



Resolution of the Board's 10th (ME-3rd) Meeting held on 27.07.17 in the Office of Board of Auqaf, West Bengal, 6/2, Madan Street, Kolkata - 700 072.

The following members are present:

1. Justice Md. Abdul Ghani ...	Chairperson
2. Jb. Affakuzzaman Khan ...	Member
3. Jb. Sheikh Anis-El-Huq ...	Member
4. Jb. Abu Taher Khan ...	Member
5. Jb. Athar Abbas Rizvi ...	Member
6. Jb. Ansar Mondal ...	Member
7. Jb. Haji Sk. Nurul Islam ...	Member

Official present:

Jb. Humayun Biswas, the Chief Executive Officer, Board of Auqaf, West Bengal and Ex-Officio Secretary, Board of Auqaf, West Bengal.

Hon'ble Justice Jb. Md Abdul Ghani, Chairperson, Board of Auqaf, takes the Chair.

Item No. 01 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. No. 11599

Dist - Kolkata

Re: To consider the matter of appointment of mutawalli in respect of **Munshi Moniruddin Waqf Estate.**

Decision:

Md Salim Chisty, Ld counsel as well as one of the members of the waqif's family representing both Md. Islam Chisty & Md Khusnudul Islam who are present on call are heard. The matter relates to appointment of mutawalli in respect of the estate. Upon hearing the parties and after due deliberation and discussion, it is resolved that while the quantum of waqf property is 10 cottahs 8 chittacks and 9 sq ft under PS - Ballygunge located in an important area of Kolkata, its actual status is required to be made available before the Board. Now, it is recorded that an enquiry be conducted by Md Shabbir Ahmed, Officer on Special Duty of the Board in respect of current status of the Waqf Estate and other affairs within 15 days from the date of communication of the resolution and the report be submitted within 10 days therefrom.

There is no record of payment of waqf contribution as on date. The parties claiming mutawalliship be directed to submit the state of affairs of the waqf estate within 15 days from the date of communication of the resolution. They also be directed to submit the statement of accounts for the previous years. On completion of the process, let the matter be placed in the next available Board meeting for appointment of mutawalli in respect of the estate.

Item No. 02 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C No. 13787

Dist - Kolkata

Re: To consider the matter of appointment of Joint Mutawalli in respect of **Omaruddin Ahmad Waqf.**

Decision:

The matter relates to inclusion of the name of Naseem Ahmad, and Karimuddin Ahmad wife and his son respectively of Ameeruddin Ahmad, present mutawalli jointly with him on plea of better administration of the estate. In support of such claim, a memorandum of acceptance has been enclosed therein so signed by the proposed mutawallis.

From the files it reveals that the 2nd son of the waqif, namely, Ziauddin Ahmad was appointed as Naib Mutawalli, though the waqf deed stipulates for his appointment as mutawalli jointly with Amiruddin Ahmed. Moreover, the provision of the deed does not permit the wife of Amiruddin Ahmed to act as mutawalli singly or jointly with her husband.

Under the circumstance, after due deliberation and discussion, the Board resolves that notice be issued to Ziauddin Ahmed for his participation in the hearing of the claim. On completion of the process the matter be placed in the next available Board meeting for consideration of the prayer of Ameeruddin Ahmad.

Item No. 03 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C No. 3553

Dist - Kolkata

Re: To consider the matter of appointment of Joint Mutawalli in respect of Aminuddin Ahmad Waqf Estate.

Decision:

While the agenda as aforesaid is placed it is discussed at length. After due deliberation and discussion, it is resolved that a complete status as existing now regarding mutawalli will remain till further decision as the spirit of the deed does not permit inclusion of the name of Naseem Ahmed, wife of Amiruddin as mutawalli jointly with him.

It is further resolved that notice be issued to Ziauddin Ahmed for his participation in the hearing of the claim. The matter be placed in the next Board available Board meeting for hearing of the matter.

Item No. 04 of the agenda: Brd.(M&E)/27.07.17

Ref: Misc. E.C. No. 01/2016

Dist - Darjeeling

Re: To consider the matter of Registration of properties as waqf and appointment of Mutawalli in respect of Bagdogra Jama Masjid Waqf Estate.

Decision:

Haji Md Rahman Ali and Md Mustaqueem are present on call. The matter relates to enrolment and registration of the property as waqf as per the prayer dated 16-05-2016 received under DE No.6170 made by Haji Md Rahman Ali designating himself as mutawalli is taken up for consideration. The parties are heard at length.

Since the property, the detailed description of which is given below, is established to be waqf as per the unchallenged record of rights, classification of which is Kabarstahan used by

the general Muslims for their religious use, as proposed, after due deliberation and discussion, it is unanimously resolved that the land to the extent of area measuring 1.11 acres so recorded in the Record of Rights [other than the land of plot No 431 measuring 1(one) decimal recorded with the note classifying it as "Debostan for Santhal People"] used as Kabarsthan and Masjid be enrolled and registered as waqf property in the name of **Bagdogra Jama Masjid Waqf Estate** in terms of the provision laid down in section 36 of the Waqf Act, 1995 classifying it as Waqf other than Waqf -al -al-Aulad (Public).

Office be directed to enter the class of waqf, name of the Mutawalli, rule of succession to the office of mutawalli, if any, particulars of waqf property and the documents relating thereto, in the Registrar as per the provision as laid down in Sec. 37 of the said Act. Further, details of the property entered in the Registrar of Auqaf be sent to the concerned Land Record Office having jurisdiction of the waqf property for doing the needful as to correction of entries of Record of Rights and other incidental matters if so required.

Schedule of the Property

Dist - Darjeeling, Mouza - Dumriguri, PS - Bagdogra, (Siliguri-Old),

JL No.81, Khatian No.60/4, Area - 1.36 acres

Sabek Plot No	Hal Plot No	Area in acres	Classification
833	402	0.89	Kabarsthan
	404	0.22	Masjid
	Total	1.11	

As per paper submitted so issued by the concerned Revenue Officer on 19.11.1996, it appears that original Plot No. 833 has been divided into three plots (with new J.L. No. 94, Khatian No. 262)

In constituting the committee mutawalli as prayed for by the applicants by submitting a list with the portfolio in respect of the estate by the prayer dated 27-07-2017 presented in course of hearing, after due deliberation and discussion, a committee mutawalli consisting of five members with portfolios noted against each of them be formed in terms of Section 63 of the Waqf Act, 1995 for a period of five years under the following terms and conditions:

Sl	Name	Father's name	Portfolio
1	Haji Md. Rahman Ali	Late Md Quasim Ali	Mutawalli
2	Md. Mustaqueem	Late Md Saghir	President
3	Md Mumtaz Ali	Md Shamsul Haque	Secretary
4	Md Siddique	Late Maniruddin	Treasurer
5	Md Jamilur Rahman	Md Saifur Rahman	Vice President

Terms & Conditions:

- i) To open an account in the name of **Bagdogra Jama Masjid Waqf Estate** in any nationalized bank.
- ii) The said account be operated by the Mutawalli jointly with the Secretary and the Treasurer.
- iii) To pay the yearly waqf contribution of each year within the month of May.
- iv) To pay the arrear waqf contribution within the May, 2015.
- v) To submit the yearly statement of accounts definitely within the month of May each year.
- vi) Voter Identity Cards of the committee members already submitted be kept in file.

