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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.26 / M / KNL / 2015 / Z-IV.

Date: 27-10-2022.

NANDYAL DISTRICT (ERSTWHILE KURNOOL DISTRICT) - DORNIPADU MANDAL - MOSQUE SUNNI SITUATED AT GUNDUPAPULA VILLAGE - Sri MULLA NAZEER AHMED, S/o. MULLA ABDUL SAHEB APPOINTED AS MUTAWALLI U/Sec.63 OF THE WAQF ACT, 1995 FOR A PERIOD OF TWO (2) YEARS.

Read : 1.Representation of Sri.Mulla Nazeer Ahmed, S/o. Mulla Abdul Saheb, Gundupapala Village, Dornipadu Mandal, Kurnool District, dated: 18-05-2015

2. This office Memo ~ dated:16-03-2017.
3. Report of the I.A.Waqf, Kurnool District, vide Lr. No.87/KNL/2015, Dated:27-03-2017, 29-11-2017, 23-12-2017.
4. Office Order of this office, 30-01-2018.
5. Report of Asst. Secretary, APSWB, dated:21-02-2018.
6. This office Memo of even No. Dated:18-11-2020
7. Report of I.A Waqf, Kurnool District, Vide Lr. No. 87/KNL/2015, dated: 31-12-2020
8. This Office Notification, dated:05-02-2021.
9. Report of the I. A. Waqf, Kurnool District, vide Lr.No.87/KNL/2015, Dated:09-03-2021 along with notification published Paper.
10. Board's Resolution No.347of 2022, dated:24-08-2022.
11. Orders of the Hon'ble Chairperson, APSWB, dated.22-09-2022.

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ORDER:

The Waqf institution namely Mosque (Jamia Masjid) situated at Gundupapala Village, Dornipadu Mandal, Kurnool District is having attached properties in Sy.No.203 to an extent of Ac.19.60 cents and in Sy.No.231 to an extent of Ac.13.74 cents, in Sy.No.236 to an extent of Ac.6.30 cents, in Sy.No.297/1 to an extent of Ac.4.95 cents and in Sy.No.297/3 to an extent of Ac.21.25 cents of Gundupapala Village total to an extent of Ac.65.84 cents are notified Waqf and got Published in A.P. Gazette No. 18-A, part-II, Dated:02-05-1963 at Serial No.2008 under the Towliath of 1).Sri.Abdul Khadar, 2). Sri.Abdul Rahman and (14) others of Gundupapala, who expired long back. The Rule of succession to the office of the Mutawalli specified as custom by hereditary.

In the ref. 1st read above, Sri.Mulla Nazeer Ahmed, S/o. Mulla Abdul Saheb has submitted a representation to this office and requested to appoint him as Mutawalli to the subject Waqf institution. Further, this office has issued directions to Inspector Auditor Waqf, Kurnool District for calling detailed report in the subject matter vide ref.2nd read above.

In the ref. 3rd read above, the I.A. Waqf, Kurnool District has submitted report that the institution is having above said landed property and the property are intact and the legal heirs of the notified Mutawallies are enjoying lands and rendering service to Masjid. The Government acquired an extent of 0.25 cents in Sy.No.231 & 236 an extent of land 0.15 cents in Sy.No.291/1, an extent of land in Sy.No.297/3 for KC Canal and awarded the land compensation to the Waqf Board.

The I.A. Waqfs, Kurnool District has further reported that the applicant Sri. Mulla Nazeer Ahemed is brother's son of notified Mutawalli late Abdul Rahman and he is managing the affairs of the institution since (30) years without objections from any corner and he is paying Waqf fund to Board regularly. Finally the I.A Waqf, Kurnool District has requested to consider the request of the applicant and appoint him as Mutawalli to the subject Waqf institution U/sec. 63 of Waqf Act, 1995.

In the ref. 4th read above this office issued an office order duly deputed to Sri. S.A. Mansoor, Asst. Secretary, APSWB to conduct spot inspection to the subject institution and submit detailed report in the matter. Accordingly, the Asst. Secretary, APSWB has submitted his report vide ref. 5th read above that the applicant is managing the affairs of the institution, paying Waqf fund to the Board and requested to consider the request of the applicant.

In the ref.7th read above, the I.A. Waqf, Kurnool District has submitted report that applicant is managing the affairs of the subject institution and the Musallies of the aforesaid Masjid have agreed to appoint the applicant as Mutawalli and there are no Court cases pending and other litigations also not pending in respect of subject Masjid.

In the ref 8th read above, this office has issued paper notification for calling claims and objections if any for appointment of Sri. Mulla Nazeer Ahmed, S/o. Mulla Abdul Saheb as Mutawalli to the subject Waqf institution may file their claims and objection within a period of (15) days from the date of Publication of this Notification along with documentary evidence. The Inspector Auditor Waqf, Kurnool District, has reported that the paper notification was published in Andhra Jyothi Telugu daily News paper of Kurnool District edition on 11-02-2021 and there was no claims & objections received against the above said notification vide ref.9th read above.

The subject matter was placed before the Board and the Board has passed resolution No.347 of 2022, dated.24-08-2022 in the ref.10th read above to appoint Sri.Mulla Nazeer Ahmed, S/o. Mulla Abdul Saheb as Mutawalli U/sec.63 of Waqf Act, 1995 for a period of two (2) years for Mosque situated at Gundupapula Village, Dornipadu Mandal, Nandyal District (Erstwhile Kurnool District).

Accordingly, Sri.Mulla Nazeer Ahmed, S/o. Mulla Abdul Saheb is hereby appointed as Mutawalli U/sec.63 of Waqf Act, 1995 for a period of two (2) years to Mosque situated at Gundupapula Village, Dornipadu Mandal, Nandyal District (Erstwhile Kurnool District) and its attached property 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 Nazeer Ahmed, S/o. Mulla Abdul Saheb,
Mutawalli of Mosque at Gundupapula Village,
Dornipadu Mandal, Nandyal District.

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