoint his younger son Sri. Mulla Mokthar Basha as Mutawalli to the subject institution and its attached property.

In the ref. 5th read above this office was issued paper notification duly calling claims and objections and if any from the interested persons having rights to claims or objection if any, may be file their claims or objection for the appointment of Sri. Mulla Mokthar Basha, S/o.Sri. Mulla Mohiuddin Basha as Mutawalli to the subject within a period of (15) days from the date of publication of this notification with documentary evidence.

In the ref.6th read above, the Inspector Auditor Waqf Kurnool District has reported that the said paper notification has been published in Andhra Jyothi Telugu daily of Kurnool District edition on 01-06-2021 and there was no claims & objection are received against the said notification.

The subject matter was placed before the Board and the Board has passed resolution No.339 of 2022, dated.24-08-2022 vide ref.7th read above to appoint Sri. Mulla Mokthar Basha, S/o. Mulla Mohiuddin Basha as Mutawalli U/sec.63 of Waqf Act, 1995 for a period of two (2) years to Masjid known as Jamia Masjid, W.Govindinne Village, Dornipadu Mandal of Nandyal District.

Accordingly, Sri.Mulla Mokthar Basha, S/o.Mulla Mohiuddin Basha is hereby appointed as Mutawalli to Masjid known as Jamia Masjid, W.Govindinne Village, Dornipadu Mandal of Nandyal District (Erstwhile Kurnool District) U/sec.63 of Waqf Act, 1995 for a period of two (2) years 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.Mulla Mokthar Basha,
S/o.Mulla Mohiuddin Basha,
Mutawalli of Masjid known as Jamia Masjid,
W.Govindinne Village, Dornipadu Mandal of Nandyal District.

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