The fact of enrolment and registration of waqf property together with the formation of committee mutawalli be communicated to the District Magistrate, the Superintendent of Police, District with copy forwarded to the Superintendent of Police, Darjeeling, Block Land & Land Reforms Officer and the respective Police Officer In-charge under whose jurisdiction the waqf property is situated impressing upon them to extend all co-operations for the purpose of recovery, maintenance and supervision of the waqf property, if situation demands.

Item No. 05 of the agenda: Brd.(M&E)/27.07.17**Ref: Misc E.C. No. 01/07****Dist - Malda**

Re: To consider the matter of Registration of properties as waqf and appointment of Mutawalli in respect of **Pirottar Imam Saheb Waqf Estate**.

Decision :

The agenda being placed is taken up for consideration. While Taheruddin, the petitioner herein, is absent on repeated calls, the matter is adjourned resolving that it be made available in the next Board meeting for consideration of the issue of enrolment and registration of the property as described in the petition as waqf.

Item No. 06 of the agenda: Brd.(M&E)/27.07.17**Ref: E.C. No.12541 (Suppl.)****Dist - Birbhum**

Re: To consider the matter of appointment of Mutawalli in respect of **Pirattar Waqf Estate**

Decision:

The parties namely, Ashraf Ali, Mozammel Haque & Abdul Bari including their Ld counsel, Mr B Zaman, are present on call and they are heard. As prayed for by the petitioners for formation of a committee mutawalli with the persons whose names are given below incorporated in the petition dated nil received by the Board under DE No.357 dated 13-01-2015 supported by a Xerox copy of resolution adopted by the local people on 10-04-2014, the Board after due deliberation and discussion, unanimously resolves that a committee mutawalli noting the portfolios against each of them consisting of seven members be formed in respect of **Bura Pir Waqf Estate** for a period of five years or until further order whichever is earlier in terms of the spirit of the provision of Section 63 of the Waqf Act, 1995 under the following terms and conditions:

Sl	Name	Father's name	Address	Portfolio
1	Mozammel Haque	Late Sk Murshed Ali	All of Vill& Post- Ayas, PS- Rampurhat Dist-Birbhum	President
2	Warshed Ali	Late Farid Sk		Vice-President
3	Ashraf Ali	Late Farid Sk		Secretary
4	Abdul Bari	Late Tayeb Sk		Cashier
5	Golam Saklain	Late Abdul Khaleque		Member
6	Abu Sufiyan	Nurul Alam		Member
7	Abdul Mojib	Late Abdur Rafique		Member

Terms and conditions:

- To open an account in any nationalized bank in the name of **Bura Pir Waqf Estate**, if not opened earlier.
- The said account be operated by the Cashier jointly with the Secretary
- All the income and expenditures must be routed through the said account
- To deposit yearly waqf contribution in the month of April each year
- To submit the yearly statement of account in the month of May each year
- To pay the arrear waqf contribution, if any, definitely within the month of October, 2017
- The voter Identity Cards so filed by the office bearers of the mutawalli committee be kept with the file.

The present committee be directed to submit the status report regarding total land measuring 15.05 acres out of which admittedly 12 bighas is in possession of the estate. The said committee is to file the up-to-date statement of account together with the entire state of affairs of the estate within 15 days from the date of communication of the resolution, failing which necessary steps would be taken against the committee. Further, it is resolved that the mutawallis are to take all out steps for correction of entries of the Record of Right regarding the waqf property.

Item No. 07 of the agenda: Brd.(M&E)/27.07.17

Ref: Misc. E.C. No. 01/15

Dist-North 24 Parganas

Re: To consider the matter of enrollment of properties as wakf and appointment of Mutawalli in respect of **Dharmapukuria Dakshinpara Monigram Purbapara Hejbullah Committee Waqf Estate.**

Decision:

While the agenda as aforesaid is placed for consideration, Rupchand Mridha and six others are present on call. As prayed for by the parties by a prayer dated 12-03-2015 enclosing a copy of the resolution dated 03-08-2014 adopted by Masjid Committee of Monigram Purbapara Hejbullah Masjid Committee the property, the detailed description of which is given below, used by the general Muslims for their religious purpose for benefit of the Monigram Purbapara Hejbullah Masjid and as proposed by them, after due deliberation and

discussion, it is unanimously resolved that the land to the extent of area measuring 1.94 acres so recorded in the present Record of Rights be enrolled and registered as waqf property in the name of **Dharmapukuria Dakshinpara Monigram Purbapara Hejbullah Committee Waqf Estate** in terms of the provision laid down in section 36 of the Waqf Act, 1995 classifying it as Waqf other than Waqf -al - Aulad (Public).

Office be directed to enter the class of waqf, name of the Mutawalli, rule of succession to the office of mutawalli, if any, particulars of waqf property and the documents relating thereto, in the Register as per the provision as laid down in Section 37 of the said Act, 1995. Further, details of the property entered in the Registrar of Auqaf be sent to the concerned Block Land & Land Reforms Officer having jurisdiction in which the waqf property situates for doing the needful as to correction of entries of Record of Rights and other incidental matters if so required.

Schedule of the Property

**Dist-24 Parganas North, PS -Bongaon, Mouza - Monigram,
JL No.66, Khatian No., Area - 1.94 acres**

Sl No.	Khatian No.	Plot No	Share of the entire property	In own possession	Total area
1	129	2504	0.0938	0.03	0.03
2	255		0.0938	0.03	0.03
3	944		0.0938	0.03	0.03
4	645/1	2506	0.3037	0.06	0.06
5		2551/3110	1.0000	0.13	0.13
6		3311	0.2022	0.33	0.33
7		3329	1.0000	0.33	0.33
8		3611	0.2500	0.09	0.09
9		3638	1.0000	0.50	0.50
10	882	2412	0.5000	0.32	0.32
11	1405	2116	0.1547	0.09	0.09
Total					1.94

As proposed by the parties by their prayer dated nil supported by the Xerox copy of resolution of Dharmapukuria Dakshinpara Monogram Purbapara Hejbullah Masjid Committee 12-03-2015 received in course of hearing, a committee mutawalli consisting of eight members whose names are given below with the portfolios as noted against each of them be formed in respect of **Dharmapukuria Dakshinpara Monigram Purbapara Hejbullah Committee Waqf Estate** in terms of Section 63 of the Waqf Act, 1995 for a period of five years accordingly or whichever is earlier under the following terms and conditions:

