



# Punjab Government Gazette

## EXTRAORDINARY

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### LEGISLATIVE SUPPLEMENT

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**PART III**

**GOVERNMENT OF PUNJAB**

DEPARTMENT OF HOME AFFAIRS AND JUSTICE

**NOTIFICATION**

The 5th October, 2018

**No. G.S.R.77/C.A.43/1995/S.109/2018.-** In exercise of the powers conferred by section 109 of the Waqf Act, 1995 (Central Act No. 43 of 1995) and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, namely:-

**RULES**

- 1. Short title and commencement.-** (1) These rules may be called the Punjab Waqf Rules, 2018.  
(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
- 2. Definitions.-** (1) In these rules, unless the context otherwise requires, -
  - (a) “Act” means the Waqf Act, 1995 (Central Act 43 of 1995);
  - (b) “Board” means the Punjab Waqf Board, established under sub-section (1) of section 13 vide Government of Punjab, Department of Home Affairs and Justice (Judicial – I Branch), Notification No. 5/28/1996-2Judl.(1)3543, dated the 1st August, 2003;
  - (c) “Chairperson” means the Chairperson of the Punjab Waqf Board;
  - (d) “Election Authority” means the Additional Chief Secretary/Principal Secretary/Secretary holding the charge of the Department of Home Affairs and Justice, Punjab;
  - (e) “elector” in relation to election to any category of members means any person whose name is specified in the electoral roll of that category;
  - (f) “electoral roll” means a separate list of members of each of the four electoral colleges, as specified in clause (b) of sub-section (1) of section 14;
  - (g) “Form” means a Form appended to these rules;
  - (h) “legal practitioner” shall have the same meaning as assigned to it in the Advocates Act, 1961 (25 of 1961);
  - (i) “premises” means any land or building or part of a building and

includes;-

- (i) the garden, tree and ground, if any, appertaining to such building or part of the building;
- (ii) any fittings affixed to such building or part of the building for more beneficial enjoyment thereof; and
- (iii) dargah, grave, graveyard, khanqah, peerkhana, karbala, takia, maqbara, mosque or masjid, tomb and the courtyard appurtenant thereto;
- (j) "Registrar" means the Registrar of the Tribunal and includes Assistant Registrar or any other person to whom the Registrar may, with the approval of the Tribunal, delegate any of his powers;
- (k) "returning officer" means an officer, authorized or appointed by the Election Authority to do any act or to perform any function in connection with the conduct of election under these rules;
- (l) "section" means the section of the Act;
- (m) "State Government" means the Government of the State of Punjab in the Department of Home Affairs and Justice; and
- (n) "waqf property" means property of the waqf and includes both movable as well as immovable property.

(2) The words and expressions used and not defined in these rules, but defined in the Act, shall have the same meaning, respectively, as assigned to them in the Act.

**Section 3(i)  
second proviso**

- 3. Qualifications of mutawalli.-** (1) The qualifications of mutawalli of a waqf shall be such, as may be specified by the waqif in the waqf deed.  
(2) Where no qualifications have been specified by the Waqif in the Waqf deed, the mutawalli should have;-
- (a) knowledge of Hindi, Urdu, Punjabi, Arabic or English; or
  - (b) working basic knowledge of Sharia with specific knowledge of waqf law as well as Muslim custom.

**Section 4(3)(f)**

- 4. Other particulars to be contained in the report of the Survey Commissioner of Auqaf.-** The report to be submitted by the Survey Commissioner to the State Government under sub-section (3) of section 4, shall, in addition to the particulars mentioned in the said sub-section, contain the following other particulars in respect of each Waqf, namely:-
- (i) Name of the Waqf;

- (ii) Whether the Waqf is Shia or Sunni;
- (iii) Name of Mutawalli;
- (iv) Name of Waqif or Waqifs, if any;
- (v) Date and year of the creation of the Waqf;
- (vi) Details of Waqf deed or deeds;
- (vii) Description of immovable property showing the village or town where such property is situated along with the municipality number or survey number, area, description of the tenure and the estimated value thereof;
- (viii) Description of movable property and value thereof including investments and their particulars;
- (ix) Encumbrances, if any, on the properties mentioned in clauses (vii) and (viii) above;
- (x) How the Waqf is administered at present, whether under a scheme settled by a Court of Law or by a registered document or established custom or usage; and .
- (xi) Site plan of waqf property.

**5. Particulars to be contained in the list of auqaf to be published by Section 5(2)**

**the State Government.-** The list of Sunni Auqaf or Shia Auqaf in the State of Punjab, as published under sub-section (2) of section 5, shall contain the following particulars, namely:-

- (a) Names of auqaf (showing Shia Auqaf, and Sunni Auqaf separately);
- (b) Location of auqaf;
  - (i) District;
  - (ii) Tehsil;
  - (iii) Village where situated; and
  - (iv) Site on which situated;
- (c) Details of Waqf properties:
  - (i) Area;
  - (ii) Boundaries; and
  - (iii) Value ;
- (d) Date or year of creation of Auqaf;
- (e) Details of Waqf deeds;

- (f) Cross receipts;
- (g) Grants received;
- (h) Nature of objects of each Waqf;
- (i) Gross income of property comprised in each Waqf;
- (j) Amount of land revenue, cess, rates and taxes, payable in respect of such property;
- (k) Expenses incurred in realization of the income;
- (l) How the waqf is administered;
- (m) Name of Mutawalli;
- (n) Pay or remuneration of Mutawalli of each Waqf; and
- (o) Any other particulars, which the Board may consider necessary to be specified by the State Government by an order.

