



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
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AMARAVATI, THURSDAY, APRIL 6, 2023

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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.B3 / 62 / KNL / 1998.

Date: 15-02-2023.

KURNOOL DISTRICT - ADONI TOWN & MANDAL - DARGAH HZT SYEDA FATHIMA BEE URF SYEDA SATU BEE - CONSIDERING THE CANDIDATURE OF Sri SYED MAHABOOB BASHA HUSSAINI, S/o. SYED NIZAMUDDIN HUSSAINI MUTAWALLI CHANGE OF SECTION DULY RECOGNIZED U/Sec.42 INSTEAD OF U/Sec.63 OF WAQF ACT, 1995 - MODIFIED ORDERS.

- Read :1. Boards resolution No.243/2022, dated:12-04-2022.
2. Board's proceeding of even No. dated:12-05-2022.
3. Representation dated:05-11-2022 received from Mutawalli of Dargah.
4. This office memo dated:25-01-2022.
5. Report of the I.A Waqfs, Kurnool District, dated:28-01-2023
6. Board's Resolution No.676 of 2023, dated:03-02-2023.
7. Orders of the Hon'ble Chairperson, APSWB, dated:08-02-2023.

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ORDER:

The Waqf institution namely Dargah Hzt Syeda Fathima Bee Urf Syeda Satu Bee situated at Adoni Tow, Kurnool District and the same was published and the same was published in A.P. Gazette No.11, Part-II, dated.16-03-2017 in page No.187 and also corrigendum issued in file No.S-21/KNL/AP/2016, dated.24-08-2016 the institution and its attached properties reflected as here under.

Serial No.	Name of the Waqf Institution	Survey No	Extent Ac- Cents
1.	Dargah Hzt Syeda Fathima Bee Urf Syeda Sathu Bee at Adoni.	259/A 259/B 259/C	3.97 0.02 0.07
2.	Dargah Hzt Pir Bale Saheb at Harivanam	1030/B 1030/B 1030/C	12-13 02.38 14-84

Basing on the Boards resolution No.243 of 2022, dated:12-04-2022 vide ref.1st cited, Proceedings dated:12-05-2022 were issued vide ref.2nd cited duly considering the candidature of Sri Syed Mahaboob Basha Hussani, S/o.Syed Nizamuddin Hussaini for the Towliath of Dargah Hzt Syeda Fathima Bee Urf Syeda Satu Bee to the extent of above as confirmed by the Hon'ble AP State Waqf Tribunal in OS No.118 of 1999, dated:24-11-2016 and OS No. 73 of 2013, dated:08-05-2018 for a period of (3) years U/sec.63 of Waqf Act,1995 for managing the entire affaires of the subject institution by following the AP Waqf Rules and Waqf Act, 1995.

In the ref.3rd cited, Sri Syed Mahaboob Basha Hussani, S/o.Syed Nizamuddin Hussaini has submitted representation to this office with a request for modification of U/sec.42 instead of 63 of Waqf Act, 1995. Accordingly this office has issued memo, dated:25-01-2023 vide ref.4th cited to submit detail report in the subject matter.

Accordingly the I.A Waqfs, Kurnool District has submitted his report vide ref.5th cited, that his father was appointed as hereditary Mutawalli to the subject Waqf institution in lieu of orders passed in OS No.73 of 2013 by the AP Waqf Tribunal. Further Mutawalli of Syed Mahaboob Basha Hussaini has paid Waqf fund regularly and there are no court cases pending in the Sy.No.259/A, 259/B, 259/C and requested to recognize him U/sec.42 of Waqf Act, 1995.

The subject matter was placed before the Board and the Board has passed resolution No.676 of 2023, dated.03-02-2023 vide ref.5th read above to consider the request of Mutawalli Sri Syed Mahaboob Basha Hussaini, S/o. Syed Nizamuddin Hussaini and recognized him as Mutawalli U/sec.42 instead of U/sec.63 of Waqf Act,1995 for the Dargah Hzt Syeda Fathima Bee Urf Syeda Satu Bee at Adoni Town, Kurnool District.

Accordingly, Sri Syed Mahaboob Basha Hussaini, S/o. Syed Nizamuddin Hussaini is hereby recognized as Mutawalli of Dargah Hzt Syeda Fathima Bee Urf

Syeda Satu Bee at Adoni Town, Kurnool District U/sec.42 of Waqf Act, 1995 for managing the entire 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 Mahaboob Basha Hussaini,
S/o. Syed Nizamuddin Hussaini,
Mutawalli of Dargah Hzt Syeda Fathima Bee Urf Syeda Satu Bee,
Adoni Town, Kurnool District.