Sl	Name	Portfolio
1	Al Amin Mondal	President
2	Motiur Rahman	Vice President
3	Rupchand Mridha	Secretary
4	Ahar Ali Mondal	Asstt Secretary
5	Ajanur Rahman Mondal	Cashier
6	Imam Mondal	Member
7	Gafur Mondal	Member
8	Abdul Hamid Mondal	Member

Terms & Conditions:

- i) To open an account in the name of **Dharmapukuria Dakshinpara Monigram Purbapara Hejbullah Committee Waqf Estate** in any nationalized bank.
- ii) The said account be operated by the Cashier jointly with the Secretary.
- iii) To pay the yearly waqf contribution of each year within the month of May.
- iv) To pay the arrear waqf contribution within the May, 2015.
- v) To submit yearly statement of accounts definitely within the month of May each year.
- vi) To submit Voter Identity Cards of the committee members within 15 days from the communication of the resolution.

The matter of enrolment and registration of waqf property together with the formation of committee mutawalli be communicated to the District Magistrate, the Superintendent of Police Darjeeling, Block Land & Land Reforms Officer and the respective Police Officer In-charge under whose jurisdiction the waqf property is situated impressing upon them to extend all co-operations for the purpose of recovery, maintenance and supervision of the waqf property, if situation demands.

Item No. 08 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. No. 3846

Dist - Hooghly

Re: To consider the matter of appointment of Mutawalli in respect of **Sk. Atawur Rahman Waqf Estate**

Decision :

While the agenda as aforesaid is placed, Mr B Zaman, Ld. Counsel accompanied by his client, Jb. Mirza Firoz Imam is present on call. As prayed for by Mirza Shadique Imam by his prayer dated 22-02-2008 and Mirza Feroze Imam by his prayer dated 02-02-2017 annexing a copy of unsigned genealogical table together with the memorandum of 'No Objection' endorsed by his other brothers for being appointment as mutawalli in respect of the estate as nominated by Hasan Imam, the last mutawalli so empowered in terms of the spirit of the Waqf deed dated 14-06-1935, the Board after due deliberation and discussion unanimously resolves that Mirza Shadique Imam and Mirza Feroze Imam,

both sons of Mirza Hasan Imam, last mutawalli who expired on 15-12-2007, be appointed as mutawallis in respect of **Sk Atawar Rahman Waqf Estate** in terms of the provision of the Section 3 (i) of the Waqf Act, 1995 under the following terms and conditions:

Terms & Conditions:

- i) To open an account in the name of **Sk Atawar Rahman Waqf Estate** in any nationalized bank.
- ii) The said account be operated by the mutawallis jointly.
- iii) To pay the yearly waqf contribution of each year within the month of May.
- iv) To pay the arrear waqf contribution within the May, 2015.
- v) To submit yearly statement of accounts definitely within the month of May each year.
- vi) Voter's Identity Cards of the mutawallis already made available be kept in the file.

The petitioners are claiming the income of estate below Rs. 5000/- and then paying no waqf contribution. Be that as it may, the mutawallis be impressed upon to submit the statement of accounts within fifteen days from the date of communication of this resolution showing the actual income of the estate.

Item No. 09 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. No. 4852

Dist -South 24 Parganas

Re: To consider the matter of appointment of Mutawalli in respect of **Md. Kamruddin Molla and Mst. Saimunnessa Bibi Waqf Estate.**

Decision :

The agenda being placed is taken up for consideration. The Waqfis claimed to be Waqf other than al-al-aulad but there is no waqf deed. As prayed for by Mokhlesur Rahman Molla, the petitioner herein, relying on an affidavit showing genealogical table sworn in before the Judicial Magistrate 1st Class, Alipore claiming to be the fittest descendant of the waqif to be appointed as mutawalli, the Board, after due deliberation and discussion and in view of the terms of the spirit of the waqf deed, unanimously resolves that he being the legal heirs of the last mutawalli, be appointed as mutawalli in respect of **Md. Kamruddin Molla and Mst. Saimunnessa Bibi Waqf Estate** in terms of Section 3(i) of the Waqf Act, 1995 under the following terms and conditions:

Terms and conditions:

- i) To open an account in any Nationalized Bank in the name of **Md Kamruddin Molla and Mst. Saimunnessa Bibi Waqf Estate**, if not opened earlier.
- ii) All the income and expenditures of the estate must be routed through the said account
- iii) To deposit yearly waqf contribution in the month of April each year
- iv) To submit the yearly statement of account in the month of May each year

- v) Voter's Identity Cards of the mutawallis already made available be kept in the file.
- vi) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.

Item No. 10 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C No. 14561

Dist - Kolkata

Re: To consider the matter of re-appointment of Mutawalli in respect of Munni Bibi @ Shakina Bibi Waqf

Decision:

Md. Salim, the petitioner herein is present on call. Evidently, he was appointed as mutawalli under item No. 12 of the Board's resolution dated 26-03-2015 for a period of two years. Such tenure has already expired.

As prayed for by him by his prayer dated nil received by the Board on 18-05-2017, after due deliberation and discussion, it is resolved that before re-appointment as mutawalli of the petitioner, an enquiry be conducted by a team of Hon'ble Board members, consisting (i) Jb Affakuzzaman Khan, (ii) Jb Ansar Mondal and (iii) Jb Athar Abbas Rizvi to be assisted by the staff member dealing with the file with reference to (i) the induction of tenants without permission of the Board and (ii) changing of name of the waqf estate and other related matters, within 15 days from the date of communication of the resolution and report be submitted within 10 days therefrom.

The tenants said to have been inducted by the petitioners be issued with the notice impressing upon them to be present on the date/ at the time of enquiry. On submission of the report, let the matter be placed in the next Board meeting.

It appears that the status and name of the waqf estate is noted as Munni Bibi@ Shakina Bibi Waqf Estate but the present petitioner is seen to have intimated the Board by his prayer dated 13-05-2015 received by the Board under DE No. 4350 communicating that he made a prayer before the Kolkata Municipal Corporation for changing of such name as Amina Khatun Waqf Estate in place of the name which is already on record.

The Board at this juncture records that the petitioner be impressed upon to justify under what circumstances he intends to change and/ or replace the name of the waqf estate already on record with that of the name proposed by him.

Item No. 11 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. Nos. 4844 & 4845

Dist -Hooghly

Re: To consider the matter of appointment of Mutawalli in respect of Hamidan Nessa Bibi Waqf Estate & Haji Abdul Gaffar.

