

LAGAZETTE DE L'ETATE DE PONDICHERRY

THE GAZETTE OF PONDICHERRY

PART - II

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GOVERNMENT OF PONDICHERRY

HINDU RELIGIOUS INSTITUTIONS DEPARTMENT

No. 4373/CHRI/2000/Wakf./T3

Pondicherry, the 20th September, 2000.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) and (4) of section 83 of the Wakf Act, 1995 (Central Act No. 43 of 1995) read with No. S.O.572(E). dated the 19th August, 1996 of the Ministry of Home Affairs, Government of India, New Delhi, the Lieutenant-Governor, Pondicherry hereby appoints the Judicial Officers mentioned under column (2) of the Table below to constitute the Tribunals within the local limits and jurisdiction specified under column (3) of the said Table, for the purpose of determining any dispute, question or other matter relating to a Wakf of Wakf property under the said Act, namely :-

TABLE

Sl. No. (1)	Tribunal (2)	Local limits and jurisdiction of Tribunal (3)
1.	The Additional District Judge-cum-Chief Judicial Magistrate, Pondicherry	Pondicherry, Mahe and Yanam Regions
2.	The Additional District Judge, Pondicherry at Karaikal.	karaikal Region

(By order of the Lieutenant-Governor)

N.RAJASEKHAR

Secretary to Government

GOVERNMENT OF PONDICHERRY

Hindu Religious Institutions Secretariat

No. 4373/CHRIS/2000/Wakf./T3.

Pondicherry, the 20th September, 2000.

In exercise of the powers conferred by section 109 of the Wakf Act, 1995 read with the notification issued under S.O.572(E), dated the 19th August, 1996 of the Ministry of Home Affairs, New Delhi, the Lieutenant-Governor, Pondicherry hereby makes the following rules, namely :-

1. Short Title and Commencement .-

- (1) These rules may be called "The Union Territory of Pondicherry-Wakf Rules, 2000
- (2) They shall come into force at once.

2. Definitions.-

- (1) In these rules, unless the context otherwise requires.-

- (i) "ACT" means the Wakf Act, 1995 (Central Act 43 of 1995).
 - (ii) "ASSISTANT COMMISSIONER OF WAKF" means the Assistant Commissioner appointed by the Government of Pondicherry in consultation within the Union Territory of Pondicherry in consultation with the Union Territory of Pondicherry Wakf Board.
 - (iii) "CHAIRPERSON" means the Chairperson of the Board elected under section 18 by the Board
 - (iv) "DISTRICT WAKF ADVISORY COMMITTEE" means a Committee constituted under section 18 by the Board :
 - (v) "FORM" means a form appended to these rules:
 - (vi) "PUBLIC HOLIDAY" means any day which is a public holiday for the purpose of section 25 of the Negotiable Instrument Act of 1881:
 - (vii) "RULE" means a rule under the Union Territory of Pondicherry Wakf Rules, 2000 :
 - (viii) "SECTION" means the section of the Act :
 - (ix) " WAKF INSPECTOR" means an Officer appointed by the Union Territory of Pondicherry Wakf Board :
 - (x) "WAKF OFFICER" means an Officer appointed by the Union Territory of Pondicherry Wakf Board :
 - (xi) " WAKF TRIBUNAL" means the "Pondicherry Wakf Tribunal" constituted under sub-section (1) of section 83 of the Act :
- (2) All words and expressions used in these rules and not defined herein but defined in the Act, shall respectively have the same meaning as assigned to them in the Act.

3. Particulars to be included in the report of Survey Commissioner of Wakfs.-

The report of the Survey Commissioner of Wakfs under sub-section (3) of section 4 shall contain such other particulars as specified in Form 1.

4. Particulars to be included in the list of Wakfs to be published by the Board.-

The list of Wakfs published under sub-section (2) of section 5 shall be in Form - 2.

5. Updating of records of Wakf properties.-

- (1) Whenever any new property is acquired by the registered Wakf institution or a new Wakf institution is registered, and in every case of Wakf by user the Mutawalli or the Executive Officer in relation to the Wakf shall apply to the Tahsildar of the concerned Taluk or Sub-Taluk specified for effecting mutation in whose revenue jurisdiction the land or manai is situated for updating of the property records. The application shall be made in Form 3 under these Rules or Form - 10 of the Pondicherry Settlement Rules, 1970.
- (2) After such application, the Mutawalli or the Executive Officer shall follow-up the matter with the authorities to whom the application is made, co-ordinate with such authority in any enquiry the authority may make, and get the records of each of such property up dated by entering in the relevant columns of the records the words 'Wakf property' followed by the name of the Wakf.

6. Election of the Chairperson.-

- (1) Whenever the Board is constituted or re-constituted, the Government of Pondicherry shall fix by giving to the members not less than (7) clear days notice in Form - 4, a date for the first meeting of the Board to elect Chairperson. The notice shall state the time and place of the meeting.
- (2) Whenever a vacancy of Chairperson of the Board arises due to resignation, removal, death or otherwise, the procedure for election of Chairperson as prescribed in sub-rule (1) above should be followed.
- (3) The election of the Chairperson shall be conducted by the Secretary to Government dealing with the Wakf administration in the meeting convened under sub-rule (1) and shall be by secret ballot
- (4) The election of the Chairperson and the proceedings of the meeting convened to elect the Chairperson shall be recorded by the Officer appointed by the Government of Pondicherry and it shall form the minutes of the meeting.
- (5) Immediately after the election of the Chairperson, the Government shall issue a notification in Form 5, containing, the name of the member elected as a Chairperson of the Union Territory of Pondicherry wakf Board under sub-section (8) of section 14.

7. Inspection of records, registers, or other documents relating to Wakf or movable or immovable properties which are Wakf properties or are claimed to be wakf properties under section 29.-

- (1) The Chief Executive Officer of the Board or any other Officer of the Board duly authorised by him in this behalf shall make an application as prescribed in the Form-6 for the purpose of section 29.
- (2) In cases the concerned authority refuses to produce the said record, registers, documents of movable or immovable properties to the chief Executive Officer or any other

Officer of the Board duly authorised in this behalf, the Chief Executive Officer shall report to the Secretary to Government dealing with Wakf to ensure for securing the said documents, records, registers etc, for inspection.

8. Manner of inquiry to be held by the Chief Executive Officer under sub-section (1) of section 39.-

The Chief Executive Officer shall in every case where an enquiry is ordered under section 39, issue at the first instance a notice in Form-7 to all persons interested in relation to the Wakf, calling for their objections :-

- (1) The Chief Executive Officer shall then proceed to make a record of summary of the oral evidence tendered by each contender and receive such documentary evidence as may be produced in the course of enquiry.
- (2) The record of enquiry in every case shall include :
 - (a) a minute of the proceedings.
 - (b) notice calling for objections, and objections received thereto,
 - (c) evidence received at the enquiry, and
 - (d) brief record of reasons and the decision.

9. Manner of inquiry under section 40 of the Act.-

- (1) The Chief Executive Officer shall collect the information for the purpose of sub-section (1) of section 40 in Form - 8.
- (2) The enquiry under sub-section (3) of section 40 by the Chief Executive Officer shall be as laid down in sub-rule 2 of rule 8
- (3) The Chief Executive Officer after obtaining orders from the Board shall-
 - (a) call upon the Trust or society as the case may be to register any property as Wakf property in Form-9, or
 - (b) issue a Show Cause notice in Form - 10.

10 Budget of wakf institutions under direct management of the Board.-

- (1) The Budget for all the Wakfs under direct management of the Board shall be prepared for the next ensuing financial year by the July of the current financial year.
- (2) (a) The Chief Executive Officer shall prepare the list of all the Wakfs under the direct management of the Board for which budget for the next ensuing financial year is to be prepared under sub-rule (1) by the month of July of the current financial year in Form-11.
 - (b) Thereupon the Chief Executive Officer shall direct each of the Administrators of the Wakfs under direct management to furnish the Budget in respect of next ensuing financial year in Form-12.
- (3) The Chief Executive Officer shall get the Budget prepared under sub-section (1) of section 45 in Form-13 with all the details of estimates of receipt and expenditure for the next financial year.
- (4) The Budget so prepared shall have a statement furnishing details of the increase, if

any, in the income of the Wakf during the current year and also the steps taken for its better management and results obtained in Form-14.

11. Statement of Accounts by Wakfs.-

- (1) Every Mutawalli or Managing Committee of a Wakf shall maintain the following books and registers for maintenance of its accounts:-
 - (i) Cash book in Form-15.
 - (ii) Receipt book in Form-16
 - (iii) Register of Demand, Collection and Balance and Wakf Contribution in Form-17.
 - (iv) Register of immovable Properties in Form-18.
 - (v) Register of Movable properties in Form-19.
 - (vi) Register of Hundi/Golak collections in Form-20.
 - (vii) Register of Lease/Mortgage in Form-21.
 - (viii) Register of Rents in Form-22.
 - (ix) register of Book of Inspection in Form-23
 - (x) Register of meeting in Form-24 and minutes Book in Form-25
 - (xi) Register of Grants/Loans in Form-26.
 - (xii) Register of Security/Fixed Deposits/Interest thereof in Form-27.
 - (xiii) Register of Litigation in Form-28.
 - (xiv) Register of Stock and Issue in Form-29
 - (xv) Any other Register as prescribed from time to time by the Board.
- (2). The full statement of accounts shall be furnished by every Mutawalli or Managing Committee of a Wakf in Form-30
- (3) If a Mutawalli or managing Committee fails to submit the statement of accounts before 1st of May every year, a Notice in Form-31 shall be issued within seven days from that date.
- (4) If the Mutawalli or Managing Committee fails to submit the statement of accounts, action under Section 61 shall be initiated.

12. Report of Audit .-

- (1) The report of audit of every Wakf Institution shall be in Form 32 and the audit shall be taken up categorywise and periodically in the manner enumerated below :-

- (a) Wakf institution with net annual income of above Rupees one lakh annually :
 - (b) Wakf institution with net annual income above Rs.10,000/ and below one lacs once in thre yers.
 - (c) Wakf institutions with net annual income below Rs.10,000/ once in 5 years.
- (2) The Chief Executive Officer shall finalise and publish the annual programme of audit in Form-33 which shall be Wakf institutionwise so that every wakf under category(a) (b) and (c) of sub-rule(1) is taken up for audit in the period specified in the said sub-rules(1).
 - (3) The Board shall take up the audit of the wakf institutions under category(c) by the wakf Inspector of Board.
 - (4) The Government of pondicherry shall prepare panel of auditors and communicate the same to the Board for the purpose of clause(b) of sub-section (1) of section 47 of the Act before 15th day of May every year or at such interval.
 - (5) A notice shall be issued to every wakf Institution fifteen days in advance before the audit is taken up in Form-34.
 - (6) If the Mutawalli fails to produce the records to the auditor, action under section 61 shall be initiated against the Mutawalli.
 - (7) The audit of all the wakfs in the State shall be taken up from June to September every year.

13. Notice under section 48(1) of the Act.-

A notice in Form 35 shall be issued for obtaining an explanation from the Mutawalli under sub-section (1) of section 48.

14. Recovery of sums due.-

- (1) The Board shall issue a Demand Notice in Form-36 for the collection of any sum certified to be due from any person by an Auditor in his report under section 47.
- (2). The Board shall issue a Notice in Form-37 to give an opportunity of being-heard under sub-section (2) of section 49 before issuing a Certificate of Recovery of the said amount as arrears of land revenue.
- (3) The Board shall issue a Certificate of Recovery in Form-38 addressed to the Deputy/ Sub-collector of the area concerned in which the defulter is residing to recover the amount due under setions 34 and 49 to be collected as arrears of land revenue.

15. Application by Mutawalli for Gift, Sale, Exchange or Mortgage of any Immovable Wakf property.-

The mutawalli shall make an application in Form-39 to the Chief Executive officer of the board whenever a property is to be gifted/sold/exchanged/mortgaged.

16. Publication by Chief Executive Officer under section 51.-

- (1) The Cheif Executive Officer of the Board will publish a Notice in Form-40 in the official gazette calling for objections or suggestions, if any, with reference to the application under rule-15 within a period of 15 days from the date of such publication.

- (2) The proposal along with objections/suggestions received under sub-rule (1) shall be placed by the Chief Executive Officer before the Board for a decision under sub-section (2) of section 51.

Provided that the Board shall take a decision within a period of 30 days from the expiry of the period specified under sub-rule (1).

17. Proceeding for public auction.-

- (1) If the Board sanctions the sale of any property, the Mutawalli of the Institution concerned shall issue Public Notice in Form 41 within a period of thirty(30) days from the date of sanction indicating the details of public auction under the first proviso to sub-section (2) of section 51.
- (2) The Board shall confirm or reject the public auction under sub-rule(1) within forty-five(45) days from the date of auction.
- (3) If the Mutuwalli of the Institution concerned fails to conduct the auction under sub-rule (1), the Chief Executive Officer of the Board shall proceed to conduct the auction after publishing the Public Notice in Form-42.
- (4) No document for effecting any Gift, Sale, Exchange or Mortgage of any immovable property, which is a Wakf property for which sanction has been accorded under sub-section (1) of section 51 shall be executed by jurisdictional Sub-Registrar, unless such document are presented by a person./official authorised by the Board in Form-43.

18. Notification regarding utilisation/investment of sale proceeds.-

The approval given by the Board under sub-section (3) of section 51 shall be published in a daily newspaper having circulation in the area, and shall also be communicated in Form 44 to the Mutawalli concerned.

19. Procedure under section 52 for recovery of Wakf property.-

- (1) The Chief Executive Officer of the Board shall address in Form-45 to the Sub-Registrar within whose jurisdiction any immovable Wakf property is transferred in contravention of section 51.
- (2) On the requisition of the Chief Executive Officer of the Board, the concerned Sub-Registrar will issue certified copies of the documents, as per the rules.
- (3) The Chief Executive Officer or any other Officer of the Board authorised by him shall verify the details of the property with reference to the records obtained under sub-rule(2) and proceed further to issue Notice to the transferor and the transferee in Forms-46 and 47.
- (4) Notices under this rule shall be served on the concerned as per sub-rule (2) of rule 22.
- (5) The Chief Executive Officers shall prepare a Report in Form-48 and place it before the Board to proceed under sub-section (1) of section 50.
- (6). The Board shall, if necessary, forward a requisition in Form-49 to the Deputy/Sub-Collector to pass necessary orders directing the transferee to deliver the property to the Board within a period of thirty(30) days from the date of order of Deputy Sub Collector to obtain and deliver the possession of the property so transferred.

