

Wakf Act, 1954

Section 10 - COMPOSITION OF THE BOARD

1) The Board shall, in the case of a State, as also in the case of the Union territory of Delhi, consist of- (a) four members, of whom two shall be elected from among themselves by such of the Muslim members of Parliament as have been elected thereto from that State or the Union territory of Delhi, as the case may be, and the other two shall be elected from among themselves by such of the Muslim members of the State Legislature as have been elected thereto, and such election shall be held in accordance with the system of proportional representation by means of a single transferable vote in such manner as may be prescribed: Provided that where the number of Muslim members elected to Parliament from a State, or, as the case may be, the Union territory of Delhi, is only one, or where the number of Muslim members elected to a State Legislature is only one, the Muslim member who has been elected to Parliament from the State or the Union territory of Delhi, as the case may be, and the Muslim member who has been elected to the State Legislature, shall become, by virtue of such election, member of the Board and remainder of the membership of the Board under this clause shall be filled up by the State Government by appointing suitable persons as members of the Board: Provided further that where no Muslim has been elected from the State or the Union territory of Delhi to Parliament, or, as the case may be, to the State Legislature, the vacancy in the membership of the Board under this clause shall be filled up by the State Government by appointing suitable persons as members of the Board: Provided also that in determining the number of Shia members or Sunni members of the Board, the State Government shall have regard to the number and value of the Shia Wakfs and Sunni Wakfs to be administered by the Board and the appointment of the members shall be made, so far as may be, in accordance with such determination; (b) five members, to be appointed by the State Government, of whom- (i) one shall be a Shia in the States where there is no Shia Board; (ii) one shall be a person who, in the opinion of that Government, is a recognised scholar in Islamic theology; (iii) one shall be appointed from among the members of any Muslim organisation in the State; and (iv) two shall be persons possessing administrative experience and knowledge of law; (c) one mutawalli, to be appointed by the State Government; and (d) the Wakf Commissioner, who shall be, ex officio, Member-Secretary of the Board. Explanation.- The references to "State Legislature" in this sub-section shall be construed in relation to the Union territory of Delhi as references to the Metropolitan Council of Delhi constituted under section 3 of the Delhi Administration Act, 1966. (2) The Board shall, in the case of a Union territory other than the Union territory of Delhi, consist of- (a) five members, to be appointed by the Central Government from amongst the categories of persons specified in clause (b) of sub-section (1), and, for this purpose, the provisions of the said clause shall apply to the composition of the Board under this sub-section as they apply to the composition of the Board under sub-section (1); (b) one mutawalli to be appointed by the Central Government; and (c) the Wakf Commissioner, who shall be, ex officio, Member-Secretary of the Board. (3) Whenever the Board is constituted or reconstituted, as the case may be, the members of the Board present at a meeting convened for the purpose by the Wakf Commissioner, shall elect one from amongst themselves (other than the Wakf Commissioner) as the Chairman of the Board'.] State Amendments SECTION 11 . * * * * *]