**Section 13(3)**     **6. Conditions and restrictions for transferring property.-** The Board shall have power to transfer its property, referred to in sub-section (3) of section 13, subject to the conditions and restrictions that the transfer proceeds of such transfer shall be utilized for the acquisition of property by the Board, and the property so acquired, shall be utilized for the purpose, recognized by Muslim Law as pious, religious or charitable

**Section 14(2)**     **7. Election of Members of the Board and other matters relating to their election.-** (1) The election of the members of the Board under clause (b) of sub-section (1) of section 14, shall be held under the superintendence, direction and control of the Election Authority in accordance with the provisions of the said section.

(2) The Election Authority may nominate an officer of the State Government, not below the rank of Joint Secretary as a returning officer for holding election.

**Section 14(2)**     **8. Electoral roll.-** (1) The Election Authority shall obtain the list of persons, eligible to vote under the categories mentioned in sub-clauses (i), (ii), (iii) and (iv) of clause (b) of sub-section (1) of section 14.

(2) The category-wise lists shall be obtained as follows:-

- (a) for category under section 14(1)(b)(i) , from the Secretary, Lok Sabha and Rajya Sabha;
- (b) for category under section 14(1)(b)(ii), from the Secretary, Punjab Legislative Assembly;

- (c) for category under section 14(1)(b)(iii), from the Secretary, State Bar Council of Punjab and Haryana; and
- (d) for category under section 14(1)(b)(iv), from the Chief Executive Officer of the Punjab Waqf Board;

- 9. Displaying of lists.-** The lists obtained under rule 8 above, shall be displayed on the notice board of the Election Authority and in the office of the Board, and shall be published in Urdu, Hindi, Punjabi and English language newspapers having circulation in the State of Punjab. The category-wise lists referred to in sub-rule (2) of rule 8, shall, respectively, be displayed on the notice board in **Form 'A'**. **Section 14(2)**
- 10. Filing of objections.-** (1) Any person aggrieved by such publication, may file his objections before the Election Authority within seven days of such publication, for addition, deletion or modification of any name. **Section 14(2)**
- (2) The Election Authority, after going through the objections, and after obtaining any further information from any source, as it may deem appropriate, and after giving personal hearing to the objector or petitioner or to any other person, if it feels necessary, shall pass orders with regard to the objections.
- (3) In the light of the orders passed, under sub-rule (2) if the electoral roll requires any modification, the Election Authority, after incorporating such modification, shall publish the final electoral roll, not less than seven days before the date of election, notified under sub-rule (2) of rule 11, and such electoral roll shall be deemed to be final and conclusive list of electors.
- 11. Public notice of intended election.-** (1) After deciding the objections under rule 10, the election for the constitution of the Board shall be conducted to elect the members on the expiry of the term of the Board, or on its supersession under section 99 of the Act, or for filling up any causal vacancy caused in a particular category under section 16 or section 64, as the case may be. **Section 14(2)**
- (2) For the above purpose, the Election Authority shall, subject to such directions, as may be issued by the State Government, by notification published in the Official Gazette, call upon on such date, or dates, as may be specified therein, to elect members of the Board in accordance with the provisions of the Act and these rules.
- (3) The notification shall specify the last date for making nominations,

the date for scrutiny of nominations, the last date of withdrawal of candidature, the place and date or dates, on which and the time, during which, the poll shall be held.

(4) After the notification under sub-rule (2) is published, the Returning Officer shall give public notice of the intended election for the members of the Board in **Form 'B'** in Urdu, Hindi, Punjabi and English newspapers having circulation in the State of Punjab.

**Section 14(2)** **12. Special election programme.-** Notwithstanding anything contained in these rules, where the election process is interrupted or the election programme has to be altered on account of the orders of any Court of Law or for any other valid ground, the Election Authority may, either generally or in respect of any specified category of members, alter the election programme, as published under sub-rule (2) of rule 11 and re-notify the election programme as it deems fit in the circumstances of the case. The nominations already made shall be deemed to have become invalid.

**Section 14(2)** **13. Nomination of candidates.-** (1) Every nomination paper shall be signed and presented in **Form 'C'**, to the returning officer, on or before the appointed date by the candidate in person, between such hours and at such places, as may be specified. The candidate shall sign in the declaration on the nomination paper on **Form 'D'** expressing his willingness to stand for the election.

(2) A candidate for the office of the member of the Board from any of the categories, specified in clause (b) of sub-section (1) of section 14, shall be a person whose name is registered in the electoral roll of that category.

(3) Each candidate shall be nominated on a separate nomination paper.

(4) A candidate may be nominated for more than one category as specified in sub-section (1) of section 14.

**Section 14(2)** **14. Presentation of nomination paper and requirement of valid nomination.-** (1) On receipt of the nomination paper, the returning officer shall forthwith number the nomination paper serially in the order in which, it is presented, and give a receipt as provided in **Form 'E'** with a notice of scrutiny of nomination papers. The returning officer shall satisfy himself that the name and number of the candidate, as entered in the nomination paper, is the same as entered in the electoral roll.

(2) The returning officer may, while checking or interpreting an entry in the electoral roll, overlook mere clerical or printing errors, and shall record the interpretation, considered to be correct by him, together with the reasons therefor while formally accepting or rejecting a nomination.

**15. Publication of nominations received.-** Immediately after expiry of Section 14(2) the time, specified for receipt of nomination, the returning officer shall publish at his office in Urdu, Hindi, Punjabi and English language a list in **Form 'F'** of all the nominations received, with a notice that the nomination papers shall be taken up by the returning officer for scrutiny at such place, date and time, as may be specified by him.