- (7) The Board shall, if necessary, forward a requisition in Form 49 to the Jurisdictional Deputy/Sub-Collector to obtain and deliver the possession of the property transferred in contravention to section 51.

20. Intimation to Sub-Registrar.-

No documents of execution of any Gift, Sale, Exchange or Mortgage of any immovable property which is a Wakf property shall be endorsed by the jurisdictional Sub-Registrar, unless such documents are presented by a person/official authorised by the Board in Form-50.

21. Procedure for purchase of immovable property by a wakf under section 53.-

- (1) Any Wakf intending to purchase an immovable property shall make an application in Form-51 to the Board.
- (2) The Chief Executive Officer shall place the proposal before the Board along with his report.
- (3) If the proposed transaction is found to be valid and reasonable by the Board, the Chief Executive Officer shall issue a Notification in Form-52 under proviso to section 53.
- (4) The Board shall examine the objections/suggestions, if any, received in response to such Notification and pass necessary orders within 15 days.

22. Procedure for removal of encroachments.-

- (1) The Notice to be issued to any person under sub-section (1) of section 54 shall be in Form-53 and shall be served through messenger or by post or by affixing the Notice on some conspicuous part at his last known residence, or by tendering to an adult member or servant of the family or by affixing the Notice on any conspicuous part of the property encroached by him.

Provided that where the person on whom the notice is to be served is a minor, service upon his guardian or upon any adult member or servant of his family shall be deemed to be due service on the minor.

- (2) The Chief Executive Officer or any other Officer duly authorised by him may, after service of notice under sub-rule(1) above, hold an enquiry in the manner specified under sub-rules(2) and (3) of rule 8.

23. Procedure for evicting encroacher on wakf property by Sub-Divisional Magistrate.-

- (1) The Chief Executive Officer shall forward an application in Form 54 to the Sub-Divisional Magistrate under section 55 for evicting the encroacher against whom an order under sub-section (3) of section 54 has been passed.
- (2) The Sub-Divisional Magistrate shall pass an order in Form 55 to remove the encroacher.

24. Procedure for leasing of Wakf property.-

1. Any person interested in obtaining any immovable property of any Wakf on lease/renewal of lease shall make an application to the Mutawalli in Form-56
2. The Mutawalli shall examine the same and place it before the Board of Mutawallis for a decision.
3. The Mutawalli shall forward the application alongwith the decision/resolution of the Board of Mutawallis, if any, to the Wakf Board.

4. The Board shall take a decision on the said application and fix such terms and conditions as deemed necessary for the grant/renewal of lease/ sub-lease in addition to the conditions imposed in the Lease Agreement under rule 25;

Provided that whenever an application is received under sub-rule(1) for establishment of educational, social and charitable institutions, the Board shall relax any of the conditions specified under this sub-rule.

25. Form of lease agreement.-

Whenever sanction/renewal of lease of a Wakf is finally approved under sub-section (3) of section 56 of the Wakf Act, 1995 and sub-rule (4) of rule 24, the applicant and the Mutawalli shall enter into a Lease Agreement in Form - 57 and it shall be registered.

26. Notice regarding filling up of vacancy of Mutawalli.-

- (1) Whenever there is a vacancy in the office of the Mutawalli of a wakf and there is no one to be appointed under the terms of the Deed of Wakf, the Chief Executive Officer in consultation with the Chairman of the Board shall appoint a person respectable in the society as Mutawalli, for a specified period.
- (2) Whenever there is a vacancy in the Office of the Mutawalli of Wakf and the right of any person to act as Mutawalli is disputed, the decision of the Board shall be final.

27. Procedure regarding removal of Mutawalli.-

- (1) The Chief Executive Officer shall issue a Notice in Form-58 to the Mutawalli concerned against whom action is contemplated under section 64.
- (2) The Board shall conduct summary inquiry in the manner prescribed under sub-rule(2) of rule 8.
- (3) The Chief Executive Officer of the Board shall issue a Notice in Form-59 to the concerned Mutawalli under sub-section (5) of section 64 of the Act, and after giving reasonable opportunity of being heard shall pass suitable orders.

28. Annual report of Wakf under direct management of the Board.-

The detailed report to be sent to the Government of Pondicherry under sub-section (3) of section 65 shall be in Form-60

29. Term of management and supersession of waks and removal of its members.-

- (1) Any Committee or Board of Mutawallis functioning under sub-section(1) of section 67 shall have a maximum term of three(3) years unless it is superseded by the Board or it is in contravention of Wakf Deed or approved Scheme of Management of the Wakf.
- (2) The Chief Executive Officer shall issue Notice in Form-61 to a Committee against whom action is contemplated under sub-section (2) of section 67.
- (3) The order passed by the Chief Executive Officer under the proviso to Sub-section (2) of section 67 shall be published on the Notice board of the concerned Wakf and Office of the Union Territory of Pondicherry Wakf Board and shall also be served on concerned Mutawalli.
- (4) The Chief Executive Officer shall issue a Notice in Form-62 to a Member of any Managing Committee proposed to be removed under sub-section 6 of section 67 of

the Act.

30. Manner of consultation under sub-section (2) of section 69.-

- (1) The Board shall issue a Notice in Form-63 to the Mutawalli concerned and to every person interested in the Wakf regarding the scheme to be framed under sub-section (1) of section 69.
- (2) The Board shall examine the objections or suggestions to the scheme received in response to the Notice under sub-rule (1) and accord approval to the scheme with such modification as it may deem fit.

31. Publication of orders made under section 67 or section 69.-

Every order made under sub-section (2) of section 67 or sub-section (2) of section 69 shall be published at the Office of the Union Territory of Pondicherry wakf Board, or the regional Wakf Advisory Committee and a copy thereof shall also be sent to the Mutawalli of the wakf concerned.

32. Application for inquiry under section 70 of the Act.-

An application under section 70 shall be filed in Form-64 accompanied by an Affidavit on a stamp paper of Rupees fifteen together with a fee of Rupees fifty remitted to the Union Territory of Pondicherry Wakf Board by Cash/DD/Money Order.

33. Procedure for inquiry under section 71 of the Act.-

- (1) The Board or any person authorised by the Board to hold an enquiry under section 71, shall send a copy of the allegation made against the Wakf by issuing a Notice in Form-65 and obtain its explanation on each of the allegations.
- (2) The said enquiry shall be held in the manner specified under sub-rule(2) and (3) of rule 8.
- (3) The Inquiry Officer whenever required shall issue summons in Form-66 for enforcing the attendance of witnesses and production of documents.

34. Demand and recovery of Wakf contribution.-

- (1) The Mutawalli shall furnish to the Chief Executive Officer of the Board or authorised persons in this behalf, the statement indicating the net annual income of the Wakf and the contribution payable by it in Form-67 before 15th May every year.
- (2) The Regional Wakf Officer/Wakf Inspector concerned shall verify the said assessment and fix up the actual Demand for payment of wakf contribution at the rate of seven percent by 30th June and maintain a Register of the demand, Collection and Balance in Form-68.
- (3) The Demand for the Region shall be maintained by the Regional Officer/Wakf Inspector concerned along with the monthly abstracts.
- (4) The Union Territory Pondicherry wakf Board shall maintain a Demand Register based on the assessment made and approved by the Regional Wakf Officer, Wakf Inspector region wise in the proforma and also keep a copy of Demand prepared by each of the Regional Officer Wakf Inspector with reference to each Wakf Institution in Form-69.
- (5) Every Mutawalli who defaults to pay the wakf contribution shall be issued with a Notice regarding the payment of Wakf contribution in Form-70.
- (6) If the Mutawalli fails to pay the amount demanded under sub-rule (4), action shall be taken to recover the same as arrears of land revenue under sub-rule(3) of rule 43.

- (7) In the event of Mutawalli failing to submit the details under sub-rule(1), the Chief Executive Officer or any other Officer authorised in this behalf shall assess the net annual income in the manner prescribed under sub-rule(2) and fix the Wakf contribution payable by the said Wakf.
- (8) The Chief Executive Officer or any authorised Officer shall, if needed, shall revise the net annual income after issuing a Notice to the Mutawalli/Managing Committee in Form-71.
- (9) The Chief Executive Officer or authorised Officer shall issue Notice in Form-72 for the purpose of sub-section (8) of section 72 to the Mutawalli.

35. Chief Executive Officer to lodge complaint.-

The Chief Executive Officer shall institute complaint in respect of an offence under sub-section (4) of section 73.

36. Register of Wakf fund and its expenditure.-

- (1) The Board shall maintain the following registers for realisation and expenditure of monies received to the Wakf Fund.
 - (i) Register of Grants in Form-73.
 - (ii) Register of Donations in Form-74.
 - (iii) Register of Income from Court fee in Form 75.
 - (iv) Register of Wakf Contribution under section 72 in Form-76.
 - (v) Register of Investments in Form-77.
 - (vi) Register of Exnditure in Form-78
 - (vii) Cash book for Wakf Fund in Form-79.

37. Form of budget of the fund.-

- (1) Annual Budget of the Board for the next financial year to be prepared under sub-section (1) of section 78 shall be in Form-80 and shall be prepared by July of the curent financial year in relation to the Budget of next year.
- (2) The Budget shall contain the following statements :-
 - (a) Statement of Receipt in Form-81A
 - (i) Statement of Demand of wakf contribution in Form-81-A(i)
 - (ii) Satement of Maintenance Grants in Form 81-A (ii)
 - (iii) Statement of Rents received in Form-81A(iii)
 - (iv) Statement of other grants in Form-81-A(iv)
 - (v) Satement of interest on Deposit with Banks in Form-81-A(v)
 - (b) Statement of Expenditure in Form-81-B
 - (i) Statement of salaries and other allowance to the staff of the Board in

Form-81-B(i)

- (ii) Statement of Honorarium and other allowances to the Chairperson and members of the Board and Chairman, Regional Wakf Committees in Form-81B(ii)
- (iii) Statement of Expenditure incurred by the regional Wakf Committee in Form-81-B(iii)
- (iv) Statement of Expenditure on contingencies of the Board in Form-81-B(iv)
- (v) Statement of expenditure incurred for preservation and protection of Wakf Property in Form-81-B(v)

38. Form of application for suits/appeal.-

- (1). The application for determination of any dispute, question or other matter under sub-section (1) of section 83 shall be filed in Form-82.
- (2) Every suit or appeal filed before the Tribunal shall, as far as practicable, be in the form of plaint or memorandum of appeal, as the case may be as is stipulated in the Code of Civil Procedure.
- (3) Every such application, suit or appeal shall be presented by the applicant in person, or by his duly authorised agent or advocate to the Sharistadar of the Tribunal.

39. Form of application /plaint/appeal for interim orders.-

Every application for an interim relief in a suit or other proceeding before the Tribunal shall be supported by as affidavit of acts relevant to the matter.

40. Court Fee.-

- (1) Every application, plaint or memorandum of appeal or an application for execution or other application shall be accompanied by court fee.
- (2) No notice, summons or other process of the Tribunal shall be issued and no such application for certified copies of orders, documents or other records shall be granted unless proper fee as specified by the Government by notification is remitted.

41. Scrutiny of application, plaint, memorandum or appeals.-

- (1) In every proceedings before the Tribunal, copies of application, plaint or memorandum of appeal shall be filed in sufficient numbers, for service to all the opponents.
- (2) The Sharistadar of the Tribunal shall after scrutiny of the application, plaint or memorandum of appeal prepare a check list noting the infirmities to be rectified.
- (3) In on scrutiny the application, plaint or appeal is found to be in order, it shall be duly registered in the register of applications or suits or appeal, as the case may be in the Form prescribed in the the Civil Rules of Practice, and given a serial number
- (4) If the application, suit or appeal is found to be defective, the Sharistadar shall allow the party to rectify the defects within a time to be specified by him. If the party fails to rectify

the defects within such time allowed, the Sharistadar shall place the matter before the Wakf Tribunal for appropriate orders.

42. Documents.-

All documents produced before the Tribunal in the course of hearing of an application, suit or appeal shall be filed duly indexed under cover of a list of documents. If any, document filed is in a language other than English, its translation in English shall also be furnished under the list.

43. Service of notices.-

Every Notice to Defendants/Respondents in application/suit appeal shall be sent and served through Registered Post Acknowledgement Due. Where the Tribunal is satisfied that there are reasons to believe that the Defendant/Respondent is keeping out of the way for the purpose of avoiding service or for any other reasons, the Notice cannot be served in ordinary way, the tribunal shall order substitute service of notice as per provisions of order 5 of rule 20 of the Code of Civil Procedure.

44. Hearing and disposal.-

Every application, suit or appeal filed before the Tribunal shall be heard and disposed off in accordance with the procedure set out for hearing of suits and appeals in the Code of Civil Procedure and the Civil Rules of Practice.

45. Certified copies of the orders.-

Certified copies of any order, proceeding or document marked in evidence may be obtained by the parties to the proceedings, on payment of such fee as the Government may specify under sub-rule(2) of rule 70. The provisions of Chapter-VII of the Civil Rules of Practice, shall apply for issue of the certified copies.

46. Execution of orders under sub-section (8) of section 83.-

A party to the proceeding seeking enforcement of any order of the Tribunal shall apply to the Tribunal along with a certified copy of the order for its execution and the Tribunal shall forward the said order for execution to the Civil Court having jurisdiction.

47. Forms of Wakf Tribunal.-

All the Forms prescribed in Civil Rules of Practice, shall be used by the Tribunal so far as they are applicable with appropriate modifications.

48. Form of receipt for court fee, etc.,-

The Tribunal shall issue a cash receipt in Form-83 in respect of money collected by it under the Act or the Rules.