Decision:

Alauddin Ahmed & Rafiquddin Ahmed both are present personally. They are heard. The records reveal that there are two Enrolment Case numbers in respect of which the agenda is placed for consideration. The petitioners namely, Alauddin Ahmed and Rafiquddin Ahmed both sons of A K M Rafiuddin Ahmed, ex-mutawalli being the descendants of the waqif while by their prayer received by the Board under DE No. 1549 sought for being appointed as

mutawalli, after due deliberation and discussion, it is resolved that they be recorded as mutawallis in terms of Section 3 (i) of the Waqf Act, 1995 under the following terms and conditions:

Terms & conditions:

- i) To open an account in the name of **Hamidan Nessa Bibi Waqf Estate and Hazi Abdul Gaffar** in any Nationalized Bank, if not opened earlier.
- ii) The said account be operated by the mutawallis jointly.
- iii) To pay the yearly waqf contribution of each year within the month of May.
- iv) To submit the yearly statement of accounts definitely within May each year.
- v) To pay the arrear waqf contribution if any within the month of September, 2017
- vi) To submit the Voter's Identity Cards within 15 days from the date of communication of the resolution.

It is brought to the notice of the Board that there were lease agreements the term of which has expired and thus in light of the spirit of law, the lessees numbering 52 have incidentally become the encroachers. In view of their status in the eye of law, it is recorded that they had to be called upon by issuing notice to each of them with direction to appear before the Board in the next available Board meeting for their hearing and taking decision in respect of the encroached property.

Item No. 12 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. No. 15641

Dist - Nadia

Re: To consider the matter of appointment of Mutawalli in respect of **Pirottat Barkat Bibi Waqf Estate.**

Decision:

The agenda as aforesaid being placed is taken up for consideration. The parties who are present on call are heard. In view of the prayer dated 07-12-2009 presented by Badrut Jaman Mir, designating himself as Secretary of the estate by enclosing a Xerox copy of the resolution adopted on the same date by majority of the people of the village, the Board after due deliberation and discussion, resolves that a committee mutawalli consisting of six members (enclosed a fresh copy of proposal files this day) whose names are inserted in the prayer with the portfolio, noted against each of them, be formed in respect of **Pirottat Barkat Bibi Waqf Estate** in terms of the provision of Section 63 of the Waqf Act, 1995 for a period of five years or until further order under the following terms and conditions:

Sl	Name	Father's name	Address	Portfolio
1	Samser Sk	Late Kali Sk	All of	President
2	Rafik Sk	Late Ramzan Sk	Fulia Para,	Vice-President
3	Badrut Jaman Mir	Abdur Rashid Mir	PS -	Secretary
4	Sahidul Sk	Dios Sk	Shantipur,	Asstt Secretary
5	Elahi Sk	Late Maniruddin Sk	Dist-Nadia	Treasurer
6	Pattan Sk	Late Kurban Sk	PIN-741402	

Terms & conditions:

- i) To open an account in the name of **Pirottar Barkat Bibi Waqf Estate** in any nationalized bank, if not opened earlier.
- ii) The said account be operated by the Treasurer jointly with the Secretary.
- iii) To pay the yearly waqf contribution of each year within the month of May.
- iv) To submit the yearly statement of accounts definitely within May each year.
- v) To pay the arrear waqf contribution, if any within the month of September, 2017
- vi) The Voter's Identity Cards be submitted by each of the members of the committee mutawalli if not submitted earlier.

The committee mutawalli be directed to take all out legal steps for recovering the waqf property so encroached upon. Further, the mutawallis appointed this day be impressed upon to display a sign board in the conspicuous/ selected place within the area of waqf property for its proper identity and in this regard they would approach the Superintendent of Police, Dist Nadia. The Chief Executive Officer of the Board is to communicate the matter to the Superintendent of Police for displaying the proposed sign board.

It is to be noted that the prayer made on 10-07-2017 by Badrut Jaman Mir received by the Board on the same day who is appointed this day as Secretary of the committee mutawalli pointed out that Rasul Ali Mondal in connivance with the local people is trying to construct a road with the help of physical force over the land of Plot Nos. 180 and 179 which are waqf one. In the situation, the CEO of the Board is to see that the matter is taken up with the Superintendent of Police for stopping such illegal work.

Item No. 13 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. No. 12149

Dist -Burdwan

Re: To consider the matter of appointment of Mutawalli in respect of Goda Boro Masjid Waqf Estate.

Decision:

The agenda as aforesaid being placed is taken up for consideration. Yakub Mohammad, Abdul Mojid Sk, Abdul Samad and Md Harunur Rashid are personally present. While Abdul Mojid, being the President of the Goda Masjid Committee by his petition dated 19-08-2013, opted by the recommendation of the village people by their resolution dated 21-04-2013, the persons whose names as noted below for being appointed as mutawallis owing to death of the previous mutawalli, Jb Soyebur Rahaman, the Board after due deliberation and discussion, unanimously resolves that a committee mutawalli consisting of three members, be formed in respect of **Goda Boro Masjid Waqf Estate** for a period of five years in terms of the spirit of the provision of Section 63 of the Waqf Act, 1995 under the following terms and conditions:

Sl	Name	Father's name	Address	Portfolio
1	Abdul Mojid	Late Abdul Sobhan	All of Village Goda,	President

2	Yakub Mohammad	Late Abdul Motleb	PO-Lakuddi, Dist-	Secretary
3	Abdul Samad	Abdul Kasem	Burdwan	Cashier

Terms and conditions:

- i) To open an account in any Nationalized Bank in the name of **Goda Boro Masjid Waqf Estate**.
- ii) The said account be operated by the Cashier jointly with the Secretary.
- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year
- v) To submit the yearly statement of account in the month of May each year
- vi) Copy of the voter Identity card so submitted be kept in the file.
- vii) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017 in default necessary steps be taken against the committee.

It is recorded that direction be given to the committee mutawalli for plantation of different types of trees, such as, Eucalyptus/Mahogany, Sal, Sagun etc in the vacant land which is claimed to have been misused at the hands of some local people. The vacant land belonging to waqf estate may be given on lease for a short period of 3/4 years if the situation is found suitable for the estate for increasing income. Since, there is question of fund for plantation of trees in the waqf land is involved, the committee mutawalli be impressed upon to approach the District Officer Minority Affairs, Purba Burdwan for extending help in the matter.

Item No. 14 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. No. 14510

Dist -Burdwan

Re: To consider the matter of appointment of Mutawalli in respect of **Durgadanga Mosque Waqf Estate**.

Decision:

Since the file could not be made available, the resolution as resolved could not be prepared.

Item No. 15 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C No. 12459

Dist. Burdwan

Re: To consider the matter of inclusion of property and appointment of Mutawalli in respect of **Pirottar Waqf Estate**.