**16. Scrutiny of nomination papers.-** (1) On the date, time and place, fixed Section 14(2) for scrutiny of the nominations, the candidate, and one other person, duly authorized in writing by each candidate, may be present. The returning officer may, however, admit such other persons, as he thinks fit to assist him. He shall give such persons all reasonable facilities to examine the nomination papers of all the candidates, which have been received by him.

(2) The returning officer shall examine the nomination papers and shall decided on all objections, which may be made at the time of filing nomination papers against any nomination, and may, either on such objection or on his own motion and after such summary, as he may think necessary to be made, reject any nomination, on any of the following grounds, namely:-

- (a) that the candidate is ineligible for election as a member of that particular category of the Board; or
- (b) that the candidate incurred any of the disqualifications specified in section 16 or under these rules; or
- (c) that the name of the candidates is not entered in the electoral rolls; or
- (d) that the candidate has failed to comply with any of the provisions of rule 13; or
- (e) that the signature/thumb impression of the candidate in the nomination paper is not genuine:

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of any other particulars relating to the candidate as entered in the electoral roll,



if the identity of the candidate is otherwise established beyond reasonable doubt.

(3) The returning officer shall endorse, on each nomination paper, his decision, accepting or rejecting the same and, if the nomination paper is rejected, he shall, record a brief statement of the reasons for such rejection, in writing. The scrutiny shall, as far as practicable, be completed on the date, appointed in this behalf and no adjournment of the proceedings shall ordinarily be permissible, except at the discretion of the returning officer, to provide an opportunity to a candidate to rebut any contention raised against his candidature.

(4) For the purposes of this rule, a certified copy of an entry in the electoral roll of any of the categories of the member of the Board, shall be sufficient proof of fact that the person referred to in that entry, is an elector for that category of member of the Board.

(5) Immediately after the nomination papers have been scrutinized and the decisions, accepting or rejecting the same have been recorded, the returning officer shall prepare a list of nominations, found to be valid under each category, and display the same on the notice board of his office in **Form 'G'**.

**Section 14(2)** **17. Withdrawal of nomination.-** Any candidate may withdraw his nomination in writing in **Form 'H'** signed by him, and delivered to the returning officer either in person or through a person, duly authorized by him, not later than five O'clock in the evening of the appointed last date of withdrawal. The returning officer shall give a receipt for the same in **Form 'I'** on being satisfied as to the genuineness of the notice of withdrawal and the identity of the person delivering it.

**Section 14(2)** **18. Publication of list of contesting candidates.-** (1) On the following day, after the withdrawal of nominations, the returning officer shall prepare in Urdu, Hindi, Punjabi and English languages a list in **Form 'J'** of the persons whose nominations have been found valid, and display the same on the notice board of his office and the office of the Board.

(2) The list of all shall contain the names of the candidates as described in their nomination paper in Urdu, Hindi, Punjabi and English languages duly arranged in English alphabetical order.

**Section 14(2)** **19. Declaration of result of uncontested candidate/ candidates.-** (1) If the number of contesting candidates is equal or less than the number of

vacancies in a particular category, the returning officer shall forthwith declare such candidate as duly elected in **Form 'K'** and send the same to the Election Authority.

(2) If the number of contesting candidates is more than the number of vacancies in a particular category, then poll shall be conducted.

**20. Appointment of election agent.-** The candidates shall appoint their election agents by making an application in **Form 'L'** to the returning officer. **Section 14(2)**

**21. Death of candidate before poll.-** If a contesting candidate dies and a report of his death is received before the commencement of the poll, the returning officer shall, upon being satisfied of the fact of the death of the candidate, countermand the poll, and election proceedings shall be started afresh in all respects: **Section 14(2)**

Provided that no fresh nomination, shall be necessary in the case of a candidate who stood validly nominated at the time of countermanding of the poll.

**22. Voting.-** (1) If poll is to be conducted, the returning officer shall see that the election is fairly conducted at the polling station, and regulate the number of electors to be admitted at one time, and shall exclude all persons other than the following namely:- **Section 14(2)**

- (a) the candidate;
- (b) the police officer or other public servants on duty;
- (c) such persons, as the returning officer may, from time to time, admit for the purpose of identifying electors;
- (d) persons authorized by the Government;
- (e) a child in arms accompanying an elector; and
- (f) a person accompanying a blind or infirm elector, who cannot move without help.

(2) Where a woman elector cannot be identified by the returning officer by reason of her observing purdah, she may be required to be identified by any mode to the satisfaction of the returning officer.

**23. Right to Vote.-** (1) All electors voting at an election shall cast their votes in person at the polling station. **Section 14(2)**

(2) The returning officer shall be provided, at each polling station, sufficient number of ballot boxes, together with copies of the electoral

rolls containing the names of electors entitled to vote and such other papers and articles, as may be necessary for electors to mark the ballot papers, including stationery and forms.

(3) Immediately before the commencement of the poll, the returning officer shall demonstrate to the candidates or their polling agents that the ballot box is empty.

**Section 14(2) 24. Form of ballot paper.-** (1) Every ballot paper shall contain serial number of names of contesting candidates in Urdu, Hindi, Punjabi and English languages in the serial order of English alphabets.

(2) Every ballot paper shall, before issue to an elector be,-

(a) stamped or shall be written on its back-

(i) the category of member; and

(ii) the place of election; and

(b) signed in full on its back by the returning officer.

**Section 14(2) 25. Issue of ballot paper.-** Immediately after a ballot paper is issued to an elector, the returning officer shall obtain the signature of elector in token of having received the ballot paper, on the office copy of electoral roll to be retained by the polling for record.

