

Wakf Act, 1995

Section 65 - Assumption of direct management of certain 2[auqaf] by the Board.—

1) Where no suitable person is available for appointment as a mutawalli of a 1[waqf], or where the Board is satisfied, for reasons to be recorded by it in writing, that the filling up of the vacancy in the office of a mutawalli is prejudicial to the interests of the 1[waqf], the Board may, by notification in the Official Gazette, assume direct management of the 1[waqf] for such period or periods, not exceeding five years in the aggregate, as may be specified in the notification. (2) The State Government may, on its own motion or on the application of any person interested in the 1[waqf], call for the records of any case for the purpose of satisfying itself as to the correctness, legality or propriety of the notification issued by the Board under sub-section (1) and pass such orders as it may think fit and the orders so made by the State Government shall be final and shall be published in the manner specified in sub-section (1). (3) As soon as possible after the close of every financial year, the Board shall send to the State Government a detailed report in regard to every 1[waqf] under its direct management, giving therein (a) the details of the income of the 1[waqf] for the year immediately preceding the year under report; (b) the steps taken to improve the management and income of the 1[waqf]; (c) the period during which the 1[waqf] has been under the direct management of the Board and explaining the reasons as to why it has not been possible to entrust the management of the 1[waqf] to the mutawalli or any committee of management during the year; and (d) such other matters as may be prescribed. (4) The State Government shall examine the report submitted to it under sub-section (3), and after such examination, issue such directions or instructions to the Board as it may think fit and the Board shall comply with such directions or instructions on receipt thereof. 3 [(5) Notwithstanding anything contained in sub-section (1), the Board shall take over the administration of a waqf, if the waqf Board has evidence before it to prove that management of the waqf has contravened the provisions of this Act.]