Decision :

The matter relates to enrolment and registration of the property as waqf by way of inclusion. The petitioner, Taher Ali Bora along with his Ld counsel is present on call and they are heard.

Taher Ali Bora by his prayer dated 29-06-2011 received by the office under DE No.2217 intends to get the inclusion of the total area of 12.26 acres of land existing in different plots recorded in Khatian No. 1 of Cadestral Settlement of Rights. It appears that barring the said record of rights, no copy of subsequent record of rights, i.e., Revisional Settlement and Settlement made under the promulgation of the West Bengal Land Reforms Act. As per the

entries for the CS Record of Rights the land of Plot Nos. 34/619, 32/620, 33 and 34 are being used by the common Muslims as Kabarsthan, Karbala, Idgah and for other religious purpose as per the classification described in the relevant column of such record of rights. It is well recognized position of law that the property used by the Muslims for religious purpose in the manner as described above can be defined to be waqf property.

Now, after due deliberation and discussion, the Board unanimously resolves that the properties as per schedule given below with the particulars of area be included in a separate schedule by way of registration, in addition to the waqf land measuring 4.89 acres already enrolled, in respect of **Pirottar Waqf Estate** in terms of Section 36 of the Waqf Act, 1995.

Office be directed to enter the class of waqf, name of the Mutawalli, rule of succession to the office of mutawalli, if any, particulars of waqf property and the documents relating thereto, in the Register of Waqf as per the provision laid down in Sec. 37 of the said Act. Further, details of the property entered in the Register of Auqaf be sent to the concerned Block Land & Land Reforms Officer having jurisdiction of the waqf property for doing the needful as to correction of entries of Record of Rights and other incidental matters if so required.

Schedule of the Property

Dist-PurbaBardhaman, PS - Monteswar,
Mouza - Dewandighi, JL No.142

Sl. No.	Kh. No.	Plot No.	Area in acres as per CS record of rights	Classification of land
1	1	34/619	4.00	Kabarsthan
2	1	32/620	0.08	Karbala
3	1	32	0.24	Used by general Muslims as Bahadur Ali Fakirer Gadi
4	1	33	0.02	Used by general Muslims as Idgah
5	1	34	7.87	Used by general Muslims as
Total			12.21	

Since the land of other plot No. 149 is not appearing to have been coming within the ambit of definition of waqf, it is not incorporated in the list as above as waqf property.

Further, as prayed for by Taher Ali Bora, the petitioner herein, in a separate petition dated 15-03-2012 received by the office under DE No.1866, his name be recorded as mutawalli in respect of **Pirottar Waqf Estate** for a period of five years in terms of Section 63 of the Waqf Act, 1995 under the following terms and conditions:

Terms and conditions:

- To open an account in any nationalized bank in the name of **Pirottar Waqf Estate**, if not opened earlier.
- The said account be operated by the mutawalli himself.

- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year
- v) To submit the yearly statement of account in the month of May each year
- vi) To submit voter Identity card within 15 days from the date of communication of the resolution.
- vii) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.

Item No. 16 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. No. 8074

Dist -Burdwan

Re: To consider the matter of appointment of Mutawalli in respect of **Pirottar Pir Shah Munshi (Sufi) Waqf Estate.**

Decision :

The petitioners by their prayer dated 07-11-2014 together with the affidavit dated 05-11-2014 sworn in before the Notary, Burdwan, supported by the resolution dated 05-11-2014 adopted by the villagers being the descendants of the previous recorded mutawallis while proposed to be appointed as mutawallis, after due deliberation and discussion, it is resolved that the names of the petitioners given below be recorded as mutawallis in terms of Section 3(i) of the Waqf Act, 1995 under the following terms and conditions:

Sl	Name	Address	Portfolio
1	Atowal Hossain Hazari	All of Vill-Khalina, PS-Raina, Dist-Burdwn	President
2	Sadrul Islam		Vice President
3	Sakawat Hossain Hazari		Secretary
4	Sk Sarafat Hossain		Asst Secretary
5	Sk Ashraf Hossain		Treasurer

Terms and conditions:

- i) To open an account in any nationalized bank in the name of **Pirottar Pir Shah Munshi (Sufi) Waqf Estate**, if not opened earlier.
- ii) The said account be operated by the Treasurer jointly with the Secretary.
- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year
- v) To submit the yearly statement of account in the month of May each year
- vi) The voter's Identity card already made available be kept in file.
- vii) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.

It is reported by the parties that out of total land of 3.76 acres under Mouza - Khalina, PS-Raina, only 0.98 acres is under possession and the remaining 2.78 acres are vested to the

state of West Bengal. The mutawallis appointed this day be impressed upon to approach the concerned department of Government of West Bengal in order to recover the vested land observing the existing principle of law that "once waqf is always waqf".

Item No. 17 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. No. 14205

Dist. South 24 Parganas

Re: To consider the matter of appointment of Mutawalli in respect of Keramat Ali Khan Waqf Estate

Decision :

The issue of appointment of mutawalli is heard in presence of Md Nure Zaman, Ld. Counsel representing Naushad Ali Khan, the petitioner herein. While the petitioner is claimed to be the eldest member of the waqif's family as proposed by him by his prayer dated 25-04-2016, after due deliberation and discussion, it is resolved that his name be recorded as mutawalli in respect of **Keramat Ali Khan Waqf Estate** in terms of Section 3 (i) of the Waqf Act, 1995 under the following terms and conditions:

Terms and conditions:

- i) To open an account in any nationalized bank in the name of **Keramat Ali Khan Waqf Estate**, if not opened earlier.
- ii) The said account be operated by the mutawalli himself.
- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year
- v) To submit the yearly statement of account in the month of May each year
- vi) The voter's Identity card already made available be kept in file.

It is recorded that confirmation of the mutawalliship is subject to payment of up to date waqf contribution and submission of the statement of accounts as well as submission of the genealogical table supported by an affidavit to be sworn in before the Judicial Magistrate 1st Class to justify that he is the eldest member of the waqif's family. The certificate issued by the local Gram Panchayet in this regard be kept in the file for future reference.

Item No. 18 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C No. 11940

Dist. Howrah

Re: To consider the matter of appointment of Mutawalli in respect of Sk Nazer Ali and Sk Nausher Ali Waqf Estate.