**Section 14(2) 26. Maintenance of secrecy of voting by electors and voting procedure.-** (1) Every elector to whom a ballot paper has been issued under rule 25, shall maintain secrecy of voting within the polling station and for that purpose, observe the voting procedure hereinafter laid down.

(2) The elector on receiving the ballot paper, shall forthwith-

(a) proceed to the voting compartment;

(b) record his first, second, third and so on preference by writing numerical 1, 2 or 3 and so on against the names of the candidates he intends to give the preference; and

(c) insert the folded ballot paper into the specified ballot box.

(3) Every elector shall vote without any delay.

**Section 14(2) 27. Blind and infirm voters.-** (1) If owing to blindness or other physical infirmity, an elector is unable to recognize the names of the contestants on the ballot paper or to write preference thereon, the returning officer shall record the vote on the ballot paper in accordance with the wishes of the elector and thereafter, fold it and insert it into the ballot box.

(2) While acting under this rule, the returning officer shall observe secrecy and shall keep a brief record of each such instance, but shall not indicate therein the manner in which any vote has been exercised.

**28. Challenge to identity.-** (1) Any candidate may, challenge the identity **Section 14(2)**

of a person claiming to be a particular elector by first depositing, a sum of five hundred rupees in cash with the returning officer for each such challenge.

(2) On such a deposit being made, the returning officer shall,-

(a) warn the person challenged, of the penalty for impersonation;  
and

(b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in the entry or not.

(3) The returning officer shall thereafter hold a summary inquiry into the challenge and may for that purpose,-

(a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identify;

(b) put to the person challenged any question necessary for the purpose of establishing his identity and require to answer him on oath; and

(c) administer an oath to the challenger and any other person offering to give evidence.

(4) If, after the inquiry, the returning officer considers that the challenge has not been established, he shall allow the person challenged to vote and if he considers that the challenge has been established, he shall debar the person challenged from voting.

(5) If the returning officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1), to be forfeited to the Government and in any other case, he shall return it to the challenger at the conclusion of the inquiry.

**29. Spoilt and returned ballot papers.-** (1) An elector, who has **Section 14(2)**

inadvertently dealt with his ballot paper may, by delivering it to the returning officer and on satisfying him of the inadvertence, be given another ballot paper, and the ballot paper so returned and the counterfoil of such ballot paper, shall be marked as “spoilt cancelled” by the returning officer.

(2) If an elector, after obtaining a ballot paper, decides not to use it, he shall return it to the returning officer, and the ballot paper so returned and the counterfoil of such ballot paper, shall be marked as "returned cancelled" by the returning officer.

(3) All ballot papers cancelled under sub-rules (1) or (2) shall be kept in a separate packet.

**Section 14(2) 30. Counting of votes.-** (1) After rejecting the ballot papers which are invalid, the returning officer shall count the maximum number of first preference votes polled, by a candidate, then count the maximum number of second preference votes polled by a candidate and so on and arrange the name of candidates in that order.

(2) After such counting, the candidate having obtained maximum number of first preference votes, shall be declared elected if the number of vacancy is one and in case of vacancies being two, candidates having obtained maximum number of second preference votes, shall be declared elected for the second vacancy.

(3) If at the end of counting, each of the contesting candidates has the same value of votes and no surplus remains capable of transfer, the returning officer shall decide by draw of lot as to which of them shall be excluded, and after the exclusion of one of the candidates, the other candidates shall be declared elected.

**Section 14(2) 31. Provision of recounting.-** (1) Any candidate or, in his absence, his authorized agent, may, at any time during the counting of votes, either before or after the completion of the counting of votes, request the returning officer to re-examine and re-count the votes of all or any candidate.

(2) The returning officer may, re-count the votes either once or more than once, in case, he is not satisfied as to the accuracy of any previous count:

Provided that nothing in this sub-rule shall make it obligatory on the returning officer to re-count the same votes more than once.

**Section 14(2) 32. Declaration of result.-** (1) Upon completion of counting, the returning officer shall, subject to the foregoing provisions, declare the result in **Form 'M'**; and send signed copies thereof, to the Election Authority.

(2) After sending the copies of result under sub-rule (1), the returning officer shall,-

- (a) place the valid ballot papers and the rejected ballot papers separately in separate packets;
- (b) seal with the seal of the returning officer and of such of the candidates, their election agents or counting agents, as he may desire to affix their seals, on each of packets referred to in clause (a); and
- (c) record on each of the sealed packets, the description of its contents and the date of election.

**33. Issue of certificate of election to candidate.**— As soon as may be, **Section 14(2)** after a candidate has been declared elected, the returning officer shall issue a certificate of election in **Form 'N'** and obtain from the candidate an acknowledgment of its receipt duly signed by him.

**34. Material to be submitted after election.**— (1) After completion of **Section 14(2)** the election, the returning officer shall send return in **Form 'O'**, and submit to the Election Authority, the following, for being kept in safe custody for record, namely:—

- (a) office copy of the electoral roll and counterfoils of ballot papers issued to the electors after receiving their signatures;
- (b) brief report about fair and peaceful conduct of poll mentioning important incidents, if any, during the poll, including challenges made about the identify of an elector and the decision of returning officer thereon;
- (c) office copy of the certificate of election, issued to elected candidates and acknowledgment receipts of the same; and
- (d) any other relevant paper.

(2) The record submitted to the Election Authority shall be preserved for a period of one year or till the final disposal of petition relating to election, if any, whichever is later.

