

Wakf Act, 1954

Section 25 - REGISTRATION

1) Every wakf whether created before or after the commencement of this Act shall be registered at the office of the⁸⁴ [Wakf Commissioner]. (2) Application for registration shall be made by the mutawalli: Provided that such applications may be made by the wakif or his descendants or a beneficiary of the wakf or any Muslim belonging to the sect to which the wakf belongs. (3) An application for registration shall be made in such form and manner and at such place as the ⁸⁴[Wakf Commissioner] may prescribe and shall contain the following particulars, so far as possible- (a) a description of the wakf properties sufficient for the identification thereof; (b) the gross annual income from such properties; (c) the amount of land revenue and cesses, and of all rates and taxes annually payable in respect of the wakf properties; (d) an estimate of the expenses annually incurred in the realisation of the income of the wakf properties; (e) the amount set apart under the wakf for- (i) the salary of the mutawalli and allowances to individuals; (ii) purely religious purposes; (iii) charitable purposes; and (iv) any other purposes; (f) any other particulars prescribed by the⁸⁴[Wakf Commissioner]. (4) Every such application shall be accompanied by a copy of the wakf deed or if no such deed has been executed or a copy thereof cannot be obtained, shall contain full particulars, as far as they are known to the applicant, of the origin, nature and objects of the wakf. (5) Every application made under sub-section (2) shall be signed and verified by the applicant in the manner provided in the Code of Civil Procedure, 1908-for the signing and verification of pleadings. (6) The ⁸⁴[Wakf Commissioner] may require the applicant to supply any further particulars or information that ⁸⁵[he may consider] necessary. (7) On receipt of an application for registration, the⁸⁴[Wakf Commissioner] may, before the registration of the wakf, make such inquiries⁸⁶[as he thinks fit] in respect of the genuineness and validity of the application and the correctness of any particulars therein and when the application is made by any person other than the person administering the wakf property, the⁸⁴[Wakf Commissioner] shall, before registering the wakf, give notice of the application to the person administering the wakf property and shall hear him if he desires to be heard. (8) In the case of wakfs created before the commencement of this Act, every application for registration shall be made, within three months from such commencement and in the case of wakfs created after such commencement, within three months from the date of the creation of the wakf. ⁸⁷ [(9) Every wakf registered under this section before the commencement of the Wakf (Amendment) Act, 1984 shall be deemed to have been registered on such. commencement, at the office of the Wakf Commissioner. (10) Every application for registration under this section pending immediately before the commencement of the Wakf (Amendment) Act, 1984 before the Board shall, on such commencement, stand transferred to the Wakf Commissioner and the Wakf Commissioner shall deal with such application as if it were an application pending before him.]