Decision:

As prayed by the petitioners by their prayer dated 26-05-2015 received by the Board under DE No. 6280 on the identical date, being the descendants of the previous mutawalli asserted to have been expired, after due deliberation and discussion, it is unanimously resolved that their names be recorded as mutawallis jointly in respect of **Sk Nazer Ali and Sk Nawsher Ali Waqf Estate** in terms of the spirit of the provision of Section 3 (i) of the Waqf Act, 1995 under the following terms and conditions:

S1	Name	Father's name
----	------	---------------

1	Sk Riyajul Islam	Late Sk Rahenul Islam
2	Sk Momarjad Ali	Late Md Jamal
3	Sk Salam Hasan	Late Nazmul Huda
4	Sk Rakibul Haque	Late Sk Abdul Haque

Terms and conditions:

- i) To open an account in any nationalized bank in the name of **Sk Nazer Ali and Sk Nawsher Ali Waqf Estate**, if not opened earlier.
- ii) The said account be operated by the mutawallis themselves or the person/persons to be selected by them.
- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year
- v) To submit the yearly statement of account in the month of May each year
- vi) To submit voter's Identity Cards of the mutawallis within fifteen days from the date of communication of the resolution.
- vii) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.

Item No. 19 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C No. 9080

Dist. Paschim Midnapore

Re: To consider the matter of appointment of Mutawalli in respect of Rasul Dad Khan Waqf Estate.

Decision :

The agenda as aforesaid being placed is taken up for consideration. Since Haji Md Rashid Khan, the father of the present petitioner, Arshed Ali Khan being the mutawalli of the estate is reported to have expired and he being his son by prayer dated nil received by the Board on 16-01-2015 under DE No. 573 desires for being appointed as mutawalli, it is unanimously resolved that his name be recorded as mutawalli in respect of **Ajabgarh Mosque Waqf Estate** in terms of the spirit of the provision of Section 3 (i) of the Waqf Act, 1995 under the following terms and conditions:

Terms and conditions:

- i) To open an account in any nationalized bank in the name of **Ajabgarh Mosque Waqf Estate**, if not opened earlier.
- ii) The said account be operated by the mutawalli himself
- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year
- v) To submit the yearly statement of account in the month of May each year
- vi) To submit voter's Identity Cards of the mutawallis within fifteen days from the date of communication of the resolution.

- vii) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.

It is recorded that the mutawalli must submit the entire status of the property of the waqf estate within fifteen days from the date of communication of the resolution enabling the Board to record appropriate suggestion as regards recovery of the property, if any, and for proper management of the waqf property.

Item No. 20 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. No. 7025

Dist. Howrah

Re: To consider the matter of appointment of Mutawalli in respect of **Sk Jan Mohammad Waqf Estate**

Decision:

While the agenda as aforesaid is placed, it is discussed at length in presence and participation of the parties and their Ld counsel. As prayed for by them which is received by the Board on 14-12-2015 under DE No. 15757 for being appointed as mutawallis, the Board after due deliberation and discussion, resolves that their names be recorded as mutawallis in respect of **Sk Jan Mohammad Waqf Estate** in terms of the spirit of the provision of Section 3 (i) of the Waqf Act, 1995 under the following terms and conditions:

Sl	Name	Father's name	Address
1	Sk Asraf Ali	Sk Abdur Rashid	All of village & Post Shashati, PS - Shyampur, Dist. Howrah, PIN-711326.
2	Sk Golam Mostafa	Late Abdul Sobhan	
3	Sk Akbar Ali	Late Asmat Ali	

Terms and conditions:

- To open an account in any nationalized bank in the name of **Sk Jan Mohammad Waqf Estate**, if not opened earlier.
- The said account be operated jointly by the mutawallis.
- All the income and expenditures must be routed through the said account
- To deposit yearly waqf contribution in the month of April each year
- To submit the yearly statement of account in the month of May each year
- Copy of the voter Identity card so submitted be kept in the file.
- To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.

Item No. 21 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C No. 14780

Dist. Dakshin Dinajpur

Re: To consider the matter of appointment of Mutawalli in respect of **Narayanpur Mosque Waqf Estate.**

Decision :

Ajijul Haque Molla & Nurul Islam Mondal being the petitioners are present on call. The agenda as aforesaid is taken up for consideration. The estate is classified as waqf other than

al-al-aulad (Public). Md Sahidul Islam, last mutawalli appointed under Section 40 of the Bengal Waqf Act, 1934 expired long back. The present petitioners, Ajijul Haque of village Neona under PS-Kumarganj and Molla Nurul Islam Mondal of village Shyampur under PS - Hili belonging to different places have come forward for being appointed as mutawalli in respect of the estate so also with the desire to develop the vacant land of the same.

In the circumstances made available before the Board from the materials on record and hearing of the parties, it is resolved that before making appointment of mutawallis the petitioners are to submit the status report in respect of 5.78 acres of land of the estate along with the proposal for development to be undertaken, within 15 days from the date of communication of the resolution.

It is further resolved that on receiving the status report, an enquiry be conducted by a team consisting of the Hon'ble Board members, namely (i) Jb. Anis-El-Huq, Jb. Ansar Mondal and Jb. Afakuzzaman Khan to be assisted by Syed Zigor Hossain within 15 days from the date of submission of status report and the report of enquiry be submitted within 10 days therefrom.

On completion of the process let the matter be placed in the available Board meeting for further consideration of the proposal for appointment of mutawalli and development.

Item No. 22 of the agenda: Brd.(M&E)/27.07.17

Ref: E.C. No. 8463

Dist. Jalpaiguri

Re: To consider the matter of appointment of Mutawalli in respect of **Rahmatullah Md & Ors. Waqf**

Decision:

Nazimuddin Mohammad, being the petitioner is present on call. As prayed for by him by his prayer dated 06-05-2016 for being appointed as mutawalli supported by a memorandum of endorsement of "No Objection" of the other descendants of the waqif received by the Board on 07-05-2015 under DE No.5340, after due deliberation and discussion, it is unanimously resolved that he be appointed as mutawalli in respect of **Rahmatullah Md & Ors Waqf Estate** in terms of the spirit of Section 63 of the Waqf Act, 1995 for a period of three years or until further order subject to furnishment of a genealogical table of the descendants of the waqif supported by an affidavit to be sworn in before the Judicial Magistrate 1st Class under the following terms and conditions:

Terms and conditions:

- i) To open an account in any nationalized bank in the name of **Rahmatullah & Ors Waqf Estate**, if not opened earlier.
- ii) The said account be operated by the mutawalli himself.
- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year
- v) To submit the yearly statement of account in the month of May each year
- vi) Voter's Identity card so submitted be kept in the file.

- vii) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.

The affidavit must contain the declaration that he is the grandson of the waqif and the table of chronological descendants of the waqif as above.

Item No. 23 of the agenda: Brd.(M&E)/27.07.17

Ref.: E.C. No. 273

Dist -Malda

Re: To consider the matter of appointment of Mutawalli in respect of **Ahmadullah Chowdhury Waqf Estate.**

Decision :

The agenda being placed is taken up for consideration. Md Badruzzaman, Ld. Counsel representing Tousif Ahmed Choudhury, son of Firoz Ahmed Chowdhury is present on call. He is heard. In the circumstances, the matter of appointment of mutawalli in respect of **Ahmadullah Chowdhury Waqf Estate** is discussed. There is allegation against the petitioner that he illegally transferred huge waqf property to outsiders who are now termed to be encroachers.