**35. Election of Chairperson.**— (1) After appointment of the members of a **Section 14(2)(8)** newly constituted Board, notified as such under section 13, the State Government shall give one week notice for the first meeting of the Board, for the election of the Chairperson in **Form 'P'** to all elected and nominated members. The copy of the notice shall also be pasted on the notice board of the Board.

(2) The meeting shall be presided over by the Additional Chief Secretary to the Government of Punjab, Department of Home Affairs or his

representative, not below the rank of Joint Secretary, who shall conduct the proceedings for the election of the Chairperson.

(3) The name of the candidate to the post of Chairperson shall be proposed by a member, which shall be seconded by another member. "The voting shall be by secret ballot".

(4) A member shall have only one vote. The candidate securing the highest number of votes shall be declared to have been elected as Chairperson.

(5) In case of equal number of votes, the names of the candidates shall be put to lot, and the Chairperson shall be elected by the draw of lot.

(6) (a) Where a dispute arises as to the validity of election of the Chairperson, or any member feeling aggrieved, may within fifteen days of the declaration of the result of the election, file a petition before the Tribunal for decision, and the decision of the Tribunal thereon shall be final;

(b) No suit or other legal proceedings shall lie in any civil court in respect of any dispute or question or other matter relating to the election of Chairperson.

(7) The election petition shall be accompanied by a court fee of one hundred rupees.

(8) The proceedings of the meeting, convened to elect the Chairperson shall be recorded by the officer, appointed by the State Government.

(9) Immediately after the election of the Chairperson, the State Government shall issue a notification to this effect.

**36. Corrupt practices.-** Provisions of section 123 of the Representation of the People Act, 1951 (Central Act 43 of 1951) shall apply *Mutatis Mutandis* to these rules for the purpose of checking corrupt practices in respect of election conducted under these rules.

**Section 20-A 37. Manner for moving resolution for expressing a vote of no confidence for removal of Chairperson.-** (1) No resolution expressing a vote of confidence or no confidence in any person elected as a Chairperson, shall be moved, unless a prior notice of thirty days in writing, and signed by atleast half of the total members of the Board, is given.

(2) The notice referred to in sub-rule (1), shall be addressed to the State Government.

- 38. Appointment of Chief Executive Officer of the Board.-** The Chief Executive Officer of the Board shall be appointed in accordance with the provisions of sub-section (1) of section 23. **Section 23**
- 39. Term of office and other conditions of service of the Chief Executive Officer of the Board.-** (1) The term of office of the Chief Executive Officer of the Board shall be for a period of three years. However, the State Government in consultation with the Board, may extend his term for a further period of two years. **Section 23(2)**
- (2) The Chief Executive Officer shall be entitled to receive such pay and allowances, as were being received by him in the parent department from where he is appointed as Chief Executive Officer of the Board. In addition to such pay and allowances, he shall also be entitled for payment of such deputation allowance, as is admissible to a Group "A" officer under the relevant rules.
- (3) The Chief Executive Officer shall be entitled to such leave and travelling allowance as are admissible to a Group "A" Officer of the Punjab Government.
- 40. Punishment and Appeal.-** In respect of punishment and appeal, the Chief Executive Officer shall be governed by the provisions of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 as amended from time to time. **Section 23(2)**
- 41. Powers of Chief Executive Officer for inspection of record and registers etc..-** (1) Whenever the Chief Executive Officer or any officer of the Board duly authorized by him in this behalf, desires to make inspection of any record, registers or other documents relating to a Waqf or movable or immovable properties, which are waqf properties or are claimed to be waqf properties under section 29, he shall make an application in this regard by making payment of specified fee, if any. **Section 29**
- (2) The Muttawali or any other person having the custody of any document related to waqf property shall allow such inspection within a period of seven days from the receipt of such application, and shall intimate the fee payable for such inspection, which shall be deposited in cash by the Chief Executive Officer or his authorized officer.
- (3) After inspection, if any copies of the records, registers of properties or other documents relating to waqf properties or claimed to be waqf properties, are required, the same shall be supplied by duly certifying, by



the officer-incharge of the agency of the Government or any other organization to the Chief Executive Officer or his authorized officer, as the case may be, within a period of ten days, on making a written request to this effect by him on payment of the specified fee.

Section 30

**42. Inspection of record.-** (1) An application for inspection of proceedings and other records in the custody of the Board shall be made to the Board by a person, who wants to make inspection in **“Form-‘Q’**.

(2) The fee for obtaining a copy of the proceedings and other records of the Board shall be such as is prescribed under the Punjab Right to Information Rules, 2007, framed under the Right to Information Act, 2005 (Central Act, No. 22 of 2005).

Section 39(1)

**43. Manner of enquiry to be held by the Chief Executive Officer.-** (1) For conducting an enquiry under sub-section (1) of section 39, a notice shall be sent by the Chief Executive Officer or any other person authorized by the Board to the interested parties informing them, the date, time and place, fixed for holding the same.

(2) The person appearing in response to the notice referred to in sub-rule (1), shall be heard on the time fixed for hearing, and the Inquiry Officer may grant adjournment from time to time for filing written statement containing objections and suggestions.

(3) Any party to the proceedings shall appear in person to adduce oral or documentary evidence and to apply for summoning of witnesses or documents.

(4) The Inquiry Officer shall record the oral evidence of the witnesses and shall follow the procedure, as laid down in the Code of Civil Procedure for appearance, filing of affidavits, production of documents, examination of witnesses, recording of oral evidence, issue of commission and return of documents and to pass an interim order in the light thereof.

