



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,
ANDHRA PRADESH STATE WAQF BOARD,
4th FLOOR, IMDADGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.01/CTR/M/2016.

Date:24-12-2025.

CHITTOOR DISTRICT - DARGAH HZT. GULAM RASOOL SAHEB SITUATED CHITTOOR TOWN - Sri MOHAMMED SHAJAHAN S/o Sri M MAHABOOB SAHEB APPOINTED AS MUTAWALLI U/sec.42 OF UWMEED ACT, 1995 AS AMENDED BY THE WAQF (AMENDMENT) ACT, 2025.

- Read :
- 1.This office proceedings in F.No.01/CTR/M/2016, Dated:31-07-2018.
 - 2.This office proceedings in F.No.01/CTR/M/2016, Dated:19-10-2022.
 3. Representaion of Sri.Mohammed Shajahan, Ex-Mutawalli, Dated: 24-10-2024.
 4. Representaion of Sri.Mohammed Rasool , Ex-Mutawalli, Dt:04-11-2024.
 5. UO Note of the Protection Section vide UO Note.02/CTR/Prot/URs /2017, Dated:16-01-2025.
 - 6.Reports of the Inspector Auditor Waqfs, Chittoor District vide F.No.01/IAW/RBD/CTR/2025, Dated:02-01-2025.
 7. Representation of Sri.M.D.Anwar S/o. Late Md. Mahaboob Saheb R/o. Chittoor, Dated:16-01-2025.
 8. Board Resolution No.48/2025, Dated:02-04-2025.
 9. Board Proceedings in F.No.01/CTR/M/2016, Dated:21-04-2025.
 - 10.Report of the Sri Abdul Khuddus, E.O./ Asst. Secretary(Retd). APSWB, Dated:12-12-2025.
 11. Board Resolution No.347/2025, Dated:16-12-2025.

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ORDER:

The Waqf Institution namely Dargah Hazrath Syed Gulam Rasool situated at Chittoor District & Town is a notified Waqf and got published in A.P. Gazette No.26, dated: 28-06-1962 at Serial No.2877 under the Mutawalliship of Sri. Mohammed Hussain. As per the Survey Commissioner Report at Column No.11 the Mutawalli has given his Patta site in Sy No 438 to an extent of Ac 0.52 cents of the Dargah. The Dargah is maintained from his personal funds and the amount received from "Hundi collection". The rule of succession to the office of Mutawalli not specified.

In the ref.1st read above, the Board has appointed Sri. Mohammed Shajahan S/o M. Mahaboob Saheb as Mutawalli to the subject Dargah U/sec.63 of Waqf Act, 1995 for a period of one (01) year vide proceeding in F.No.01/CTR/M/2016, dated: 31-07-2018 and the said period was expired on 30-07-2019.

Further Sri Mohammed Shajahan S/o late Md.Mahaboob Saheb and Sri Mohammed Rasool Basha S/o. Md.Mahaboob Saheb have separately applied to be appointed as Mutawallies U/sec.42 of Waqf Act, 1995 in their grandfather place, but both of them did not given consent each other. So the earlier Board has appointed Sri.Mohammed Shajahan and Sri.Mohammed Rasool as Mutawallies to the subject Dargah U/sec.63 of Waqf Act,1995 for a period of two (2) years vide ref.2nd read above and the said period was expired on 18-10-2024.

Aggrieved by the above orders Dated:19-10-2022 one Sri Md.Anwar S/o. late Mahaboob Saheb has filed Writ Petition before the Hon'ble High Court of AP in WP.No.10002/2023. The Hon'ble High Court has passed interim orders in IA No.1 of 2023 in WP No.10002 of 2023, dated:20-04-2023 that " there shall be an order of status quo as on today should be maintained pursuant to the Orders Passed on 19.10.2022 vide F.No.01/CTR/M/2016 until further orders". and the said WP is still pending. But the term of the Mutawallis also expired.

