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Wakf Act, 1995

Section 104 - Application of Act to properties given or donated by persons not professing Islam for support of certain

[waqf] being (a) a mosque, idgah, imambara, dargah, khangah or a maqbara; (b) a Muslim graveyard; (c) a choultry or a musafirkhana, then such property shall be deemed to be comprised in that 1 [waqf] and be dealt in the same manner as the 1 [waqf] in which it is so comprised. 2 [104A. Prohibition of sale, gift, exchange, mortgage or transfer of waqf property. (1) Notwithstanding anything contained in this Act or any other law for the time being in force or any waqf deed, no person shall sell, gift, exchange, mortgage or transfer any movable or immovable property which is a waqf property to any other person. (2) Any sale, gift, exchange, mortgage or transfer of property referred to in sub-section (1) shall be void ab initio.] 3 [104B. Restoration of waqf properties in occupation of Government agencies to waqf Board. (1) If any waqf property has been occupied by the Government agencies it shall be returned to the Board or the mutawalli within a period of six months from the date of the order of the Tribunal.