49. Time limit under sub-section (2) of section 83.-

- (1) Any party aggrieved by the decision of the Board under sub-section (1) of section 40 and sub-section (3) of section 40 may file an appeal to the Tribunal within thirty days from the date of receipt of the decision.
- (2) Any party aggrieved by the decision of the Board under sub-section (2) of section 51 may file an application the Tribunal within thirty days from the date of receipt of the decision.
- (3) Any person aggrieved by an order of the Chief Executive Officer under sub-section (3) of section 54 may institute a suit in the Wakf or any other person authorised by him in this

behalf.

Provided that no such suit shall be instituted by a person who has been let into possession of the land, building space or other property as lessee, licence, or mortgagee by the Mutawalli of Wakf or any other person authorised by him in this behalf.

50. General annual report of wakf Board and other Wakf.-

- (1) The Government shall as soon as may be after 1st day of April in every year cause the General Annual Report of the State Wakf Board to be prepared in two parts in Form-84. Part-I of the Report shall be the Report proper embodying the particulars referred to therein; and Part-II shall contain the statistical particulars in the Forms specified therein.
- (2) (i) The Report shall be finalised before the first of July every year.

(ii) The main points to be dealt with shall be noted against the heads concerned in the Report and all necessary information for all large variation due to sanctions, etc. should be included in the Report which should be complete but concise. The information given in Part-II of the Report should not merely be repeated in the Report proper.
- (iii) Soon after the receipt of the Report, the Government will issue a consolidated review on said Report after placing it before the State Legislature.

Form -1
[See Rule 3]

(Form for survey of wakf Institutions by Survey Commissioner)

Name of the wakf

1. Location of Wakf.

District	Sub-division	Taluk/Sub-Taluk	Village /Town

2. Details of the Wakf

Name of the person dedicating the property	Date of creation of Wakf	Shia/ Sunni	Name/ Object of the Wakf	(If hereditary) name of the Mutawalli	Public/ Private

3. Description of Immovable Properties

Cad No./ R.S.No./ T.S.No.	Patta No.	Classification	Extent(in Hectare)	Encumbrances and state-on-ground	Market value	Rate of Tax/ Cess/Duties payable	Present Income

4. Description of Movable Properties

Investments(Shares, Deposits, etc.)	Gold and valuables, etc,	Any other item l(Specify)	Income	Taxes/Duties Payable

5. Other Sources of Income

Hundi Collection	Monthly/ Annual Contributions	Any other source (specify)	Income from such source	Taxes/Duties payable

6. Gross of Income of the Wakf Institution

Immovable properties	Movable properties	Other sources	Total

7. Details of Lease of the Wakf Properties

Period of Lease		Lease sanctioning authority	Name of the Lessee	Purpose of Lease	Advance/ Donation, if any paid	Annual Income	Remarks
From	To						

8. Details of Expenses

Satutory Expenses (Tax, Cess, Duty etc, Specify)	Non-statutory Expenses (Remuneration, Wage, Rent, Religious expenses-specify)	Total

9. Details of Administration

By Custom/Usage/By scheme settled by Court	Scheme of Management approved by Board

Signature of
Mutawalli

Signature of
Wakf Inspector

Signature of
Asst. Survey Commissioner

Signature of Survey Commissioner

Form 2

[See Rule 4]

		Location of Wakf Institution						Creation of Wakf				Details of Wakf Properties			
Sl.No	Name of the Wakf institution	Sunni/Shin	City	Town	Village	Taluk	Revenue	Sub-Division	District	Date	Year	Khata No / Sy.No./ Cts. No /TS.No.Bpt.No.	Area dimension	Boundaries	Value
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
															N S E W
Details of Wakf Deed/ Registered Deed				Gross income of the Wakf institution				Taxes payable in respect of such property				Administration of Wakf			
Name of person	Witnesses if any	Beneficiaries	Nature and object of Wakf	Immovable	Movable	Other sources	Total	Land revenue	Cesses	Taxes	Total usage	By custom / Scheme settled by election count	Scheme approved by law /the board	Remarks	
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	

Form - 3
[See Rule 5]

Application for Updating of Records of Wakf Properties

To
The Commissioner.....
.....Municipality/Tahsildar of
.....Taluk/
.....Municipality/Secretary of
.....Grama Panchayath

It is hereby requested that the records of the properties indicated below be updated under Rule 5 of Pondicherry Wakf Rules.

1. Name of the Wakf ..
2. Name of Mutawalli ..
3. Whether it is a newly Registerd Wakf ..
4. Registration No. of Wakf and date ..
5. Details of the Wakf Property-
 - (a) Sy.No. ..
 - (b) Property No. ..
 - (c) Extent ..
6. Whether the property is Wakf by usage, if so, the use and period of usage to be indicated. ..
7. If acquired by Sale/Gift/Mortgage the Document No./Deed No. to be mentioned ..
8. Name of the Wakf in favour of which the records is to be updating ..
9. Name of the Mutawalli of name of the authorised person to sign the notices, etc., .. regarding udate.
10. Any other relevant information ..
11. List of documents ..
12. Any other documents ..

Signature of the Applicant.

Acknowledgement

Received Application No.----- date----- from-----regard-
ing updating of records of----- Wakf on----- (date)

Signature of the concerned authority

Form - 4

[See Rule 6 (1)]

Notice

A meeting is concerned at (place).....on (date).....
at time..... to elect the Chairperson of the Board as provided under section 14(8) of
Wakf Act, 1995.

You are therefore, requested to attend the said meeting at the given time and place.

Nomination to contest for the post of chairperson may be filed before the undersigned on
or before the time and date of the said meeting.

Secretary to Govt. Wakf Department and Officer
authorised to conduct Election of Chairperson.

(Note: Minimum 7 days Notice be given for conduct of this meeting)

Form - 5

[See Rule 6 (5)]

Notification by Govt. regarding appointment of Chairperson

Notification

[Under rule6(5) of Pondicherry Wakf Rules, 2000]

It is hereby notified that Thriu/Tmt-----
S/o/W/o-----a member of the Union territory of
Pondicherry Board of Wakfs is duly elected as Chairperson of Union territory of Pondicherry Board
of Wakfs as per section 14(8) of Wakf Act, 1995.

By order and

In the name of the Lieutenant-Governor of Pondicherry

Form 6**[See Rule 7 (1)]****Application for inspection of records/registers/other documents in any public office**

The Movable/Immovable properties mentioned here under are :

1. Wakf Properties belonging to------(Wakf)
2. Claimed to be Wakf Properties-----

It is required to inspect the documents mentioned in column(3) of the table below under section 29 of the Wakf Act, 1995.

Table

Sl. No.	Details of movable/immovable properties	Records/Register/ other documents to be inspected	Officials/ Person authorised
1	2	3	4
A. Movable			
B. Immovable			

You are hereby requested to permit the Official/Person authorised in column4 of the Table above to inspect the said record/register and other documents immediately.

A Fee of Rs.------(in words)-----is remitted vide challan/receipt No.-----dated-----

C.E.O/A.C (Wakfs)/
W.O..... Dist.

To

(here indicate the authority to whom application is made)

Section 29 of Wakf Act, 1995 (Central Act)

Section 29: The Chief Executive Officer or any Officer of the Board duly authorised by him in this behalf shall subject to such conditions and restrictions as may be prescribed and subject to payment of such fees as may be levied under any law for the time being in force/be entitled at all reasonable time to inspect in any public office, any records, registers, or other documents relating to Wakf or movable or immovable properties which are Wakf properties or are claimed to be Wakf properties.

Form - 7

[See Rule 8(1)]

Notice

Where it is learnt/informed/reported that the Wakf-----
----- has ceased to exist or that the objects or parts thereof shown in the Schedule below have ceased to exist.

Schedule

Sl. No.	Name of the Wakf/Wakf property which has ceased to exist	Details of moveable property	Details of moveable property				Usage	Details funds if any
			Sy.	Area/ village No.	Town	City		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

It is therefore hereby notified that an enquiry will be taken up regarding said cessation and to ascertain the property and the funds of that Wakfs and to order for recovery of the said property or funds and its utilization under Sec.39(2) of the Wakf Act.

Any objections in this behalf shall be furnished to the undersigned on-----
(date) at----- (time) when the enquiry will be taken up.

Chief Executive Officer/ Authorised Officer

To

Form - 8
[See Rule 9(1)]

Form of Information

Information pertaining to any property which is believed to be Wakf property/whether a particular property is a Wakf property or not/whether a wakf is Shia or Sunni.

Name of the Wakf

Date of Creation/

Establishment of Wakf

District/Taluk

City/Town/Village

Name of the Mutawalli

Secretary/President/ if any

Activities of Wakf Properties of Wakf

Details regarding management of the Wakf

Signature of the Reporting Officer

Form - 9

[See Rule 9(3)(a)]

Notice

Whereas the Pondicherry Board of wakfs after enquiry under section 43 of the Act has reason to believe that the property/properties indicated below in the Schedule belongs to.....(Name of Trust or Society)registered in pursuance of Indian Trust Act, 1882/Society Registration Act, 1960 or.....(any other Act)is are wakf properties.

Schedule

Details of the property	Khata No/Sy.No./ property No.	Extent	Boundaries
			N S E W

Therefore you------(name of authority by whom the Trust is registered) are hereby called upon to register the property/properties in the Schedule under the Wakf Act, 1995 within 7 days of the service of this Notice failing which the Board shall proceed to register the said properties under the Act.

TO

Chief Executive Officer/Authorised Officer

Form - 10

[See Rule 9(3)(b)]

SHOW CAUSE NOTICE

Whereas the Pondicherry Board of Wakfs after enquiry under section 40 of the Wakf Act has reason to believe that the property/properties indicated below in the Schedule belongs----- (name of Trust or Society) registered in pursuance of Indian Trust Act, 1882/Society Registration Act, 1960 or------(any other Act) is/are Wakf properties.

Schedule

Details of the property	khata No./Sy. No./ Property No.	Extent	Boundaries
			N S E W

Therefore you------(name of the authority by whom the Trust or society is registered) are hereby called upon to furnish your written objection/suggestion showing cause us to why the property/properties noted in Schedule should not be registered under the provisions of Wakf Act, 1995, within 7 days from the receipt of this Notice, failing which the Board shall pass orders under section 40 of the Wakf Act, 1995.

Chief Executive Officer/ Authorised Officer.

Form - 11**[See Rule 10(2)(a)]****LIST OF WAKFS**

List of Wakfs under direct management as on----- for preparation of Budget under section 45.

Sl. No.	Name of the Wakf	Name of the Administrator	Order No. period of Direct management	Date

Chief Executive Officer

Form - 12
[See Rule 10(2)(a)]

From
The Cheif Executive Officer
Pondicherry Board of Wakfs
Pondicherry

To

Sir,

Sub : Preparation of Budget proposal by , Wakfs under direct management.

The -----Wakf is under direct management of the Pondicherry Board of Wakfs u/s 45 as per Order No.----- dated-----
-for a period of-----.

As per sec.45 of Wakf Act, 1995, the budget of the above institution needs to be placed before the Board. Therefore you are requested to prepare and furnish and the budget covering the estimited receipt and expendiure in the prescribed. Proforma under Sub Rule (3) of Rule 10 with a statement giving details of the increase if any with income of the Wakf and also steps taken for its better management under Sub-rule (4) of Rule 10.

The budget prepared shall reach, the undersigned by 31st December.....(year)

Chief Executive Officer/Authorised Officer

Form - 13

[See Rule 10(3)]

Annual Budget Estimate of Wakf for 20.. 20..

ABSTRACT

Revised estimate for current year				
Actuals for 20- 20-	Sanctioned estimate for current year 20--20--	Actuals for 8 months	Probable expenditure for 4 months	Total Budget Estimate for year 20-- 20--
Opening Balance				
Total.....				
Receipts (Statement I)				
<hr/> Total.....				
Expenditure (Statement II)				
Total.....				
Closing Balance				
Totals.....				
<hr/>				
<hr/>				

Statement I (Receipts)

Sl No.	Particulars of previous year	Actuals for year of report	Actuals (or for year of report)	Revised budget for ensuing year	Budget estimate	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	1. Opening Balance					
	2. Cash at Bank					
	3. On hand (Cash, Cheque &DD)					
	4. a. Residence					
	b. Office complex` s					
	c. Shops					
	d. Schools					
	e. Shadi Mahal					
	f. Others					
	Total					
	5. Security Deposits					
	6. Good will					
	7. Income from Hundi					
	8. Income from Agricultural Land-					
	a. Sale of Agricultural crops					
	b. Sale of usufructs of trees (income from fasal)					
	c. Sale of trees					
	d. Annuity					
	e. Tasdiq Allowance					
	f. Cash Grants					
	Total					

(1)	(2)	(3)	(4)	(5)	(6)	(7)
-----	-----	-----	-----	-----	-----	-----

9. (A) Miscellaneous receipts-

(a) Nazar/Presents

(b) Subscription fee

(c) Meelad/Ramzan Donation

(d) Nikah fee

(e) Hide & Skin

(f) Golak collection

Total

(B) Receipts from -

a. Grant-in-aid

b. Loan recovery

c. Salary & Festival
Advance recovery

d. Interest from Bank

e. Loan from Central Wakf council, New Delhi

f. fixed Deposit Receipts

g. Royalty/E.M.D

Totals

10. Any toher receipts

Grand Total

Statement II (Expenditure)

Sl. No.	Particulars of previous year	Actuals for year of report	Actuals (or for year of report)	Revised budget for ensuing year	Budget estimate	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)
I.	General Administration					
1.	Salaries					
2.	T.A.					
3.	Office Expenses-					
	i. Purchase of furniture					
	ii. Purchase of stationery & Forms					
	(a) Printing of Receipts					
	(b) Printing/Purchase of Books of Accounts					
	iii. Postal Charges-					
	iv. Telephone Charges					
	v. Water Charges					
	vi. Office imprest amount					
	vii. Purchase of vessels					
	ix. Purchase of Machinery & Electrical items					
	x. Meeting Expenses					
	Total					
4.	Legal Expenses					
5.	Audit expenses					
6.	Corporation/Municipal/Land Tax					
7.	Wakf contribution of Board					
	Total					

(1)	(2)	(3)	(4)	(5)	(6)	(7)
-----	-----	-----	-----	-----	-----	-----

II Capital Expenditure -

- i. Construction Expenses
- ii. Repayment of Loan/Advances
- iii. Security deposit
- iv. Building Licence/Plan fee
- v. Royalty
- vi. E.M.D

Total

III. Charitable Expenses.-

- i. Scholarship/Freeship
- ii Medical Expenses
- iii. marriage Expenses
- iv.

