

Wakf Act, 1995

Section 56 - Restriction on power to grant lease of 1[waqf] property.—

1) 2[A lease for any period exceeding thirty years] of any immovable property which is 1[waqf] property, shall, notwithstanding anything contained in the deed or instrument of 1[waqf] or in any other law for the time being in force, be void and of no effect: 3 [Provided that a lease for any period up to thirty years may be made for commercial activities, education or health purposes, with the approval of the State Government, for such period and purposes as may be specified in the rules made by the Central Government: Provided further that lease of any immovable waqf property, which is an agricultural land, for a period exceeding three years shall, notwithstanding anything contained in the deed or instrument of waqf or in any other law for the time being in force, be void and of no effect: Provided also that before making lease of any waqf property, the Board shall publish the details of lease and invite bids in at least one leading national and regional news papers.] (2) 4[A lease for a period of one year but not exceeding thirty years] of immovable property which is 1 [waqf] property shall, notwithstanding anything contained in the deed or instrument of 1[waqf] or in any other law for the time being in force, be void and of no effect unless it is made with the previous sanction of the Board. (3) The Board shall, in granting sanction for lease 5*** or renewal thereof under this section review the terms and conditions on which the lease 5*** is proposed to be granted or renewed and make its approval subject to the revision of such terms and conditions in such manner as it may direct: 3 [Provided that the Board shall immediately intimate the State Government regarding a lease for any period exceeding three years of any waqf property and thereafter it may become effective after the expiry of forty-five days from the date on which the Board intimates the State Government.] 3 [(4) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.]