In the ref.3rd & 4th read above, Sri. Mohammed Shajahan & Sri Mohammed Rasool Ex-Mutawallies have submitted separate representations to this office with a request to appoint them as Mutawallies U/sec.42 of Waqf Act, 1995 to the subject Dargah as they are legal heirs of subject Dargah.

In the ref.6th read above, the Inspector Auditor Waqfs, Chittoor District has submitted his reports that the applicants Sri. Mohammed Shajahan and Sri Mohammed Rasool Basha are grandsons of late Mohammed Hussain @ Hussain Notified Mutawalli of the Dargah among them Sri Mohammed Shajahan eldest son of late Md.Mahaboob Saheb and they have managing the affairs of Dargah and paying Waqf Fund to Board

and furnished income and expenditure particulars and requested to appoint them as Mutawallies to the subject Dargah.

In the ref.5th read above, the Inspector Auditor report of I.A.Waqfs, Chittoor District dated: 16-12-2024, wherein the I.A.Waqfs, Chittoor District has stated that in Sy.No.438 an extent of Ac.0.52 cts, the late Gazette Mutawalli Mohammed Hussain has given Patta site for the location of the subject Dargah and the shops rooms in this land were sold by present Mutawallies and their brothers and sisters and requested enquire in to the matter and requested to take necessary action against them and to take the institution under direct management.

Meanwhile in the ref.7th read above, a representation has been received from Sri.M.D.Anwar S/o. late Md.Mahaboob Saheb R/o. Chittoor, Dated:16-01-2025 wherein he has alleged that earlier for his appointment Sri Sri Mohammed Rasool has submitted manipulated documents forged signatures of his family members and requested not to consider the application of Sri Mohammed Rasool for appointment of Mutawalli to the subject Dragah and further requested to appoint him as him as hereditary Mutawalli to the subject institution.

The entire matter was placed before Board and the Board has passed Resolution No.48/2025, dated.02-04-2025 vide in the ref.8th cited, to appoint Sri Abdul Khuddus, Retd. Asst. Secretary, Waqf Board, as Inquiry Officer U/s.70 & 71 of Waqf Act, 1995 to enquire regarding the claims of Mutawalliship made by Sri Mohammed Shajahan, Sri Mohammed Rasool Basha and Sri M.D.Anwar and to submit the enquiry report within a period of six (6) months, accordingly proceedings were issued vide ref.9th cited.

In the ref.10th read above, Sri Abdul Khuddus, E.O./ Asst. Secretary(Retd.), APSWB, has submitted his enquiry report dated:12-12-2025 and the details as follows:

“ In verification of facts, by keeping in view of Commissioner’s Report of Survey of Waqf and the documents furnished by the above mentioned Mohammed Shajahan, Sri Mohammed Anwar and Sri Mohammed Rasool Basha vide their statement it is found that, Sri Mohammed Mahaboob, Sri Mohammed Khalid & Smt. Ramiza Bi, W/o Abdul Raheem Saheb & Smt. Gousia Bee, W/o Mohammed Rasheed Saheb are the sons and daughters of wakif namely Sri Mohammed Hasan Saheb.

Further the Enquiry Office has stated that being the M.Mohammed Mahaboob Saheb is the eldest son of late wakif cum muthawalli of the above said dargah, he performing the duties of the muthawalli till his death and thereafter his eldest son Sri Mohammed Shajahan is performed the duties as muthawalli and he continued as Muthawalli till the appointment of mutawalli by the A.P. State Waqf Board U/s 63 of Waqf Act, 1995 up to 18-10-2024.

Further the Enquiry Office has stated it is found that in violation to the desire of M.Mohammed Mahaboob Saheb as per his will deed, dated 20-12-1985, expressed that if anybody has separated with any kind of dispute, they don't have any authority to take amount of Nazars etc. from dargah's income or to do any expenditure of the Dargah and also he expressed his desire as "They offer prayers and have to do themselves but they don't have rights to give share, sales or in lease or allotting other person as agent etc., in this Darga".