Total

IV. Festival Expenses-

- i. Meelad
- ii. Shae-meraj
- iii. Shae-Wadar
- iv. Shabe-Barat
- v. Idgah/Mosque/dargah expenses
- vi. Urs.

Total

V. Miscellaneous Expenses.-

- i.
- ii

Total

Grand Total

Form 14

[See Rule 10(4)]

Statement giving details of increase in the income of wakf under direct management :

Name of Wakf :

District :

Sl. No.	Details of income sources	Brief details of Audit of the previous year 20 -	Order No. date of taking over under direct management	Details of increase in immovable property after taking over under direct management	Increase in the income if any
(1)	(2)	(3)	(4)	(5)	(6)

(Details to be adapted from the Statement I Receipts of Budget)

Signature of Administrator

Form 15

[See Rule 11(1)(i)]

Receipts

Date of receipt	Receipt No.	Particulars	Salary	TA	Office Expenses	Misc	Cash	Bank

Payments

Date of payment	Voucher No.	Particulars	Salary	TA	Office Expenses	Misc.	Cash	Bank
							Amount	Cheque No.

Form 18

[See Rule 11(1) (iv)]

Register of Immovable Property

	1	Sl.No.
	2	Sl.No./Khanashumar No./Khate No.
	3	Date of purchase/grant property (Order No. of Board us/53 of Wakf Act
	4	Details of Wakf Deed/ purchased any other document
	5	Description of property deed
	6	Area of property
	7	Valuation of Property
	8	Income from the property
	9	Alteration of property
	10	Revaluation of property
	11	Remarks

Form 23**[See Rule 11(1)(viii)]****Register of Inspection Book**

Sl. No.	Previous date of inspection	Present date of inspection	Name & designation of inspecting authority	Important observation made

Form 24**[See Rule 11(1) (ix)]****Register of Meeting**

Sl. No.	Date & place of meeting	No. of members present	No. of absent	No. of subjects discussed	No. of subjects approved	Subjects deferred	Remarks
1	2	3		4	5	6	7

Form 25**[See Rule 11 (1)(s)]****Register of Minutes**

Sl. No.	Date of meeting	Subject	Resolution passed
1	2	3	4

Form 26
[See Rule 11(1)(xi)]
Register of Grants/Loans

	1	Sl.No	
	2	Date of receipt of Loan/Grant	
	3	No & Date of order sanctioning the Loan/Grant half yearly /instalment	
	4	Purpose of Loan/Grant	
	5	Amount of Loan/Grant	
	6	Grants U/S	
	7	Rate of Interest	
	8	No. of instalments in which Payable whether yearly or half yearly	
	9	Amount of each instalment	
	10	Initial of Mutawalli	
	11	Date of payment	Payment
	12	% of interest	
	13	total	Balance
	14	Initial of Mutawalli	
	15	Remarks	

Form 30

[See Rule 11(2)]

Statement of Accounts for the year 20 - - 20 - -

Receipts

Sl. No.	Particulars	Rs. P
1.	Opening Balance -	
	(a) Cash at Bank	
	(b) On hand cash/Cheque/DD	
2.	Income from Rents-	
	I. (a) Buildings	
	(b) Shops	
	(c) Schools	
	(d) Shadi Mahal	
	II. (a) Security deposits	
	(b) Goodwill	
3.	Income from agriculture	
	(a) Sale of Agricultural Prodcue	
	(b) Sale of usufructs of Trees	
	(c) Sale of trees	
	(d) Annuity	
	(e) Tasdiq Allowance	
	(f) Cash Grants	
4.	Income from any other source-	
	(a) Nazar/presents	
	(b) Subscription Fee	
	(c) Milad/Ramzan Donation	
	(d) Nikah Fee	
	(e) Hide and Skin	
	(f) Golak Collection	
	(g) Donations	
5.	Miscellaneous Receipts	
	(a) Grant-in-aid	
	(b) Recovery of Loan	
	(c) Recovery of Festival Advance	
	(d) Interest from Bank	
	(e) Loan from C.W.C New Delhi	
	(f) Fixed Deposits/Receipts.	

Expendiure

Sl. No.	Particulars	Rs. P
1.	General Administration -	
	1. Salaries	
	2. Travelling Allowance	
	3. Office Expenses-	
	(i) Purchase of Furniture	
	(ii) Purchase of Stationery and Forms	
	(a) Printing of receipt books	
	(b) Purchase of books and accounts	
	(c) Postal charges	
	(d) Telephone charges	
	(e) Water charges	
	(f) Electric Charges	
	(g) Office imprest	
	(h) Purcahse of vessels	
	(i) Purchase of Machines/Electrical items	
	(j) Meeting expenses	
	4. Legal expenses	
	5. Audit expenses	
	6. Corporation/Municipal/Land Tax	
	7. Wakf Contribution to Board	
II	Captial Expenditure-	
	1. Construction expenses	
	2. Repayment of Loan/Advances	
	3. Security Deposits	
	4. Building license/Plan fee	
	5. Royalty	
	6. Refund of E.M.D	
III.	Charitable Expenses-	
	1. Scholarship/Freeships	
	2. Medical expenses	
	3. Marriage expenses	

IV Festival Expenses-

1. Meelad
2. Shab-e-Meeraj
3. Shab-e-Barat
4. Shab-e-Qader
5. Mosque/Idgah/Dargah expenses

V Miscellaneous Expenses-

- 1.
- 2.
- 3.
- 4.
- 5.

FORM 31
(See Rule 11(3))

NOTICE

Notice under Section 46 and Rule 40(3) to the Mutawalli/Managing Committee of a Wakf for non-submission of accounts of-----year.

The statement of accounts of a wakf should be furnished to the Pondicherry State Board of Wakfs before 1-5 for the year----- under Section 46(2) of the Wakf Act. It is noticed that you Janab-----Mutawalli/President/Secretary of-----Wakf has failed to furnish the statement of accounts for the year -----before1.5..... You are therefore hereby directed to furnish the same within seven days from the receipt of this notice and also furnish the said statement of accounts/your explanation for non-submission, the Board shall proceed in accordance with law after the expiry of seven days.

Chief Executive Officer/
Authorised Officer/ Wakf
Officer/Wakf Inspector

To

Janab-----

Mutawalli/President/Secretary

----- (name of the Wakf institution)

FORM 32
[See Rule 12(1)]
Report of Audit of Wakfs

1. Name of the Wakf
2. Name of the Mutawalli/Managing Committee
3. If the Wakf is under Direct Management Order No., date and Name of the Administrator
4. Category under Sub Rule (1) of Rule 41
5. Date of last Audit
6. Date of present Audit
7. Names of Audit Officer and Staff
8. Action taken on previous audit report.
 - (a) Total No. of paras observed
 - (b) No. of Paras for which compliance furnished.
 - (c) No. of paras dropped
 - (d) No. of paras for which compliance is due
 - (e) Total amount ordered for recovery in the Audit
 - (f) Amount Recovered, Balance and reasons for non recovery of Balance.
9. Whether statement of Accounts furnished under sub-rule 2 of rule 40
10. Whether Budget is furnished and approved by the Board
11. Whether registers under Sub rule 1 Rule 40 are maintained (separate paras regarding verification and observations be recorded)
12. Whether the 7% Wakf contribution payable is assessed and paid under section 77.
13. If Loans are availed, whether there is repayment of such loans
14.
 - (a) Whether amount due to the wakf are recovered in time ?
 - (b) Balance to be collected.
 - (c) Balance due and the period of such dues
(to be enclosed in each case)
15. Details of properties under section 51,52,53,54,56 etc., may be checked
16. Whether any grants are released, if so, the details
17. Whether the grants are utilised properly ?
18. Is there any property which can be developed commercially. A brief note on the proposal for development.

Signature of Auditor

FORM 33
[See Rule 12(2)]

Annual programme of audit of Wakf institutions for the year.....for.....District

(A) List of wakfs with net annual income of above one lakh (to be audited every year)

Sl. No.	Name of the Wakf	Name of the Mutawalli/ Sec. of the Wakf	Approx. annual income	Year of last audit	Date of current audit	Name of the auditor
1						
2						
3						

Chief Executive Officer

(B) List of wakfs with net annual income above Rs.10,000 and below one lakh(to be audited once in three years)

Sl. No.	Name of the Wakf	Name of the Mutawalli/ Sec. of the Wakf	Approx. annual income	Year of last audit	Date of current audit	Name of the auditor
1						
2						
3						

Chief Executive Officer

(C) List of Wakfs with net annual income below Rs.10,000 (to be audited once in five years)

Sl. No.	Name of the Wakf	Name of the Mutawalli/ Sec. of the Wakf	Approx. annual income	Year of last audit	Date of current audit	Name of the auditor
1						
2						
3						

Chief Executive Officer

FORM 34**[See Rule 12 (3)]**

Notice to Mutawalli/Secretary of a wakf institution intimating in advance the programme of audit of the wakf for.....year (to be issued 15 days in advance before the date of audit)

The audit of every wakf is to be conducted u/s47 of Wakf Act and Rule 12 of Pondicherry Wakf Rules.

The annual programme of audit for the year.....is already finalised and published by the Pondicherry Board of Wakf under Rule 41. As per this annual programme the audit ofwakf will be conducted by.....on.....date. You are therefore hereby directed to produce all the relevant records for the smooth conduct of audit.

Chief Executive Officer/
Authorised Officer

To

Janab-----

Mutawalli/Secretary

------(name of the Wakf)

Note:- If you fail to comply with the above instructions action under Sec.61 I(d)/2(b) shall be taken against you and you may be punished with imprisonment for a term of upto six months and also fines upto 15,000 rupees.

Form 35
[See Rule 13]

Notice

Notice to Mutawalli/Managing Committee of.....wakf for taking action under Sub-section(1) of Section 48.

Where as the Pondicherry State Board of Wakf as per the annual programme of audit under Rule 12 had taken up the audit of.....wakf ondate. The auditor has submitted his report u/s 47(2) of the Wakf Act.1995 which reveals that the following grave acts of omissions/commissions/misuse of wakf property/wakf fund/falsification of records are reported.

- 1.
- 2.
- 3.

Now therefore the Pondicherry Board of wakfs has to pass an order on the report of auditors under Section 48(1) of Wakf Act, 1995, for the recovery of the amount certified by the auditors under Section 47(2). You are therefore called upon to explain as to why such an order should not be passed against you for the recovery of..... amount (in words and in figures) within seven days from the date of service of this notice. If no explanation is received within the stipulated time, the Board shall in addition to passing an order u/s48 shall also proceed to impose penalty u/s 61 of the Wakf Act, 1995.

(By order of the Board)

Chief Executive Officer

Note: If you fails to comply the above institutions then action u/s61 I(d) 2(b) shall be taken against you and you may be punished with imprisonment for a term of upto six months and also find upto 15,0000 rupees.

Form 36
[See Rule 14(1)]

Notice of Demand under Section 49 of the Wakf Act, 1995

Notice

You are hereby required to take notice that a sum of Rs..... (Rs.....in words) is due by you as per the Report of the Auditor under Sec.47 of the Wakf Act, 1995 as modified by an order of the Board or Tribunal under Sec. 48 of the Wakf act, 1995 towards payment of wakf contribution from.....to..... and that unless it is paid to the account of the Board within sixty days from the date of service of this Notice, together with a sum of Rs.....(Rs.....) being the fee chargeable for this Notice, compulsory proceedings will be taken according to Law for the recovery of whole amount still due by you as per the Report of the Auditor.

Chief Executive Officer/
Asst. Commissioner/
Wakf Officer/Wakf Inspector

To

The Mutawalli
Secretary of the Managing Committee

Copy to the Chairman, DWC-----the concerned.

Form 37
[See Rule 14(2)]

Notice of demand under Section 49 of the Wakf Act, 1995

Notice

Where a Demand Notice regarding payment of dues was issued to you Sec. 49(1) of the Wakf Act, 1995 and inspite of expiry of time limit of sixty days, you have failed to remit the amount of Rs.....(Rs.....) as per the Demand.

Therefore you are hereby called upon to explain within seven days as to why a Certificate of Recovery of the said amount as arrears of Land Revenue should not be issued under Sect 49(2) of the Wakf Act, 1995.

Chief Executive Officer

To

The Mutawalli

Secretary of the Managing Committee

Copy to the Chairman, Dist. Wakf Committee.....
the concerned.

Form 38
[See Rule 14(3)]

CERTIFICATE OF RECOVERY

It is certified that the person(s)/ the Wakf institution noted in the Schedule is liable to pay Rs.....(Rupees.....) under Section 34/Section 49/Section 72 of the Wakf Act, 1995.

The said amount has not been paid inspite of reasonable opportunity being afforded by serving a Demand Notice No.....dated.....and a defaulter Notice No..... dated..... and a defaulter Notice No.....served on the person(s)/ Mutawalli of wakf shown in Column 2 of the Schedule on.....(date).

SCHEDULE

Sl. No.	Details of amount due	Name of the person(s) Wakf in	Address of the person/Name of the Mutawalli	Amount due (in Rs.)
(1)	(2)	(3)	(4)	(5)

It is therefore requested that the amount of Rs.....(Rupees.....)

due under Section 34/Section 49/ Section 72 f the Wakf Act, 1995 be recovered as arrears of Land Revenue and remitted to the Chief Executive Officer, Pondicherry Board of Wakfs, Pondicherry by a Demand Draft.

(By order of the Board)

Chief Executive officer

To

The Deputy Collector(R)
Pondicherry/Karaikal/Mahe/Yanam

Form 39
[See Rule 15]
APPLICATION
(Application for Gift/Sale/Exchange/Mortgage of immovable
Wakf property u/s51(1) of Wakf Act, 1995

1. Name of the Wakf Institution

VILLAGE.....

TALUK.....

DISTRICT.....

2. Registration

No.

Date.