Now, it is unanimously resolved that in the light of the situation prevailing now, as also considering the prayer of Tausif Ahmed Chowdhury for being appointed as mutawalli, the Board records that the issue will be decided by the Hon'ble Chairperson upon making consultation with Jb Abu Taher Khan, the Hon'ble Board member, who is seen to have made enquiry about the matter and submitted his report.

Item No. 24 of the agenda: Brd.M&E/27.07.17

Ref: E.C. No. 8700 and 845

Dist -Malda

Re: To consider the matter of appointment of Mutawalli in respect of **Belatun Nessa Bibi and Md Sadhu Fee Sabee Lillah Waqf Estate**

Decision :

The matter relates to appointment of mutawalli in respect of the estate. Md Badruzzaman, Ld. Counsel representing Md Jalaluddin Iqbal-E-Azam is present on call.

It appears that there is objection against the petitioner, Md Jalaluddin Iqbal-E-Azam for being appointed as mutawalli. Since there is question of meeting the requirement of litigation pending before the Hon'ble High, Calcutta, being WP No.LRT 242 (W) of 2003, it is resolved that Jalaluddin Iqbal-e-Alam, son of the last recorded mutawalli be appointed as mutawalli temporarily for a period of three years or until further order in terms of the spirit of Section 63 of the Waqf Act, 1995 under the following terms and conditions:

Terms and conditions:

- i) To open an account in any Nationalized Bank in the name of **Belatun Nessa Bibi and Md. Sadhu Fee Sabee Lillah Waqf Estate**, if not opened earlier.
- ii) The said account be operated by the mutawalli himself.
- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year

- v) To submit the yearly statement of account in the month of May each year
- viii) To submit voter's Identity card within fifteen days from the date of communication of the resolution.
- vi) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.

Item No. 25 of the agenda: Brd. M&E/27.07.17

Ref: E.C. No. 11707

Dist - South 24 Parganas

Re: To consider the matter of appointment of Mutawalli in respect of Amir Ali Laskar & Ors Waqf Estate

Decision:

Ahad Ali Sardar & Al Mamun Sardar are present on call. As prayed by the petitioners namely, Ahad Ali Sardar son of Late Haji Ismail Sardar and Md Al Mamun Sardar, son of late Golam Hossain Sardar, received by the Board under DE No. 18156 and No. 18155 on the identical date, claiming themselves to be the descendants of the previous mutawallis, it is unanimously resolved that their names be recorded as mutawallis jointly in respect of **Amer Ali Sardar & Ors Waqf Estate** in terms of the spirit of the provision of Section 3 (i) of the Waqf Act, 1995 under the following terms and conditions:

Terms and conditions:

- i) To open an account in any Nationalized Bank in the name of **Amer Ali Sardar & Ors Waqf Estate**, if not opened earlier.
- ii) The said account be operated jointly by the mutawallis.
- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year
- v) To submit the yearly statement of account in the month of May each year
- ix) The voter Identity card in respect Md Al Mamun Sardar so submitted be kept in the file and the same in respect of other petitioner namely, Ahad Ali Sardar be submitted within fifteen days from the date of communication of the resolution.
- vi) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.
- vii) To pay Rs. 3000/- per year as waqf contribution till further decision and such payment be made from the financial year 2017-18.

Item No. 26 of the agenda: Brd.M&E/27.07.17

Ref: E.C. No. 1086

Dist - Kolkata

Re: To release the Waqf Estate under E.C. No. 1086 from Direct Management and appointment of mutwalli in respect of Hanif Daftry Waqf Estate.

Decision :

The Ld counsels of the parties including some of the parties are present on call. Initially as prayed for by the Ld. Advocate Sk. Rahmat Ali representing Sk. Najimuddin was adjourned in course of session of the meeting.

Later, Kamal Ahmed Khan, Sk. Osman Ali, Nooruddin Noor, Md. Welayat Hussain, Md. Ali, Jauhar Furkani, Md. Ali Jahan & Sk. Nehar Ali are present personally and praying for formation of a Mosque Management Committee for temporary period. Considering the interest of the Masjid and as the matter is pending for considerable days, the Board thinks it reasonable that a Masjid Management Committee should be formed this day in the interest for local people as well as the Masjid.

Now, after due deliberation and discussion, it is unanimously resolved that pending decision of release of the estate from direct management and appointment of mutawalli, a Masjid Management Committee consisting of 5 members whose names are given below be formed in respect of the mosque standing within the area of the waqf estate, in terms of Section 18 of the Waqf Act, 1995 for protection of the Masjid. The committee will act as such till further decision.

Sl	Name	Address	Portfolio
1	Haji Sk Osman Ali	New Panchur Molla Para	President
2	Moulana Md Ali Jauhar Furkani	39, Mominpur Road Kolkata-23	Secretary
3	Md Atar Ali Jauhar		Cashier
4	Ali Nawab Siddiquee	9B, Ekbalpur Lane, Kolkata-23	Member
5	Md Mahmood Alam	78, Dr Sudhir Basu Road, Kol-23	Member
6	Md Shakeel	21/1B, Diamond Harbour Rd, Kolkata-53	Member

Terms and conditions:

- The committees so formed do act accordingly for the purpose of proper management supervision and protection of the interest of the Masjid.
- The committee is to maintain a day to day account of receipts and expenditures of the amount relating to such management and will produce the same on the day when the matter of releasing the estate from direct management and appointment of the mutawalli will take place.

In the circumstances, the matter of making release of the estate from direct management and appointment of mutawalli is adjourned in the interest of the justice and it be placed in the next available Board meeting for consideration in presence of both sides.

Item No. 27 of the agenda: M&E/27.07.17

Ref: D.M./52/05 (Part-IV) (E.C. No. 1040)

Dist - Kolkata

Re: To consider the matter of renovation/repairing works amount to Rs. 20,25,189/- of the Guest House at Premises No. 98, Collin Street, Kolkata - 16 in respect of **Munshi Abdur Rouf Waqf Estate.**

Decision:

While the issue of renovation and repairing works of the Guest House at Premises No. 98, Collin Street, Kolkata - 16 is placed for consideration, it is discussed at length. Since a huge amount of Rs. 20,25,189/- is appearing to be used for such purpose, it is unanimously resolved that before undertaking such work, an enquiry be conducted by a team of Hon'ble Board members consisting of i) Jb. Ansar Mondal, ii) Jb. A.Z. Khan, iii) Jb. Anis-El-Haque, iv) Jb. Abu Taher Khan v) Jb. Athar Abbas Rizvi and vi) Jb. Nurul Islam to be assisted by the staff member of the Board dealing with the file within fifteen days from the date of communication of the resolution and report to be submitted definitely within 15 days therefrom in as much as it relates to the safety and security of the guest house in question.

