



ఆంధ్రప్రదేశ్ రాజపత్రము
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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, IMDADAGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.05 / ATP / M / 2018 / Z-IV.

Date: 21-02-2023.

SRI SATYA SAI DISTRICT (ERSTWHILE ANANTAPURAMU DISTRICT) KADIRI MANDAL - DARGAH HZT AKRAM SHAH (RH)., SITUATED AT KUTAGULLA VILLAGE - Sri K.S.S OBEDULLAH HUSSAINY APPOINTED AS MUTAWALLI U/Sec.63 OF THE WAQF ACT, 1995 FOR A PERIOD OF TWO (2) YEARS.

- Read : 1.Representation received from Sri. KSS Obedullah Hussainy, Mutawalli of Dargah Hzt Sha Zaheeruddin Bab Shah Hussaini, Kutagulla, dated: 21-05-2018 & 15-07-2019
2.This Office memo No., dated:05-08-2018 & 07-11-2019.
3. Report of I.A.Waqfs, Anantapuramu District, vide Lr.No. ATP/GEN/69/2019, dated:08-07-2019 & Lr.No.69/ATP/GEN/2019, dated:12-11-2019, 27-10-2022.
4. Report of the I.A.Waqfs, Anantapuramu District, vide Lr.No.06/ATP/KDR /2021, dated:18-04-2022 along with paper notification publication in Eenadu Telugu daily Dharmavaram edition of Anantapuramu District, Dt:18-04-2022.
5. Board's Resolution No.672 of 2023, dated:03-02-2023.
6. Orders of the Hon'ble Chairperson, APSWB, dated:16-02-2023.

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ORDER:

The Waqf institution namely Dargah (Akram Shah Drargah- Sunni) is having attached properties in Sy.No.400-A to an extent of Ac.6.00 cents, Sy.No. 400-B/1 to an extent of Ac.0.49 cents, Sy.No. 400-C to an extent of Ac.0.03 cents and Sy.No.330 to an extent of Ac.4.34 cents total Ac.10.86 cts at Kutagulla (V), Kadiri Mandal, Anantapuramu District are notified Waqf and got published in A.P.Gazette No.26, Part-II, dated:28-06-1962, at Serial No.1299 under the Towliath of Katib Latif Saheb and his (3) brothers.

In the ref. 1st read above, an representation has been received from Sri. KSS Obedullah Hussaini, Mutawalli of Dargah Hzt Shah Zaheeruddin Baba Shah Hussaini, Kutagulla that there is a Dargah of Akram Shah Vali and there was no one taking care of Dargah and no religious Programmes are conducted in the said Dargah and there are no resources for the Dargah and the Inam property of subject in some Survey numbers are in encroachment and some anti social elements are trying to encroach the attached property of the said Dargah and made several representations to the concern officials for the protection of Dargah property as there is no notified care taker for the said institution and requested to appoint him as Mutawalli to the subject Dargah for protection of the Dargah.

As a part for further course of action in the said matter this office has called detail repot along with relevant documents from the I.A Waqfs, Anantapuramu District vide ref. 2nd read above.

In the ref. 3rd read above, the I.A Waqfs, Anantapuramu District has submitted his reports that the applicant is intending to protect the valuable Waqf lands attached to the said Dargah and to fulfil the object of the Dargah. The said lands in Sy.No.400/A, 40/B1 & 400/c are situated adjacent to main road towards Kadiri to Anantapuramu and also adjacent to Dargah Hzt Khaja Syed Shah Zaheeruddin Baba Shah Hussainy.

The I.A Waqfs, Sri Satya Sai District further reported that the encroachers are trying to encroach the Dargah lands and no one is appointed to look after the day to day affairs of the Dargah and it is necessary to appoint a Mutawalli to look after the day to day affairs and also safe guard of the said Dargah and the applicant of Sri. KSS Obedullah Hussainy, is Hereditary Mutawalli of Dargah Hzt Sha Zaheeruddin Baba Shah Hussaini, Kutagulla which is adjacent to Akram Shah Dargah and he is performing service of subject Dargah and requested to appoint him as Mutawalli U/sec. 63 of Waqf Act, 1995.

The above subject matter was placed before Board meeting and the Board has passed resolution No.672/2023, dated.03-02-2023 in the ref.5th read above, that for the protection and better administration of the subject Waqf institution and its attached properties, it is resolved to appoint Sri. K.S.S. Obedullah Hussainy, as the Mutawalli of Under section 63 of Waqf Act, 1995 for the Waqf institution Dargah Hzt. Akram Shah (Rh)., Kutagula Village, Kadiri Mandal of Sri Satya Sai District for a period of (2) two years. Accordingly, Sri.K.S.S.Obedullah Hussainy, is hereby appointed as Mutawalli U/sec.63 of Waqf Act, 1995 for Dargah Hzt. Akram Shah (Rh)., Kutagula Village, Kadiri Mandal of Sri Satya Sai District 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,
A.P. State Waqf Board, Vijayawada.

To
Sri.K.S.S.Obedullah Hussainy,
Mutawalli of Dargah Hzt. Akram Shah (Rh).;
Kutagula Village, Kadiri Mandal, Sri Satya Sai District.

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