3.	Name of the Mutawalli/ Secretary/Managing Committee	Order No. regarding the appointment of Mutawalli/ Secretary	Term office
----	---	---	-------------

4. Details of immovable properties held by the Wakf

Sl. No.	Sy.No./Municipal No.	Total extent	Boundaries NSEW	Present usage	Income derive
1	2	3	4	5	6

5. Details of Immovable property proposed to be Gifted/Sold/Exchanged/Mortgaged.

Sl. No.	Sy.No./Municipal No.	Total extent	Boundaries NSEW	Income derived	Present market	Transaction by gift/sale/mortgage/exchange	Proposed in case of exchange Sy. Nun Bo.No. Total Income Extent generated	Utilisation/ investment of amount realised by sale/exchange/mortgage
---------	----------------------	--------------	-----------------	----------------	----------------	--	--	--

6. Details of litigation, if any, regarding the property to be sold/Gifted/Mortgaged/ Exchanged.

7. Whether the proposal is placed before the Managing Committee, if so, Resolution No. & date (Extract to be enclosed).

8. Documents enclosed with this application, if any

(i) the documents like Khata/RTC etc., of property.

(ii) Encumbrance

(iii) Copy of the Wakf Deed if any, Resolution of the Managing Committee.

Signature with seal

DECLARATION

I, Janab -----Mutawalli/
Secretary-----Wakf institution hereby declare that the
information furnished above is true to the best of my knowledge and is as per the records.

I also declare that the proposal for Gift/Sale/Exchange/Mortgage of the immovable property
shown in column 7 is

- (i) necessary/beneficial to the Wakf
- (ii) consistent to the objects of the Wakf and
- (iii) the consideration thereof is reasonable and adequate

I, further declare that if any of the information declared is to be false/misleading untrue or
incorrect and that the proposal is not in the interest of the Wakf, I, may be punished with the penalties
imposed under Section 61(2)(b) of the Wakf Act, 1995.

Signature

SECTION 61(2)(B) OF WAKF ACT, 1995

A Mutawalli furnishes any statements, return or information to the Board, which he knows or
has reason to believe to be false, misleading, untrue or incorrect in any material particulars, he shall
be punished with imprisonment for an offence which may extend to six months and also with fine which
may extend to fifteen thousand rupees.

Form 40 [See Rule 16(l)]

Office of the Chief Executive Officer
Pondicherry Board of Wakfs

NOTIFICATION

Sub:- Sale/Gift/Exchange/Mortgage of-----
Immovable Wakf property of-----institution

Ref:- Application No.-----dt.-----of Mutawalli/
Secretary of-----Wakf institution.

Whereas the Mutawalli/Secretary of----- Wakf in-
stitution has made an application to the Board under Section 51(l) of the Wakf Act, 1995 to Gift/
Sale/Exchange/Mortgage the immovable properties of----- Wakf shown
in the schedule below.

SCHEDULE

Sl. No.	Details of immovable property	Location	Sy.No. Property No.	Extent	Boundaries
					N S E W

It is hereby notified for the information of any person interested in the Wakf to file objections/ suggestions, if any, with regard to the above transaction addressed to the Chief Executive Officer, Pondicherry Board of Wakfs, Pondicherry within fifteen (15) days from the date of publication of this Notification published in official Gazette.

Chief Executive Officer

Form 41

[See Rule 17(1)]

Under Provisio (1) of Section 51(2) of Wakf Act, 1995

Date.....
(Name of the Wakf)

AUCTION NOTIFICATION

It is hereby notified for the information of the public that the Pondicherry Board of Wakfs has sanctioned the sale of the immovable property shown in the Schedule belonging to-----
-----institution vide its resolution No.-----
Dated-----

The said sale will take place in public auction at the place, date and time shown in Schedule II of this Notification.

SCHEDULE - 1

Sl.No.	Details of property	Extent/ Dimension	Boundaries	
			North-South	East-West

SCHEDULE - II

Place of Auction	Date of Auction	Time of Auction

The Sale is subject to the following terms and conditions ;

1. The sale is subject to the confirmation by the Board within the time, prescribed in sub Rule (2) of Rule 48 under Provisio (2) of Section 5(2) of the Wakf Act, 1995.
2. The Party/Parties entitled to the payment of money for the recovery of which sale of immovable property is held shall not be allowed to bid for or purchase the property without the permission of the Board.
3. No Officer having any duty to perform in connection with any sale by auctions and no person employed buy or subordinate to such Officer shall directly or indirectly bid for or acquire any property.
4. If there is no bidder on the date of sale the property may be purchased by Board.
5. The party declared to be the purchaser of the immovable property may deposit immediately 25 percent of the amount of bid and balance within fifteen(15) days from the date of confirmation.

Mutawalli/Secretary

Form 42

[See Rule 17(3)]

NOTIFICATION OF PUBLIC AUCTION OF IMMOVABLE PROPERTY OF
 -----(Wakf)

It is hereby notified for the information of the public that in exercise of the powers conferred under Section 51 of the Wakf Act, 1995, the Pondicherry Board of Wakfs had sanctioned the sale of immovable wakf property shown in the Schedule I belonging to----- Wakf insitutiion authorising the Mutawalli of the said Wakf to conduct public auction within 30 days under sub-rule (1) of Rule 46 of the Pondicherry Wakf Rules 2000.

Whereas the Mutawalli of said Wakf has failed to conduct the auction of the property/properties shown in the Schedule - 1.

Now therefore in exercise of the powers vested under sub-rule(3) of Rule 17 read with Section 51 of the Wakf Act, 1955, the undersigned hereby notifies that the auction of the said in the Schedule II and----- (Name of the Officer with designation) is authorised to conduct the public auction.

SCHEDULE - 1

Sl.No.	Details of property	Extent/ Dimension	Boundaries	
			North-South	East-West

SCHEDULE - II

Place of Auction	Date of Auction	Time of Auction

The Sale is subject to the following terms and conditions :

1. The sale is subject to the confirmation by the Board within the time prescribed under sub-rule (2) of Rule 17 of the Pondicherry Wakf Rules, 2000.
2. If the sale of immovable property is for repayment of loans due then the persons to whom loan is to be paid shall not be allowed to bid or participate in the public auction without the prior permission of the Board.
3. No employees of the Pondicherry Wakf Board and the Wakf institution shall be allowed to participate in the auction.
4. An intending bidder shall pay on amount of Rs.-----as deposit before the auction commences.
5. The highest bidder shall pay 25% of Bid amount immediately after the auction and remaining amount within 15 days from the date of confirmation.

Cheif Executive Officer.

Form 43
[See Rule 17(4)]

THE PONDICHERRY BOARD OF WAKFS

Date :-----

To

The Sub-Registrar

Sir

Sub: Registration of document of sale by Public Auction of Immovable Wakf property under sub-section (1) of Section 51- regarding.

Ref :

* * *

I,-----, Chief Executive Officer of the Pondicherry Board of wakfs, authorise Thiru------(name)----- (designation) for presenting document for registration of sale by public auction held on----- (date) of immovable property sanctioned under Section 51 of the Wakf Act, 1995 of ----- Wakf institution.

The signature of the official who is presenting the above document is attested below :

Signature of Thiru------(name)

------(designation)

Attested by me

Yours faithfully

Chief Executive Officer.

Form 44**[See Rule 18]**

Office of the Chief Executive Officer

**NOTIFICATION REGARDING UTILISATION/INVESTMENT AMOUNT
REALISED BY SALE/EXCHANGE/MORTGAGE OF WAKF PROPERTY**

1. Whereas the Wakf property shown in the Schedule below came to be sold by public auction/Exchange/Mortgage under Section 51(2) of the Wakf Act, 1995 and that an amount of Rs..... is realised out of the said Sale/Exchange/Mortgage.
2. Whereas the Mutawalli/Secretary of the Managing Committee has made a proposal to the Board while submitting his application under Rule 44 to utilise/invest this amount for the purpose shown in column 4 of the schedule.

SCHEDULE

Name of the Wakf	Details of the property sold	Amount realised	Details of proposal of utilisation/investment
(1)	(2)	(3)	(4)

3. Now, therefore the Pondicherry Board of Wakfs after careful consideration of the said proposal regarding utilisation/investment of the amount so realised hereby accords approval for the utilisation/investment as proposed in column 4 of the schedule above.
4. If the said amount of Rs.....being the amount realised by way of mortgage of the wakf property shown in column 3 of the Schedule, the Mutawalli or the Secretary of Managing Committee is directed to repay the mortgage debt and obtained a discharge of mortgage debt from the mortgage within.....years.
5. Any violations of this Notification on the part of Mutawalli/Secretary or any purchaser/Exchanger or Mortgagee shall attract the provision under section 61(2)(b) of the Wakf Act, 1995.

Chief Executive Officer.

Form 45
[See Rule 19(1)]

See Section 52 of Wakf Act, 1995 (Act of Parliament)

Offier of the Chief Executve Officer
Dated

To

The Sub Registrar

Sir,

Sub : Transfer of immovable/Wakf property in contravention of Section 51 of the Wakf Act,
1995 - issue of certified copies of deed of transfer - Reg.

It is learnt/informed that the property shown in the schedule below and notified as a Wakf property under Section, of the Wakf Act and registered in the Register of Wakf under Section 37 of Wakfs Act, without obtaining prior approval of the Pondicherry Board of Wakfs. You are therefore requested not to release the documents regarding this transmission without prior permission of the Government under sub-rule (1) of the Rule 48.

Hence, to initiate action as per Section 52 of the Wakf Act, 1995 and under sub-rule 2 of rule 19 of the Pondicherry Wakf Rules, 2000 certified copies of Transfer Deed and the encumbrance of the property are required. You are hereby intimated to furnish the above documents within the time limit of two (2) days after the receipt of this application.

Sri.....is authorised to receive the documents cited above from you in person and his signature is attested below .

Chief Executive Officer

The Pondicherry Board of Wakfs

Signature Attested by

Form 46
[See Rule 19(3)]

Notice to transferor

Whereas the properties shown below in the Schedule are Wakf properties registered under Section 36 and 37 of the Wakf Act, 1995 and that you are appointed as Mutawalli/Secretary of Managing Committee to supervise and manage the said immovable properties.

Whereas it is now learn/informed that these immovable properties has been transferred by you, without prior permission of the Wakf Board and thereby there is violation of Section 51 of the Wakf Act, 1995.

SCHEDULE

Sl. No.	Sy.No/Property No/Khata No.	Taluk/Village/ Town	Extent Dimension	Boundaries

You are therefore called upon to explain/produce any documentary evidence for not having violated the provisions of Section 51 of the Wakf Act within seven(7) days from the receipt of this notice, failing which the Board shall proceed under Section 52 of the Wakf Act, 1995 for the recovery of this immovable property. The Board shall also proceed against you under Section 61(2) (b) of the Wakf Act, 1995.

Chief Executive Officer/Authorised Officer.

To

Form 47
[See Rule 19(3)]

Notice to transferee/purchaser

Whereas the properties shown below in the Schedule are Wakf properties registered under Section 36 and 37 of the Wakf Act, 1955.

Whereas it is leant/informed that you are in possession of the Scheduled Property of wakf by way of transfer/Gift/Sale/Mortgage/Exchange vide document No.....dated..... registered in Office of Sub-Register.....

SCHEDULE

Sl. No.	Sy.No/Property No/Khata No.	Taluk/Village/Town	Extent Dimension	Boundaries

Whereas, it is now learnt after due verification that the said transfer is in violation of the Section 51 of the Wakf Act, 1995. Therefore, you are called upon to explain as to why action should not be taken to recover the said property under Section 52 of the Wakf Act, 1995 within seven (7) days from the date of receipt of the Notice, failing which further action will be taken by the Pondicherry Board of Wakfs.

Chief Executive Officer
The Pondicherry Board of Wakf

To

The Notice shall be served on the transfer/transferee as per sub-rule(2) of Rule 51.

Form 48
[See Rule 19(5)]

Report of alienation of Wakf Property in violation of Section 51 of the Wakf Act, 1995

1. Name of the Wakf institution
2. Registration No. of the Wakf institution and date
3. Whether Muzrai Wakf Yes/No
4. Name of the Mutawalli/Secretary of Managing Committee with the details of the order of appointment etc., and the term.
5. Name of Administrator, details of order of appointment etc., with term
6. Details of all the Wakf properties belonging to Wakf institution.

Sl. No.	Sy.No./Mun.No.	Total extent	Boundaries N S E W	Present usage	Income derived
---------	----------------	--------------	-----------------------	---------------	----------------

Now, therefore in exercise of the powers conferred upon the and under sub-section (1) of Section 52 of the Act. The Deputy Collector.....District is requested to pass order directing the person / persons shown in column (7) of the Schedule to deliver the property to the Board within a period of thirty(30) days from the date of orders of the Deputy Collector.

The said order shall be served in the manner laid down in the sub-section (3) of sub-section 52 of the Act.

A copy of the Order passed by the Deputy Collector.....District may be sent to this Office, a copy to the concerned institution.

Chief Executive Officer.

Form 50
[See Rule 20]

Pondicherry Board of Wakfs

No.....

Dated.....

To

The Sub Registrar

Sir

Sub: Registration of document of Gifts/Sale/Exchange/Mortgage of Immovable Wakf property Authorisation under Rule 20 of Pondicherry Wakf Rules 2000- regarding.

Ref:

----- Chief Executive Officer of Pondicherry Board of Wakfs authorise Thiru------(name) -----(designation) for presenting documents for registration of Gift/Sale/Exchange/Mortgage of immovable property of-----Wakf institution.

The Signature of the Official who, is presenting the above documents is attested below.

Signature of Thiru-----

Attested before me

Yours faithfully,

Chief Executive Officer
Pondicherry Board of Wakfs

Form 51
[See Rule 21(12)]

Application for permission to acquire immovable property by a Wakf out of its funds.