Action be taken in the decision without waiting for confirmation of the same in the next Board meeting.

Miscellaneous

Misc. Item No. 28 (i) of the agenda: Brd. M&E/27.07.17

Ref: E.C. No. 11414

Dist- Kolkata

Re: To consider the matter of appointment of Mutawalli in respect of **Shaikh Barati Mistry Waqf Estate.**

Decision :

Jamil Asghar and Md Owais Qarni are present on call. They are heard. In the light of the submission made by them by their prayer dated 15-06-2017 received by the Board under DE No.7912, after due deliberation and discussion, it is unanimously resolved that the petitioners be appointed as mutawalli in respect of **Shaikh Barati Mistry Waqf Estate** in terms of the provision of Section 3 (i) of the Waqf Act, 1995 under the following terms and conditions:

Terms and conditions:

- i) To open an account in any Nationalized Bank in the name of **Shaikh Barati Mistry Waqf Estate**, if not opened earlier.
- ii) The said account be operated jointly by the mutawallis.
- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year
- v) To submit the yearly statement of account in the month of May each year
- vi) To submit the voter Identity card in respect of the mutawallis within fifteen days from the date of communication of the resolution.
- vii) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.
- viii) To pay Rs. 8000/- per year as waqf contribution with effect from the financial year 2017-18 till further decision.

Misc. Item No. 28 (ii) of the agenda: Brd.M&E/27.07.17

Ref: E.C. No. 1089

Dist - Kolkata

Re: To consider the matter of appointment of Mutawalli in respect of **Nazar Ali Khan Waqf Estate.**

Decision :

While the agenda as aforesaid is placed, it is considered in the light of the total materials on record including the resolution dated 11-08-2016 adopted under item No. 12. By the said resolution, a committee mutawalli consisting of nine members was formed in respect of the estate for a period of six months. Further, it was resolved that an inspection was conducted by the Hon'ble Board members, Jb Ansar Mondal, Jb Athar Abbas Rizvi, Jb Anis-El-Huq and Jb A Z Khan to ascertain the present state of affairs of the estate requesting them to submit the report accordingly, within one month from the date of holding such inspection. Such report as it appears could not be submitted as yet. In the circumstances, it is resolved that the said mutawallis are to continue to function as such in respect of each estate till further decision.

The period commencing after expiry of the previous term of mutawalliship till the communication of the present resolution, be deemed to have been regularized for the purpose of action taken during the said period.

Misc. Item No. 28 (iii) of the agenda:

Ref: E.C. No. 13709

Dist. Burdwan

Re: To consider the matter of rectification regarding appointment of mutawalli in the resolution dated 28.07.2016 in respect of **Munshi Fazley Haque Sarkar Waqf Estate.**

Decision:

The agenda as aforesaid being placed is taken up for consideration. Aftab Ahmed, one of the joint mutawallis has died meanwhile and Abdul Mujid, the other joint mutawalli also died leaving no male child. As prayed for by the existing mutawallis, namely, Bulbul Islam and Mohammad Ali, by their prayer dated 25-05-2017, Riyaz Ahmad, son of Aftab Ahmed be appointed as mutawalli jointly with the existing mutawallis in terms of Section 63 of the Waqf Act, 1995 for a period of five years or until further order whichever is earlier under the following terms and conditions:

Terms and conditions:

- i) To open an account in any Nationalized Bank in the name of **Munshi Fazley Haque Sarkar Waqf Estate**, if not opened earlier.
- ii) The said account be operated jointly by the mutawallis or to be selected by them.
- iii) All the income and expenditures must be routed through the said account
- iv) To deposit yearly waqf contribution in the month of April each year
- v) To submit the yearly statement of account in the month of May each year
- vi) To submit the voter Identity card in respect of the mutawallis within fifteen days from the date of communication of the resolution.
- vii) To pay the arrear waqf contribution, if any, definitely within the month of October, 2017.

The resolution adopted by the Board on 28-07-2016 under item No. 22 confirmed on 31-08-2016 be replaced by this resolution accordingly in order to give proper implication of the spirit of terms of the waqf.

Administrative:

Item No. 01 of the agenda: Brd.M&E/27.07.17

Ref:

Re: To consider the matter of availing of the actual state of affairs together with the status of the estate for which appointment of mutawalli is contemplated and prayed to be appointed in respect of the estates which are enrolled and prayed to be enrolled with the proposal for appointment of mutawalli.

Decision:

Of late, it comes to the notice of the Board that difficulties are experienced in regard to appointment of mutawalli in respect of the estate enrolled with the Board for the reasons that the status and actual state-of-affairs of the waqf estate in respect of which mutawalli is proposed to be appointed.

To avoid complications and also for speedy disposal of the issue of appointment of mutawalli, it is unanimously resolved that the petitioner/ petitioners/ party/parties who is/ are coming before the Board for appointment of mutawalli is/ are to submit his/ their requisite prayer/ prayers positively along with the status of the estate and the state-of-affairs of the same in separate memorandum to avoid complication and delay.

The staff member dealing the file is to be watchful and diligent in preparing agenda and in any event would not place the matter before the Board for consideration without checking and verifying the same. Circulate this resolution to all the concerned staff members of the Board.

Administrative:

Item No. 02 of the agenda: Brd./18.07.17

Ref: File No.


Re: To consider the matter of change of District Imam Representative for the district North 24 Parganas.

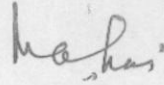
Decision:

The matter is discussed in the Board meeting. It would appear that Moulana A K M Farhad, School Teacher has been acting as District Imam for the district of North 24 Parganas for the last six years. In the mean time, this Board has received enormous allegations concerning the conduct and behaviour of the existing Imam Representative from more than hundred local people including some Imams and Muazzins. True it is that the existing Imam Representative, A K M Farhad is involved in service of so many wings including West Bengal Haj and Madrasah Education Board of the State Government in addition to his profession as an Assistant Teacher of the High Madrasah.

Therefore, having considered the conduct, behavior and workload of the existing District Imam Representative and also regard being had to the surrounding circumstances as

appearing before this Board, it is unanimously resolved that henceforth and until further decision, Moulana Md Hasanuzzaman who is having Alim, Fazil degree as also Honours and M A in Arabic degree with brilliant result, will be acting as the District Imam/ Imam Representative for the district of North 24 Parganas in place of Moulana A K M Farhad. This change is done in the greater interest of the local people including Imams and Moazzins.

 This may be informed accordingly.



Justice Md Abdul Ghani
Chairperson
Board of Auqaf, West Bengal