(5) The inquiry Officer shall complete the inquiry within a period of three months and submit his report to the Board within thirty days from the date of completion of such enquiry.

Section 45

**44. Form and time in which budget is to be prepared.-** (1) The Chief Executive Officer shall prepare in **Form ‘R’** before the third week of January every year, a budget in respect of the financial year next ensuing, showing the estimated receipts and expenditure, for each of the auqaf, under the direct management of Board, showing therein the estimated

receipts and expenditure, and submit it to the Board for its approval.

(2) While submitting the budget under sub-rule (1), the Chief Executive Officer shall also prepare statement giving details of the increase, if any, in the income of each waqf under the direct management of the Board and the steps which have been taken for better management and the results accruing therefrom during the year, as envisaged under sub-section (2) of section 45.

(3) Before granting its approval to the budget submitted by the Chief Executive Officer, the Board may seek any necessary information with regard to the estimated receipts and expenditure mentioned in the budget from the Chief Executive Officer and modify the same, accordingly.

(4) If during the financial year, the Chief Executive Officer considers it necessary to modify the figures, as shown in the budget regarding receipts or the distribution of the amounts, to be expended on different items, a supplemental or revised budget may be prepared by him, and the same may be got approved from the Board.

**45. Audit of accounts of Auqaf.-** The accounts of the waqf having net annual income exceeding fifty thousand rupees, shall be audited annually or quarterly by an Auditor, appointed by the Board from out of the panel of Auditors prepared by the State Government and while drawing up such panel, the State Government shall also fix the scale or remuneration of Auditors. **Section 47(1)(b)**

**46. Manner of making enquiry for recovery of waqf property transferred in contravention of section 51.-**(1) For conducting an enquiry under sub-section (1) of section 52, the Board shall appoint an Inquiry Officer. **Section 52**

(2) The inquiry officer, appointed under sub-rule (1), shall make inquiry in the following manner, namely:-

- (a) a notice shall be sent by the Inquiry Officer to the concerned parties informing them, the date, time and place, fixed for holding the same;
- (b) the person appearing in response to the notice referred to in sub-rule (1), shall be heard on the date, time and place fixed for hearing, and the Inquiry Officer may grant adjournment from time to time for filing written statement containing objections and suggestions;
- (c) any party to the proceedings shall appear in person to adduce oral

or documentary evidence and may apply for summoning of witnesses or documents, if it so desires;

- (d) the inquiry Officer shall record oral evidence of the witnesses and shall follow the procedure, as laid down in the Code of Civil Procedure for appearance, filing of affidavits, production of documents, examination of witnesses, recording of oral evidence, issue of commission and return of documents and to pass an interim order; and
- (e) the inquiry officer shall complete the inquiry within a period of three months.

(3) If after making an enquiry in the manner as prescribed under sub-rule (2), the Board is satisfied that any immovable property of a waqf entered as such in the register of Waqf maintained under section 37, has been alienated without the previous sanction of the Board in contravention of the provisions of section 51 or section 56, it may send a requisition to the Collector, within whose jurisdiction, the property is situated, to obtain and deliver the possession of the property to it as envisaged under section 52.

Section 54(2)  
and (3)

**47. Manner of serving notice for removal of encroachment from waqf properties.-**

(1) The notice for removal of encroachment from waqf property as mentioned in sub-section (1) of section 54, shall be served, –

- (a) by delivering it to the person to whom it is intended to be delivered or if he is not available, then to any adult member of his family; or
- (b) by sending it by Registered Post acknowledgment due or by Speed Post at the address where he usually resides or at the last known place of his residence or business; or
- (c) if such person cannot be found, by affixing the notice on some conspicuous part of the waqf premises and his last known place of residence or business; or
- (d) by publishing it in atleast two newspapers having circulation in the area wherein the property has been encroached; or by beat of drum in the concerned locality.

(2) The inquiry as envisaged under sub-section (3) of section 54, shall be conducted in the manner, as provided in rule 46 of these rules.

Section 64(3)

**48. Manner of holding enquiry for removal of Mutawalli.-** (1) For the purpose of taking an action under sub-section (1) of section 64, an inquiry

Officer shall be appointed by the Board, and inquiry shall be conducted by him in the manner, as provided in rule 46 of these rules.

(2) The inquiry officer shall complete the inquiry within a period of three months.

- 49. Matters to be mentioned in the report.-** Besides the matters, **Section 65(3)** contained in the detailed report, as mentioned in sub-section (3) of section 65, which is to be sent by the Board to the State Government, the Board shall also include information in the said report with regard to the total field and Head Office employees, engaged in the direct management of the Waqf in the State of Punjab. The report shall also contain the total expenditure on such employees during the financial year.
- 50. Manner of publication of order.-** A copy of the order passed by the **Section 67(3)** Board under sub-section (2) of section 67, shall be published in one English, Urdu, Hindi and Punjabi language newspaper having circulation in the State of Punjab.
- 51. Framing of scheme for administration of Waqf.-** (1) For the proper **Section 69** administration of any waqf, the Board may, by an order, frame a scheme as envisaged under sub-section (1) of section 69 after complying with the provisions contained therein. Such scheme shall contain the following details, namely:-
- (a) Name of the waqf;
  - (b) Address;
  - (c) Whether under the management of the Mutawalli or Managing Committee or under the direct management of the Board;
  - (d) Details of the proposal for framing scheme;
  - (e) Expenditure involved;
  - (f) Income to be generated.
- (2) The proposal for framing scheme shall be considered by the Board and the Board shall take the final decision thereon and communicate the same to the applicant.
- (3) The order of the Board made under sub-section (2) of section 69, shall be published in English, Urdu, Hindi or Punjabi language in the Official Gazette or in two newspapers having circulation in the State of Punjab.