1. Name of the Wakf Institution
2. Registration No. & Date
(copy of the same be enclosed)
3. Name of the Mutawalli/
Managing Committee
4. Date of appointment of the Mutawalli/
Managing Committee and term
5. Details of immovable property already owned by the institution

SI.No. Khane	Extent/ Summari No.	Village Town/ City	Area
-----------------	---------------------------	--------------------------	------
6. Total annual income of the Wakf as per audited statement of accounts for the past three years
7. Details of property propped to be acquired by the Wakf
 - i. Sy.No./M.No./Corp. No.
 - ii. Extent/Dimension
 - iii. Name of the Seller
 - iv. Details of buildings/Structures on the property(in the case of Urban property)
 - v. Wet/Dry land (in case of Agricultural land)
 - vi. Value as per sale statistic of the Sub-Registrar for the past five years.
 - vii. Market value of the proposed property to be purchased.
 - viii. Consideration for the settlement is made
 - ix. Litigation, if any on the said proposed property for purchase
 - x. Purpose for which the said immovable property is acquired.

Enclosure to application

 - a. Registration Certificate of the Wakf institution
 - b. Khatta/M.No./Tahsil record of the property to be purchased
 - c. Declaration

- d. Previous Sale Deed
- e. No objection from the Seller
- f. Resolution of the Managing Committee to purchase property
- g. Statement of accounts of the previous year
- h. Encumbrance Certificate of the property.

Signature of the mutawalli/
Secretary, Managing Committee

DECLARATION

I, -----Mutawalli/Secretary of the Managing Committee of----- hereby declare that the above information furnished is true to the best of my knowledge.

I also declare that the proposed acquisition of the immovable property is for a *bona fide* intention to develop the Wakf institution to increase its income generating capacity.

If any of the above statement is found to be false, then I am liable to be prosecuted under Section 61(2) of the Wakf Act, 1995.

Signature of the Mutawalli/
Secretary, Managing Committee of

Form 52
[See Rule 21(3)]

**Notification regarding the acquisition of immovable property by
Wakf under Section 53 of the Wakf Act, 1995**

Whereas the Mutawalli/Secretary of-----has submitted an application dated----- for acquiring the immovable property noted in the Schedule below, out of its funds under Section 53 of the Act and sub-rule (1) of rule 50 of Wakf rules.

SCHEDULE

Name of the Wakf	Details of immovable property for purchase				Amount proposed for the purchases
	Sy.No./ Property No./ Khata No.	Extent/ Area/ Dimension	Village/ Town/ City NS EW	Boundaries	
(1)		(2)			(3)

Whereas after careful consideration of this application, it is found that the said application is adequate and reasonable as per the report furnished by

Now, therefore, in exercise of the powers conferred under Section 53 it is informed to the general public and any person interested in this Wakf to file objections/suggestions, if any in respect of the said transaction to the Board within 10 days from the date of publication of this Notification in the Official Gazette. The objections / suggestions if any, shall be addressed to the Chief Executive Officer of the Pondicherry Wakfs in an envelope superscribed "Objections / Suggestions" with reference to "Notification No.-----dated-----"

Chief Executive Officer
Pondicherry Board of Wakfs

Form 53
[See Rule 22(1)]

Notice

Notice to Encroachers under Section 54 of the Wakf Act, 1995 regarding encroachment of land / building / space / other properties on alid property belonging to.....

Whereas a complaint is received / it is informed to the Board / it was detected that you have encroached..... extent / dimension of land / building / space property belonging to.....(Wakf institution) morefully described in the schedule below which is a registered Wakf under Section 37 of the Wakf Act, 1995

Therefore, you are hereby called upon to furnish your explanation within eight days as to why an order requiring you to remove the encroachment before(date) should not be made under Section 54(1) of the Wakf Act, 1955.

In default of the order made at para (1) above, removal of encroachment and eviction of the encroacher will be personally taken up by me with police assistance as may be necessary for the purpose.

Court Seal

Pronounced this day.....
(Sub-Divisional Magistrate)

(encroacher)

Copy submitted to the Chief Executive Officer, Pondicherry

1. Board of Wakfs, Pondicherry
2. The Mutawalli/Secretary, Managing Committee.....

Form 56
[See Rule 24(1)]

**(Application for sanction / renewal of lease / sub-lease
of a immovable property of Wakf)**

To
The Mutawalli / Secretary,
------(Wakf)

1. Name of the Applicant
2. Address
3. Age & Date of Birth
4. Educational Qualification
5. Present Profession / Occupation
6. Purpose for which the immovable is to be leased or subleased
7. Details of the property proposed for sanction / renewal of lease

DETAILS OF THE PROPERTY

Sl. No.	Village	Town	Taluk	District	Name of the property if any	Type of properties					Dimension
						Land	Home	Shop	Office complex	Open Space	

8. In case of renewal
 - a) The period from which the property is under lease
 - b) Purpose of lease
 - c) Lease amount

- d) Proposed lease amount for renewal
- 9. Deposits made if any as per lease. Notification if any

Signature of applicant

Declaration by the applicant

I hereby declare that ;

- I. I shall abide with the decision of the Pondicherry Board of Wakfs, regarding my application.
- II. If any of the facts declared are found to be false the Pondicherry Board of Wakf, is at liberty to take such suitable action under the relevant law against me.
- III. I also agree with the terms and conditions imposed by the Board and thereupon shall finalise the lease agreement within 15 days of the decision of the Board.

Signature of the Applicant

**Form -57
[See Rule 25]**

LEASE DEED

THIS DEED OF LEASE made and executed this the-----day of-----
at-----By and Between

-----a

Wakf
institution represented herein by its
Mutawalli / Secretary Managing Committee

hereinafter called the `LESSOR`

And

represented herein by its Chairman / Secretary
Managaing Committee

hereinafter called the "LESSEE"
(The terms"LESSOR" & "LESSEE" to mean and to
include their respective sucessors in interest and the
sucessors in office of their respective representa
tives)

SHOWETH :

Whereas-----situated at----- is a Wakf institution, notified as such in the Government Gazette as Notification No-----

And whereas the said institution is managed by its Mutawalli / Secretary / Managing Committee-----

And whereas the LESSEE above named, being a----- constituted for charitable purposes offered to the said Mutawalli to take on lease the property as per schedule belonging to the said Wakf institution being vacant land for the-----Purpose of construction of a----- and whereas, the LESSOR / Mutawalli applied to the Pondicherry Board of Wakf for accord of sanction, for the grant of long lease vide their application dated----- forwarded to the Board through the Chairman, District Wakf Committee----- and whereas the proposal for lease being placed before the Board at its meeting held on----- and the Board in its meeting held on-----resolved to approve the proposal and directed initiation of the process laid down in Rule of the Pondicherry Wakf Rule of 1996. And Whereas a Public Notice dated----- was published in the Pondicherry Gazette vide Notification-----inviting objections or suggestions in respect of the proposal of lease of the said property, from all persons interested ; And whereas no objections or suggestions were received from anyone against the said proposal and hence the Board in its meeting held on----- resolved vide Resolution No.----- to accord sanction under Act to Mutawalli for leasing out of the said Wakf property upon the terms and conditions let out and fixed by the Board finally in its meeting held on----- (vide Resolution No.-----). And whereas the Mutawalli has been duly notified and all steps have been taken to cause the publication on the order according sanction of lease in the Pondicherry Gazette, which will take place any day now.

This Indenture Witnesseth that in pursuance of the accord of statutory sanction by the Pondicherry Board of Wakfs and in consideration of the rent herein reserved and the LESSEE agreeing to abide by the terms and condition agreed upon, the Lessor above named does hereby Lease out the vacant land belonging to the Hazrath----- and morefully described in the schedule appended hereto below to the LESSEE above named, on the following ;

TERMS AND CONDITIONS :

1. (a) The lease shall be for a period of-----from this date i.e.-----
 - (b) After the expiry of the said period of three years, the lease may be extended further by the mutual consent of the Lessor and Lease, subject to satisfactory resettlement of the terms and conditions.
 - (c) Notwithstanding the period stipulated above, this Lease shall be terminated and cancelled by the Lessor if the lessee violated any of the terms and conditions contained herein before such termination the Lessor shall be entitled to resume possession of the demised property from the Lessee.
2. That the lease shall be a monthly lease, the month of tenancy being the English Calender month, notwithstanding the date of execution hereof. However, forth same of convenience, the rent shall be payable on yearly basis.
3. (a) The agreed rent for all the leased property by the Lessee shall be as under : for first three years-----annum.

- (b) The rent for the each month / year shall be paid before the month of February of that year
- (c) Default in the payment of rent for any two consecutive months two consecutive years will entitled the Lessor to terminate the Lease and seek possession of the property.
- (d) The rent shall not include the rates and charges payable to the concerned authorities in respect of the electricity and water used by the Lessee or by way of any taxes and cesses payable in respect of the building. These charges rates, cesses and building taxes etc., shall be paid separately by the lesse without deducting the same out of the rent payable.
4. (a) The Lessee shall utilise the demised property only for the purpose of constructing a----- and the connected structures etc., construction or use of any other building upon the said land shall constitute a clear violation of the very prupose and spirit of the lease and its terms and conditions.
- (b) The Lessee shall obtain proper sanctions and permits from Municipality / Commune Panchayath and other concerned authorities for the construction of the.....
- (c) The building together with all the fittings and fixtures shall become the property of the institu tion-----at the end of the stipulated lease period or at the earlier termina tion of this lease as provided for above and the lessee shall not be entitled to claim compensa tion for the same from the Lessor.
5. The lessee shall not sub-let, assign or transfer the right of occupation of the demised property or any part of portion thereof to anyone under any guise or arrangement whatsoever. Any person, firm or group, found in exclusive possession and control of the said property or any part of portion thereof shall be deemed to be a sub tenant within the meaning of this clause.
6. The lessee shall not enter into any partnership or business or professional arrangements with any other persons or groups or institutions wihout the prior written permission of the Lessor or the Wakf Board or the District Wakf Committee.
7. The lessee shall have a nominee of the Pondicherry Board of Wakfs as a member of its executive body, by whatever description it is referred to ;
8. That all other aspects of this Lease shall be governed by the Provisions of the Transfer of property Act, and the Indian Contract Act ; and except when the institution is taken under direct management of Wakf Board, the Pondicherry Rent Control Act.
9. The lessee has been placed in actual physical possession of the leased property this day.

SCHEDULE

Extent / Dimension

East to West

North to South

Boundaries	North
	South
	East
	West

IN TOKEN WHEREOF the Lessor and the Lessee above named have appended their respective signatures hereto below, this the----- day of-----at-----

Mutawalli / Secretary
Managing Committee
LESSOR

Chairman / Secretary
LESSEE

Witnesses

- 1.
- 2.

Form - 58
[See Rule 27(1)]

NOTICE

Notice to Mutawalli / Secretary of------(Wakf institution) under Section 64 (3) of the Wakf Act, 1995 to conduct an enquiry.

Whereas, you Thiru-----S/o-----of Wakf institution) vide Board`s and wheras, it is now established that you have violated the provisions of the Wakf Act, 1995 and liable for action under Section 64(1) for anyone / more than one reasons indicated below : (tick whichever is appropriate)

- (a). has been convicted more than once of an offence punishable under Section 61 of the Wakf Act, 1995.
- (b). has been convicted of offence of criminal breach of trust or any other offence involving moral turpitude and such conviction has not been reversed and he has not been granted full pardon with respect to such offence, or
- (c) is of unsound mind or is suffering from any other mental or physical defects or infirmity which would render him unfit to perform the functions and discharge the duties of a Mutawalli, or
- (d) is an undischarged insolvent, or
- (e) is proved to be addicted to drinking liquor or other spirituous preparations, or is addicted to the taking of any narcotic drugs, or
- (f) is employed as a paid legal practitioner on behalf of or against, the wakf or ;
- (g) has failed, without reasonable excuse to maintain regular accounts for two consecutive years or has failed to submit, in two consecutive years, or has failed to submit in two consecutive years, the yearly statement of accounts as required by sub-section (2) of section 45 or

- (h) is interested, directly or indirectly, in a subsisting lease in respect of any wakf property, or in any contract made with or any work being done for, the wakf or is in arrears in respect of any sum due by him to such wakf ; or
- (i) continuously neglects his duties or commits any misfeasance, malfeasance, misappropriation / misapplication of funds or breach of trust in relation to the wakf or in respect of any money or other wakf property ; or
- (j) willfully and persistently disobeyed the lawful orders made by the Central Government, State Government, Board under any provision of this Act or rule or order made thereunder.
- (k) Misappropriate or fraudulently dealt with the property of the wakf.
- (l) As per the information / audit report / report before the Boards:

- (1)
- (2)
- (3)

Therefore by virtue of the powers conferred under Section 64(3) of the Wakf Act, 1995, notice is hereby given that an enquiry will be held under Sub-Rule (2) of the Rule 56 of Pondicherry Wakf Rules, 2000 by the Pondicherry Board of Wakfs.

You are therefore called upon to file your objections, if any, to the said enquiry, within seven days from the date of service of this Notice. If you fail to file your objections, the Board shall proceed with the enquiry and take a decision under Section 64 of the Wakf Act, 1995 as required under law.

Chief Executive Officer

To

Thiru

Copy to the concerned

Form - 59
[See Rule 27(3)]

Notice

(Notice for suspension of Mutawalli / Managing Committee of------(Wakf institution) under Section 64(5) of the Wakf Act, 1995).

Whereas action under Section 64(1) is contemplated against you Thiru-----
-----S/o-----Mutawalli/Managing Committee of-----
------(Wakf institution).

Whereas the Pondicherry Board of Wakfs has taken up an enquiry under Section 64(3) of the Wakf Act, 1995 in this connection, and therefore your continuance in this office may hamper the proceedings of the enquiry. Now therefore, in exercise of the powers conferred under Section 64(4), Pondicherry Board of Wakfs had decided to keep you under suspension from the office of the Mutawalli / Secretary of Managing Committee of------(Wakf institution).

You are therefore, called upon to explain as to why orders keeping you under suspension should not be issued. If you fail to furnish an explanation, the Board shall proceed in accordance with law and action will be taken to suspend you from the office of the Mutawalli / Secretary Managing Committee of the above said institution, until the conclusion of enquiry initiated under Section 64(3) of the Wakf Act, 1995.