Further the Enquiry Office has stated as alleged by Md Rasool Basha that one shop was sold by Md Anwar belongs to Dargah and he is maintaining one shop with collecting rents and using the said amount for himself, so necessary action to be initiated as per law by keeping in view of waqf records and documents mentioned above with the discretion of higher ups.

Finally the Enquiry Office has reported that Sri Md Shajahan was authorized by the donor's son during his life time and he is supported by his brothers and sisters for his appointment as Mutawalli except his brother Sri Md Rasool Basha to whom his brothers and sisters are not supporting, and they complaint that earlier Sri Md Rasool Basha has claimed with forgery signatures, he claimed for Muthwalliship"

The entire matter i.e. report of the Executive Officer was put forth before the Board meeting held on 16-12-2025 and the Board discussed the matter and "unanimously resolved to accept the Enquiry report dated:12-12-2025 in toto, appointed Sri.Mohammed Shajahan S/o.late Mohammed Mahaboob Saheb as Mutawalli U/se 42 of the UWMEED Act ,1995 as amended by Waqf (Amendment) Act, 2025 in respect of the Dargah Hzt. Gulam Rasool Saheb Chittoor Town & District to manage the day to day affairs of the Waqf Institution and its attached properties"

" The Board further resolved the request of Sri Mohammed Rasool S/o late Mohammed Mahaboob Saheb to appoint as Mutawalli is here by rejected taking into consideration of the report of Enquiry Officer Dated 12-12-2025 that the applicant has claimed with forgery signatures of his brothers and sisters. vide resolution No. 347/2025 dated 16-12-2025 in the ref.11th read above.

Accordingly, Sri Mohammed Shajahan S/o late Sri Mohammed Mahaboob Saheb is hereby appointed as Mutawalli U/Sec.42 of UWMEED Act,1995 as amended by the Waqf (Amendment) Act,2025 to the Waqf institution Dargah Hzt. Gulam Rasool Saheb situated Chittoor Town & District by following the UWMEED Act,1995 as amended by the Waqf (Amendment) Act, 2025 and subsequent Waqf Rules made therein.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 as amended by the Waqf (Amendment) Act,2025 read with A.P. Waqf Rules, 2023 and should follow the instructions issued by the Board from time to time and should submit the Accounts U/sec.46, Budget U/sec.44 and pay the Waqf fund to the Board every year duly following the provisions laid down U/sec.72 & 77 of Unified Waqf Management, Empowerment, Efficiency and Development Act,1995 as amended by the Waqf (Amendment) Act,2025 properly. Failing which action will be taken against him

U/Sec.61 and 64 as read the afore mentioned (Amendment) Act, 2025 and 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, to allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- c) To discharge all public duties. To do any other Act which he is Lawfully required to do so or under this Act.
- d) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- e) The Mutawalli should follow the Norms fixed under Section 56 of Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 as amended by the Waqf (Amendment) Act, 2025 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 while leasing of attached Waqf properties through A.P. State Waqf Board and also shall follow the Rule 15 made of the Waqf properties lease Rules 2014.
- f) The Mutawalli shall open account in any Nationalized Bank and all the transactions shall be reflected therein.
- g) Further subject to the condition that if any future claims / objections are received on the said Hereditary-ship appropriate decision will be taken as per law.

As per Sec.101(2) of Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995 as amended by the Waqf (Amendment) Act, 2025 “ 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 to be deemed as a public servant within the meaning of “Clause (28) of section 2 of the Bhartiya Nyaya Sanhita, 2023”. 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, and also penalty for alienations of Waqf property without sanction of the Board shall be punishable with (imprisonment) for a term which may extend to (2) years U/sec.52-A and section 61 speaks penalties for the lapses/ charges shown therein, hence should act carefully, diligently and maintain accounts scrupulously as specified under this Act.

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

SHAIK MOHAMMAD ALI,
Chief Executive Officer (FAC),
A.P. State Waqf Board, Vijayawada.

To
Sri Mohammed Shajahan
S/o Mohammed Mahaboob Saheb,
Mutawalli of Dargah Hzt. Gulam Rasool Saheb
Chittoor Town & District.

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