- Section 71(1)** **52. Manner of holding enquiry relating to administration of waqf.-**  
The Board shall hold an enquiry relating to the administration of waqf as mentioned in section 70 in the manner, as provided in rule 46 of these rules.
- Section 77(3)** **53. Payment of moneys into Waqf fund, the investment, the custody and disbursement of such moneys.-** (1) The Board shall authorize one of its officers (hereinafter referred to as “the authorized officer”) to receive all payments to the Waqf Fund and to issue receipts for the same and to make payments on behalf of the Board.
- (2) The authorized officer shall be required to furnish to the Board, such securities or sureties for such amount, as the Board may specify in that behalf Solvency of sureties shall be got verified by the Tehsildar of the Tehsil concerned at the beginning of each year.
- (3) The authorized officer shall grant receipts for all moneys received by him to the credit of the Waqf Fund. A counterfoil receipt bearing printed receipt numbers shall be maintained for the purpose.
- (4) All such moneys shall immediately be deposited in –
- (a) a Scheduled Bank, as defined in the Reserve Bank of India, Act, 1934; or
- (b) a bank included in the Second Schedule to the Reserve Bank of Indian Act, 1934; or
- (c) a Post Office Savings Bank Account; or
- (d) a Public Sector Bank or Private Sector Bank, specified by the Finance Department of the State Government.
- (5) All such deposits shall be made in the name of the Board. The Board may authorize the Chairman and the Chief Executive Officer or any other persons, jointly or severally to operate the Board’s account.
- (6) No money shall be withdrawn from the bank unless it is required for making immediate payment for the purpose of the Board.
- (7) The authorized officer may be authorized to hold a recoupable permanent advance, not exceeding forty thousand rupees for meeting petty expenditure. However, if expenditure is to be made in excess of forty thousand rupees, then prior approval of the Chairman shall have to be obtained.
- (8) The appropriation of receipts to expenditure shall, as a rule, be avoided.

(9) Payments from the Waqf Fund shall be made by cash, cheque or Bank draft/RTGS.

(10) Moneys indisputably payable shall never be left unpaid and money paid shall under no circumstances, be kept out of the account a day longer than absolutely necessary.

(11) Any person having a claim against the Board shall present a voucher duly verified and stamped. All vouchers shall be filled and signed in ink. The amount shall be written in figures as well as in words. All corrections and alterations in the vouchers shall be attested by the dated initials of the person signing the voucher.

(12) The authorized Officer shall be responsible for their custody and also for re-imbrusing to the Board, in cash of any loss by theft, fraud, fire or any other cause:

Provided that if in any case, after such inquiry, as the Board may make, the Board is satisfied that the loss was unavoidable and was not due to any negligence on the part of authorized officer, the Board may not insist on reimbursement of the amount of the loss by the officer concerned, and may write off such amount.

(13) Amount not required for expenditure during the year, shall be invested by the Board.-

(a) in one or other of the following securities:-

- (i) promissory notes, debentures, stocks or other securities of the Central Government; or
- (ii) promissory notes, debentures, stocks or other securities of the Punjab Government; or
- (iii) stock or debentures of, or shares in companies, the interest wherein has been guaranteed by the Central or the Punjab Government; or
- (iv) debentures or other securities for money issued by or on behalf of any Municipal body under the authority of any Act; or

(b) in fixed deposits for a period, not exceeding five years in:-

- (i) a Scheduled Commercial Bank, as defined in the Reserve Bank of India Act, 1934; or
- (ii) a bank included in the Second Schedule to the Reserve Bank of India Act, 1934; or

(iii) a Public Sector Bank or Private Sector Bank, as specified by the Finance Department of the State Government; or

(iv) in the purchase or for the first mortgage of immovable property with the previous sanction of the State Government

(14) The investment under sub-rule (13), shall not be pledged, encashed or withdrawn without the prior sanction of the State Government.

**Section 77(3)** **54. Limit on making investment.-** Notwithstanding anything contained in rule 53, the Board or any person, authorized by it, shall not make investment exceeding ten percent of the total portfolio of the Board in any one company or bank or any other Government organization/undertaking. The said investment shall not be made by one mode of investment only.

**Section 78** **55. Budget of the Board.-** (1) The Chief Executive Officer shall in every year prepare a budget in **Form 'R'** in respect of the Waqf account of the Board for the financial year next ensuing, showing the estimated receipts and expenditure during that financial year, and place it before the Board by the 31st December.

(2) The Board shall scrutinize the budget proposal and make suitable modification, if necessary, and forward a copy of the same to the State Government before the 31st January.

(3) The State Government shall examine the same and suggest such alterations, corrections or modifications to be made therein, as it may think necessary, and forward such suggestions to the Board for its consideration.

(4) On receipt of the suggestions from the State Government, if the Board does not agree with any modifications, corrections or alterations, made by the State Government in the Budget, the Board may forthwith send its comments to the State Government with regard to the alterations, corrections or modifications, suggested by the State Government.

(5) The State Government shall consider the comments of the Board and pass final orders in the matter, and communicate its decision to the Board within a period of three weeks from the date of receipt of such comments.

(6) On receipt of the suggestions from the State Government, if no comments have been made by the Board on such suggestions or the State Government has communicated its decision regarding comments,

if any, made by the Board, the Board shall incorporate in its budget all the alterations, corrections, modifications, finally suggested by the State Government, and the budget so altered, corrected or modified, shall be passed by the Board. In case, no objection is received from the State Government, the budget as forwarded by the Board, shall be declared to be sanctioned and final.