Chief Executive Officer

To

Thiru

Mutawalli / Secretary

Copy to the concerned

Form - 60
[See Rule 28]

**Detailed Annual Report regarding Wakf institution under the
direct management of the Board under Section 65 of the Wakf Act**

1. Name of the Wakf institution :
2. Details of Registration of institution under Section 37 :
3. Order No & Date of taking the institution under direct management :
4. Name of the Official / person appointed as Administrator of Wakf institution. :
5. income of the Wakf for the preceding year :
6. Steps taken by Administrator to improve the income of Wakf. :
7. Period of which the Wakf is under the direct management and reasons for not entrusting the Wakf to the Mutawalli / Managing Committee during the year. :
8. Details of immovable property and the income therefrom :
9. Details of projects intended after taking the institution under direct management :
10. No. of resolutions made after taking the :

- institution under the direct management
11. Details of collection of arrears by way of rents / lease amount etc. :
12. Details of wakf contribution paid. :
13. Recommendation of the Board to the State Government regarding continuance under direct management :
- (i)
- (ii)
- (iii)
- (iv)

Chief Executive Officer

Form-61
[See Rule 29]

SHOW CAUSE NOTICE

[Show Cause Notice under Section 67(2) of the Wakf Act, 1995 for superseding a Committee of Wakf]

Whereas a Committee for supervision / management of (Wakf institution)-----

constituted under Section 67(1) of the Wakf Act, 1995 for a term of-----period by the said Wakf on-----
----- . It is now, brought to the notice of the Board that the Committee so constituted is not performing / managing the issues in the interest of Wakfs for the reasons.

- (i)
- (ii)
- (iii)
- (iv)
- (v)

(reasons shown above shall be the complaints and written objections about the same, observation of mis-management and mis-use of funds by a Audit Report or observation of mis-management and mis-use during the course of inspection etc shall be indicated specifically)

Now, therefore, by virtue of the powers conferred with the Pondicherry Board of Wakfs under Sub-Section (2) of Section 67 of the Wakf Act, 1995, you are called upon to explain within one month from the date of issue of this Notice as to why an order of supersession of the Committee should not be passed. If no reply is received from you within the stipulated time, then the Board will proceed to pass an order under Sub-Section (2) of Section 67 of the Wakf Act, 1995.

Chief Executive Officer

To

The Secretary / President,
Managing Committee

Copy to the Chairman, Dist, Wakf Committee----- the concerned.

Form - 62
[See Rule 29(4)]

SHOW CAUSE NOTICE

[Show Cause Notice to be issued to a Member for his removal from a Committee under Section 67 (6) of the Wakf Act, 1995]

Whereas Janab-----S/o-----
was appointed as a Member of the Managing Committee of (Wakf institution)-----
by the Board under Section 67(1) of the Wakf Act, 1995 on-----. Whereas now there is
sufficient evidence that janab-----Member of the above
said Committee has abused his position to such member or has knowingly acted in a manner preju-
dicial to the interest of the Wakfs for the following reasons ;

- (i)
- (ii)
- (iii)
- (iv)
- (v)

(contents be taken from complaints, report of mis-conduct of the member in the meetings of the managing committee, report from the Mutawalli / Secretary of the committee duly verified shall be indicated specifically)

Therefore by virtue of the powers conferred with the Pondicherry Board of Wakfs under Sub-Section (6) of Section 67 of the Wakf Act, 1995, Janab-----
is hereby called upon to Show Cause as to why an order should not be passed for your removal from the membership of the above said committee within seven days from the date of service of this Notice. If no reply is received, the Board shall proceed with in accordance with law under Section 67(6) of the Wakf Act, 1995.

By Order of the Board

To

Chief Executive Officer

Janab-----
Members, Managing Committee

Copy to the Chairman, District Wakf Committee-----the concerned

Form - 63
[See Rule 30(1)]

NOTICE

[Notice under Section 69 of the Wakf Act, 1995 to the Mutawalli / Managing Committee or the applicant to adopt the Scheme of Management approved by the Board for proper administration of Wakf]

Whereas, the Pondicherry Board of Wakfs is satisfied by its own motion / as per the application made not by less than five persons interested in -----(Wakf institution) that it is necessary / desirable to frame the Scheme for the proper administration of the Wakf under Section 69(1) of the Wakf Act, 1995.

Whereas, under Sub-Rule (1) of Rule 31, a Model Scheme of Management is prescribed for any Wakfs and whereas in view of para (1) above, the Mutawalli / Secretary of managing committee of (Wakf institution)-----is required to propose to prepare Scheme of Management with reference to propose to prepare Scheme of Management with reference to Mansh-e-Wakif of----- (Wakf institution)

It is hereby notified that the Mutawalli / applicant under Sub-Section (1) of Section 69 of the Wakf Act, 1995 shall furnish the said Scheme alongwith the Resolution of the Managing Committee / General Body within fifteen days from the date of receipt of this Notice.

It is hereby notified Mutawalli / applicant under Sub-Section (1) of Section 69 of the Wakf Act, 1995, shall furnish the said Scheme alongwith the Resolution of the Managing Committee / General Body, within fifteen days from the date of receipt of this Notice.

Chief Executive Officer

To

The Mutawalli / applicant of Managing Committee

Copy to the Chairman, Dist Wakf Committee-----the concerned.

Form -64
[See Rule 32]

APPLICATION

(Application for an enquiry relating to the administration of Wakf under Section 70 of the Wakf Act, 1995)

1. Name of the applicant :
2. Age & full address :
3. Name of the Wakf against which allegation is made :
4. Nature and interest of the applicant in the Wakf :

- 5. Details of allegations :
 (i)
 (ii)
 (iii)
 (iv)
 (v)
- 6. Details of documents produced in support of allegations :
- 7. Name of the Mutawalli / President / Secretary and Memembers of the Managing Committee against whom allegations are made :
- 8. If the allegations pertains to misuse of immovable property, details of such property be furnished as under :
 (i) Khata No./S.No./M.No.
 (ii) Income generated
 (iii) Details of sale agreement / Registered documents if any
 (iv) Name of the purchaser / lesee / mortgager of the property
 (v) Amount received during the transactions.
- 9. Details of fee paid with D.D.No. & Receipt No. (to be enclosed) :

Signature of the Applicant

DECLARATION

I,----- hereby declare that whatever information furnished above, is true to the best of my knowledge, belief and I shall be available to furnish any documents / depositions when called upon to do so.

Signature of the Applicant

PROFORMA OF AFFIDAVIT

I,-----S/o
 -----aged about-----years,
 residing at-----
 do hereby solemnly affirm and declare an oath as under :

- (a) that I have filed an application under Section 70 of the Wakf Act, 1995 in the prescribed form for instituting an enquiry relating to the administration of the----- (Wakf institution)
- (b) that I am a citizen of India and i have interested in the said Wakf by virtue of I being a Muslim / resident of the area / ordinary member of the above Wakf / office bearer / member of the above Wakf / office bearer/ member of the Managing Committee / Mutawalli ofthe above said institution.

- (c) That the allegation made in the application are in the best interest of the Wakf institution and I am fully aware of the facts given in the application.
- (d) That I have fully gone through the provisions of the wakf Act 1995 and the scheme of administration of------(Wakf institution).
- (e) That the allegation made by me relates to violation under the provisions of the Wakf Act, 1995.

DEPONENT

WITNESSES :

- 1.
- 2.

“Sworn to before me”

(Affidavit should be sworn to before that the Class Executive Magistrate /Notary on a Stamp paper of Rs.15.00)

FORM - 65
[See Rule 33]

NOTICE

(Notice to a Wakf regarding the allegation made under Section 70 of the Wakf Act, 1995)

Whereas an application under Section 70 of the Wakf Act, 1995 is filed by Janab-----
-----residing at No-----
making allegations against the Wakf-----

Enclosed is a copy of the application alongwith an Affidavit filed under Rule 32 of Pondicherry Wakf Rules 2000. You are hereby directed to furnish your reply to the said allegations alongwith the required documents within seven days from the date of receipt of this Notice.

If you fail to furnish your reply within the stipulated time, it will be presumed that you have no explanation on the above allegations and allegations made in the said applicant are accepted and the Board shall proceed to hold an enquiry under Section 71 of the Wakf Act, 1995.

Chief Executive Officer

To

Copy to the concerned

FORM - 66
[See Rule 33(3)]

Summons for Apperance or for Production of Documents

To

Thiru-----S/o
-----residing(in) at
------(address).

Whereas for the purpose of an enquiry into------(here specify the subject of the enquiry), your attendance is considered necessary to examine you as a party to give evidence as a witness / to produce documents, you are hereby summoned to appear in person before the under-
signed in his office on------(here specify time and date) for the purpose of giving
evidence / to produce the document specified in the margin or for both.

Given under my hand this day of-----

Signature
Designation

FORM - 67
[See Rule 34)]

(Statement indicating the net annual income of the Wakf and the contribution payable. (to be furnished by 15th June every year)

1. Name of the Wakf
2. The income assessed as per Statement of Accounts under sub-rule (2) of Rule 11 in Form 30.
3. Deduction from the income as per Sub-Section (1) of Section 75.
 - (i)
 - (ii)
 - (iii)
 - (iv)
 - (v)
4. Net profit derived from the Wakf.
5. 7% Wakf Contribution payable to the Wakf Board.

Signature of the Mutawall /
Secretary of the Managing Committee

To
The Chief Executive Officer
Pondicherry Board of Wakfs
Or
Authorised Officer

Copy to the Chairman, DWAC-----

Form 70
[See Rule 34(5)]

Notice of Defaulter

To

You are hereby required to take notice that a sum of Rs.-----due by you being the Wakf contribution payable has not been paid and that unless it is paid to Pondicherry Board of Wakfs as provided by sub-rule(3) of Rule 34 within ten (10) days from the date of service of Notice together with the sum of Rs.-----being the Fee chargeable for this Notice, compulsory proceedings will be taken according to law for the recovery of whole of the Wakf Contribution still due by your institution for the current year on your account.

Dated-----day of-----

Wakf Officer /Wakf Inspector

Form 71
[See Rule 34(8)]

Notice

(To be issued Under Sec.76 read with Rule 34(8), if it is found that net annual income needs to be revised)

Whereas you Sri-----Mutawalli / Secretary of the Managing Committee of (Wakf institution-----) has furnished returns of net annual income under sub-rule (1) of rule 34 and after verification under sub-rule(2) of Rule 34, it is imminent that your annual income needs to be revised from Rs.----- (Rs.in words)----- to Rs.....(Rs.inwords)-----for the reasons that you have not properly assessed income from the following items.

- i)
- ii)
- iii)
- iv)
- v)
- vi)

Therefore, you are called upon to explain within seven days from the date of receipt of this Notice, as to why annual income of the above said institution should not be revised to the amount assessed by the Wakf Officer / Inspector-cum-Auditor, District Wakf Advisory Committee,----- District. If you fail to furnish your reply, the revised amount assessed by the Wakf Officer / ICA will be accepted and taken into the Demand.

Chief Executive Officer / Authorised Officer

The Mutawalli/
The Secretary of the Managing Committee

Copy to the Chairman, DWAC-----District.

Form 72
[See Rule 34(9)]

Notice

(Notice regarding escaped amount leviable under Sec. 72 of the Wakf Act, 1995)

Whereas it is seen from the assessment furnished by you regarding the net annual income under Sub Rule (1) of Rule 34 read with sec.72 of the Wakf Act, 1995, that the amount noted hereunder has escaped assessment thereby. The contribution paid / payable by you needs to be revised.

- | | |
|--|---|
| 1. Name of the Wakf institution | : |
| 2. Year of Assessment | : |
| 3. Actual amount Assessed | : |
| 4. Proposed amount Assessed | : |
| 5. Escaped assessed amount | : |
| 6. Contribution levied as per
Assessment under Col.3. | : |
| 7. Difference of Assessed amount | : |
| 8. Revised contribution | : |
| 9. Remarks | : |

Your are called upon to explain within 30 days from the date of receipt of this Notice, as to why a Demand as shown in column 8 should not be from you. If you fail to furnish your explanation within 30 days, the said amount of Rs.------(Rs.in words)-----
-----will be taken to Demand as arrears and collected from you.

Chief Executive Officer / Authorised Officer

To

The Mutawalli/
The Secretary of the Managing Committee

Copy to the Chairman, DWAC -----District.

Form 73
[See Rule 36(1)(i)]

Register of Grants to Wakf Fund

Amount Released/realized							Expenditure						
Date	Sl.No.	Details of grants/ Grant-in-aid released G.O.Nos & date	Amount Sanctioned	Amount Received	Progressive total	Name of the Wakf	Amount sanctioned	G.O.No. & date of release	Cheque No. and date	Purpose	Utilisation certificate / spot inspection	File no	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Abstract for the month of-----

Opening balance	Amount received	Total of Grants during the month	Total Expenditure	Balance
1	2	3	4	5

Form 74
[See Rule 36(1)(ii)]

Register of Donation / Benefication under Wakf Fund

Date	Details of the	Amount	Quantity if any, in kind*	Name and address of the donor	Remarks
1	2	3	4	5	6

*if in kind the details of the article donated be indicated

Form 75
[See Rule 36(1) (iii)]

Register of income from Court Fee under Wakf fund

Date	Name of the Tribunal	Amount received	Period	Cheque No. or D.D.No.	Total*	Remarks
1	2	3	4	5	6	7

*In this column grand total is to be indicated at the end of each month.

Form 76
[See Rule 36(1)(iv)]

Register of Wakf contribution under Wakf Fund

Date	Name of the District	Amount received	Cheque No. or D.D.No. during the month	Total amount received	Remarks
1	2	3	4	5	6

Form 77
[See Rule 36(1)(v)]

Register of Investment / Deposits under Wakf fund

Sl. No.	Details of Investment/ Deposit	Date	Amount	Details of sub head from which investment / deposit are made	Acc No. FDR. No.	Remarks	Date of maturity	Amount after maturity
1	2	3	4	5	6	7	8	9

Form 78
[See Rule 36(1)(vi)]

Register of expenditure

Sl.No.	Details of expenditure	Sub Head	Bill/Voucher order No. and date	Amount
1	2	3	4	5

Form 80
[See Rule 37 (1)]
Budget for Estimate of Pondicherry Board of Wakfs 200- 200-

ABSTRACT

	Actual for 200-200-	Sanctioned estimate for current year 200-200-	Revised estimate for current year		Total	Budget Estimate year 200-200-
			Actual for 8 months	Probable expenditure for 4 months		
Opening Balance						
Receipts (As per Form 81A)						
Expenditure (As per form 81B)						
Closing Balance						
Grand Total						

Form 81-A
[See Rule 37(2) (b)]

Budget Estimate of receipts of Pondicherry Board of Wakf for the financial year 200- 200-

Receipts

Sl.	Head of receipts	Actuals for the previous year	Budget Estimate of current year	Revised Budget Estimate for current year	Budget Estimate For next ensuing financial year
(1)	(2)	(3)	(4)	(5)	(6)

1. Opening Balance
2. Rent of Building
3. Contribution from Wakf Institution at rate 7% per annum
4. Maintenance Grants
5. Tribunal Fee
6. Other Grants
7. Security Fee/ Copying Fee

Form 81 - A (ii)
[See Rule 37(2)(a)]

Statement of Maintenance Grants

Sl.No	Item	Grants proposed during the previous financial year 20- 20-	Grants received during the current financial year 20- 20-	Additional Grants received if any	Grants preferred for next ensuing year 20- 20-	Reasons for increase	Remarks
1.	Establishment Charges on salaries & allowance of staff						
2.	Honorarium and allowances for the chairperson and members of the Board						
3.	Maintenance of Vehicles						
4.	Allowances to the other Committee						
5.	Contingency						
6.	Any other item						
	Grand Total						

Form 81 - A (iii)
[See Rule 37 (2) (a)]

Statement of Rents received

Sl. No.	Details of the Property	Amount of Rent received during previous year 20-20-	Expected Rents for the next ensuing year 20- 20-	Amounts of Rents during the current year 20- 20-	Grand Total	Remarks

Form 81-A(iv)
[See Rule 37 (2)(a)]

Statement of other Grants

Sl. No.	Details	Purpose	During the previous year			During the Current year			For next ensuing year 200- 20-	Remarks
			Amount sanctioned	Amount realised	No. of Wakf institution	Amount sanctioned	Amount released upto the end of	No. of Wakf institution		
1	Grant-in-Aid									
2	Any other Grants									

Form 81-A(v)
[See Rule 37(2)(a)]

Statement of Interest on Deposit with Banks

Sl. No.	Details of Investment/ Deposit/Commissions	Date of Investment	Amount	Date of maturity if any	Interest accrued a commission collected for services	Remarks
1	2	3	4	5	6	7
	Grand Total					

Form 81-B
[See Rule 37(2)(b)]
Budget Estimate of expenditure of Pondicherry Board of
Wakfs for the financial year 20- 20-

Sl No.	Head of Expenditure	Actuals for the previous year	Budget Estimate of current year	Revised Budget of current year	Budget Estimate for next ensuing financial year
1	2	3	4	5	6
General Admiistration					
1.	Deficit for previous year				
2.	(a) Remuneration and allowances to the Chairperson				
	(b) Sitting Fee and Allowances to the Members of the Board				
3.	Salary of CEO				
4.	Salary of Officers				
5.	Salary of Establishment				
	(a) Permanent				
	(b) Temporary				
6.	Travelling Allowances				
7.	Other Allowances				
8.	Contingencies				
	(a) Corporation Tax				
	(b) Postage				
	(c) Stationery				
	(d) Books & Periodicals				
	(e) ElectRICT charges				
	(f) Telephone charges				
	(g) Printing charges				
	(h) Furniture				
	(i) Hospitality charges				
9.	Legal charges				
10.	Interest on Loans and advances				
11.	Grants and scholarship				
12.	Capital expenditure on lands & buildings				
13.	Maintenance and repairs of vehicle				
14.	Maintenance and repairs of Board`s building				
15.	Contribution to employees Provident Fund				
16.	Pension, Gratuity and Family Pension				
17.	Audit Fee				
18.	Contribution to CWC, New Delhi				
Grand Totals					

Form 81 - B (i)
[See Rule 37(2)(b)]

Statement of payment of salaries and Allowances to the Officers and Staff

Sl. No.	Category & Designations	No. of post	Scale	Expenditure during the previous year	Expenditure during the current year upto -- --	Increase by way of increments	Increase in allowances	Proposed expenditure for next ensuing year	Remarks
1.	Group A								
2.	Group B								
3.	Group C								
4.	Group D								

Form 81 -B(ii)
[See Rule 37(2) (b)]

Statement of payment of honorarium, sitting fee and other allowances to chairperson and members

Sl.No.	Category & Designation	Expenditure incurred during the previous year 20- 20-	Expenditure incurred during the Current year 20- 20-	Proposed expenditure for next expenditure			Remarks	Total
				Honorarium	Sitting fee	Allowances		

Form 81 - B(iii)
[See Rule 37(2)(b)]

Statement of Expenditure by District Wakf Advisory Committee

Sl. No.	Details	Amount spent during the previous year	Budget Provisions During the current year	Amount spent upto the end of ---	Proposals for next ensuing financial year 20-- 20--	Remarks
1.	Sitting Fee					
2.	Allowances					
3.	Any other item					
	Grand Totals					

Form 81 - B (iv)
[See Rule 37(2)(b)]

Statement of Expenditure on contingencies

Sl. No.	Details of contingencies	During the previous year		During the Current year		Proposed expenditure for next ensuing financial year 20- 20-	Remarks
		Allotment	Expenditure	Allotment	Expenditure upto		
1.	Telephone						
2.	Stationery						
3.	Printing						
4.	Maintenance of Vehcile						
5.	Fuel						
6.	Office Expenses						
	Grand Total						

Form 81 - B (v)
[See Rule 37(2)(b)]

Statement of Expenditure on preservation and protection of Wakf properties

Sl. No.	No. of Wakf properties	Amount spent during the previous year 20- 20-	Amount spent during the current year 20- 20-	Proposals for the next ensuing financial year		Remarks
				No. of properties	Amount	
	Total					

Form 82
[See Rule 38]

Before the Wakf Pondicherry Tribunal-----Division
 between(A)-----applicant.

Name

Full Address

AND

C and D-----respondents

Full Name &
Address

Details of the application

1. Particulars of the orders against which the application is made
The application is made against the following order :
 - a. Order No.
 - b. Date
 - c. Passed by
 - d. Subject in brief
2. (A) Facts of the case

(B) Ground for relief, including the relevant legal provisions in support of relief
3. Matters not previously filed or pending with the Wakf Tribunal or any court including High Court.

The Applicant further declares that he had not previously filed any application. Writ Petition regarding the matter in respect of which this application is made. In case the application had previously filed any application. Writ Petition, the gist of the decision should be given.

4. Relief

Verification : I, (Name of Applicant)-----
S/o-----D/o-----
W/o-----age-----
occupation-----
Residing at-----

do hereby verify that the contents of the par`s 1to_ are true to my knowledge, belief and information and that I have not suppressed any material facts.

Date :

Place :

Signature of Applicant

Form 83
[See Rule 48]

Counter foil

Before the Pondicherry Tribunal-----
Application/Suit/Appeal No.-----

No.

Cash Receipt

Date

Received from-----
a sum of Rs.-----

No.

Cash Receipt

Date

Received from-----
a sum of Rs.-----

in words-----

Towards (1) Copying charges
 (2) Process Fee
 (3) Fee for Application
 (4) -----

Accountant
Pondicherry Wakf Tribunal

in words-----

Towards (1) Copying charges
 (2) Process Fee
 (3) Fee for Application
 (4) -----

Accountant
Pondicherry Wakf Tribunal

Form 84
[See Rule 50]

General Annual Report on the working and Administration of the Pondicherry Board of Wakfs and the Administration of Wakfs in the State during the year-----

Part I (Report Proper)

Section I	Constitution and Management
Section II	Financial Position
Section III	Remunerative Enterprises
Section IV	Removal of encroachment and Protection and Leasing of Wakf Property
Section V	Litigation and Working of Wakf Tribunal
Section VI	General

Part I Sec.I Constitutional and Management

1. Jurisdiction

- i. The area and population of Muslims
- ii. No. of Bonds
- iii. No. of Territorial Division(Dist. Units)
- iv. No. of Wakf Institutions

2. Personnel

- i. Total No. of Board Members
- ii. No. of members by election and their names along with the electoral colleges.
- iii. No. of members by nomination their names and category
- iv. Chairperson - Name and Category and Date of election.
- v. C.E.O - Name and period from which working
- vi. Names of other officers.

3. Meetings and Attendance :

- (i). No. of Meetings - ordinary, general, special and adjourned.
- (ii). Regulatory in holding of meetings, attendance of members in the meetings
- (iii). Proptitude or otherwise in the disposal of Business entered in the agenda, meetings adjourned for want of time :
- (iv). The working of the rules of regulation of the procedure.
- (v). No. of resolutions :
 - (a) Tabled
 - (b) Passed
 - (c) Discussed
 - (d) Withdrawn
 - (e) Dropped.

4. Committees :-

- i). Total No. of Standing Committees their functions and details may be indicated along with names of members.
 - ii). Total No. of other Committees and Adhoc Committee
 - iii). General summary of work of each Committee, average attendance, name of the most energetic and most slack amongst the Committees most favoured by the members of the Board.
 - iv). Joint Committee, if any, work done by them.
5. (I) Establishment Act the organisation set-up of the Board alongwith the performances indicated, the cost of establishment as presented in the rules and expenditure incurred may be highlighted, meetings and conferences for the administration and the results achieved may be indicated.

6. Registration :

Sec. II Financial Position

1) Summary of the financial transaction

Head of Account	Opening Balance	Closing Balance

Details of Closing balances in cash, in hand Cash in Bank / Deposits etc., may be given.

Whether minimum balance maintained.

2). Receipts and expenditure

- i) Summarised details of receipts and expenditure may be given for the two preceding year beside the year under report and items showing increased receipts and expenditure may be indicated.

3). Investments, Loans and Grants

4). Audit

- i) The period for which the audit has been completed under section 80. Action taken on the audit report etc.,
- ii) Whether programme of audit of Wakfs including Wakfs - under direct management has taken up and accordingly Audit is completed under Rule 12 of Pondicherry Wakf rules and other relevant provisions.
- iii) Cases of mis-appropriation of money by the Wakf institution may be highlighted and action under the provision of Wakf Act, 1995 by the Pondicherry Board of Wakfs to be examined.
- iv) Cases of improvement in the finances of any Wakfs whether direct management or otherwise.

5. Assests and Liabilities :

- i) Details of rentals from immovable properties.
- ii) Outstanding collections and balances of Wakf Committee, other dues, loans. No. of bills and amount pending for payment.

III Remunerative enterprises :

- i) Possibility of loans for development of wakf property from Central Wakf council and the achievements thereof to be indicated in the deveopment of Wakf properties and increase in the income by the wakf to be examined.
- ii) Details of ongoing projects and the reasons for slackness in the execution to be high lighted.
- iii) Details of projects taken up the concrned institution or by the Board out of their own funds to be indicated.
- iv) Projects taken up with other funds and improvements thereof.
- v) Grants under Grant-in-aid code for development of Wakfs utilisation certificate of the said Grants to be finalised by the Board.

Sec.IV Removal of encroachment, protection and leasing of Wakf property :

1. Whether the list of encroachment are maintained by the Board and a programme to identify the encroachment of Wakf properties like Burial, Idgahs etc is taken up by the Board, if so, Details.
2. Progress in the relevant provisions of the Wakf Act to remove encroachments. Imple mentations of the orders and requisition get the Deputy Commissioner and Sub-Divisional Magistrate regarding the removal of encroachment and restoration of Wakf propertiees to be examined and highlights of achievements and slackness may be indi cated Problems faced by the Board regularly enforcement thereof be examined.
3. Action taken by the Board regarding preservation and protection of Wakf property by us utilising Wakf fund under section 77(5).
4. Leasing of Wakf properties : Total No. of properties lease No. of applications received and disposed under the relevant provisions of the Pondicherry Wakf Rules. Any devia tion noticed may also be highlighted.

Sec. V Litigations and Working of Tribunal :

1. Details of suits and writ Petition pending in various courts to be examined and disposed by the Board by way of furnishing parawise replies to be taken into account and the details of total number of adjournments taken up by the Advocates of the Board. Expen diture incurred by way of Advocate fees to be checked up. The efficiency of the panel of advocates to be examined by chekcing out No. of cases in which orders are made in favour of the Board.
2. Regarding Tribunal the No. of appeals, suits, application filed and their disposal by each tribunal may be reviewed. Problems faced by the Tribunals in the disposal of cases may be highlighted. The Tribunal fee collected and its remittance to the Wakf fund to be examined.

Section V General

1. Visit of distinguished persons and addressed to be mentioned.

Form 84 (6)
[See Rule 51]

Annual Account of Receipt and Expenditure for the year 200- 200-

Opening balance as on.....	Balance ..04/20	Receipts during the year	Expenditure during the year	Closing balance as on 31.03.20..	Remarks

Details of Head of Account	Budget provision	Actual for year of..... Report	Actual for previous year	Remarks
A. Receipts 1. 2. 3. 4.				
B. Expenditure 1. 2. 3. 4.				

Form 84(7)
[See Rule 51]

Investments, Loans and Grants

Sl. No.	Type of investment/loan/Grant	Purpose	Recovery, if any	Interest accrued

Form 84(8)
[See Rule 51]

Audit of Wakfs

In the state	No. of Wakfs		Amount for recovery				Amount recovered			Balance			Remarks
	Proposed for Audit	Actually Audit	No. of Paras	Arrears	Collected	Balance	Arrears	Collected	Balance	Arrears	Collected	Balance	

Form 84(2)
[See Rule 51]

Audit of the Board

Year	Total No. of para	No. of Paras.. replied	No. of Paras -----	Balance	Amount for -- recovery	Recovered the year	Balance

Form 84(10)
[See Rule 51]

Remunerative Enterprises

Scheme	No. of Loans	Grant	No. of Projects		
			Completed	Under Completion	Abandoned
1. CWC 2. SWC 3. Grant-in-Aid					

Form 84(II)
[See Rule 51]

Sl.No.	Category of the Wakf	No. of encroachment detected	No. of Encroachment removed	No. of cases where proceeding are pending
1	2	3	4	5