(7) If, in the course of the year, the Board finds it necessary to alter the figures shown in the budget with regard to the receipts or the distribution of the amounts, to be expended on different services undertaken by the Board, a supplemental or revised budget may be prepared and got sanctioned in the same manner in which the main or original budget is got sanctioned, and copies thereof shall be forwarded to the State Government.

(8) No sum shall be expended by the Board, unless such sum is included in the sanctioned budget estimates.

**56. Constitution of Tribunals, etc.-** The State Government shall, by notification in the Official Gazette, constitute as many Tribunals as it may think fit, for the determination of any dispute, question or other matter relating to a waqf or waqf property, eviction of tenant or determination of rights and obligations of the lessor and the lessee of such property, under the Act and define the local limits and jurisdiction of such Tribunals in accordance with the provisions of section 83. **Section 83**

**57. Terms and conditions of appointment including salary and allowances payable to the Chairman and other members of the Tribunal, other than the ex-officio members.-** (1) The appointment of Chairman under clause (a) of sub-section (4) of section 83, shall be on deputation basis, subject to usual terms of deputation. **Section 83(4)(c) and 83(4A)**

(2) A person shall not be qualified for appointment as member under clause (c) of sub-section (4) of section 83, unless he possesses Master's degree in Islamia studies/Urdu/Persian/Arabic or a Bachelor of Law, having knowledge of Urdu and Arabic:

Provided that the candidate must have adequate knowledge of English.

(3) Selection of a member referred to in clause (c) of sub-section (4) of section 83, shall be made by a Board headed by the Additional Chief Secretary/Principal Secretary/Secretary, holding the charge of the Department of Home Affairs and Justice as Chairperson, an Islamic



Scholar of repute, and Legal Remembrancer and Secretary to Punjab Government as members.

(4) Age of the member referred to in sub-rule (3), shall not exceed 50 years. Such member shall hold his office upto the age of sixty years.

(5) The salary and allowances of the member, appointed under clause (c) of sub-section (4) of section 83, shall be equivalent to the member appointed under clause (b) of the said sub-section (4). He shall be entitled to all kinds of leaves as are admissible to Punjab Government employees.

(6) (a) The terms of deputation of Chairman and member of the Tribunal referred to in sub-rule (1), shall be for a period of three years, which may be extended for a further period of two years.

(b) The age of superannuation of the Chairman referred to in sub-rule (1), shall be the last day of the month in which the officer attains the age of sixty years.

Section 83(6)  
read with section  
109

**58. Procedure to be followed by the Tribunal.-** (1) The Registrar shall endorse on the application, the date on which it was presented and fix the date for appearance before the Tribunal and shall sign the endorsement in token thereof.

(2) Every application shall be registered and numbered by the Registrar or the officer authorized by him in this behalf in a register, to be kept for this purpose.

(3) A copy of the application, shall be served on the other party prior to the filing of the same before the Tribunal:

Provided that in case of extreme urgency, the Tribunal may, on an application, if considers expedient so to do, dispense with the condition of service of the copy of application on the other party.

(4) Before deciding any application, the Tribunal shall intimate the parties, the date and place of hearing of the application by sending a notice in this regard through Registered Post with acknowledgment due:

Provided that the Tribunal may, after considering all aspects of the application, and after hearing the applicant or his authorized representative, dismiss the application, without sending notice to the respondent.

(5) The proceedings before the Tribunal shall be open to the public.

(6) Every order of the Tribunal shall be in writing and shall be signed and dated under the seal of the Tribunal.

(7) Every order of the Tribunal, finally disposing of or dismissing or allowing any application, shall be communicated to the parties or their authorized representatives free of cost.

(8) The language of the Tribunal shall be English:

Provided that the parties to the proceedings before the Tribunal may, file documents/proceedings drawn up in Urdu, Hindi or Punjabi, if they so desire:

Provided further that every such document or proceeding in Urdu, Hindi or Punjabi shall be accompanied by its true translation in English.

**59. Procedure for filing petitions before Tribunal.-** (1) An application under section 83 shall be made to the Tribunal in **Form 'S'** within thirty days from the date of the order aggrieved therefrom. **Section 83 and 109**

(2) An application to the Tribunal shall be signed by the petitioner and shall be presented by him in person or by his authorized representative to the Registrar of the Tribunal.

(3) The application made under sub-rule (1), shall be accompanied by documents, upon which the petitioners seeks to rely.

(4) The petitioner shall file alongwith application as many copies of the petition and documents, as the number of the respondents.

(5) The Tribunal may, in its discretion, accept or dismiss the application made for hearing under sub-rule (1), which is not accompanied by all or any of the documents referred to above in sub-rule (4).

**60. Contents of petition.-** (1) Every application shall set forth a clear statement of facts concisely and under distinct and separate heads, by clearly stating the grounds on which it has been filed, and the relief claimed therein, shall also be numbered consecutively. **Section 83(6) and 109**

(2) The application for interim relief shall set forth clearly and precisely any loss being caused to the petitioner which cannot be adequately compensated in terms of money.

(3) The filing of all applications before the Tribunal shall be subject to compliance of mandatory provisions of section 83.

(4) If mandatory provisions of section 89 or any other provision of the Act or the rules are not complied with, the Tribunal shall dismiss the application summarily.

**61. Copying fee.-** (1) Copying fee shall be charged at the rate of five rupees per page. **Section 83(6) and 109**

(2) Except, in cases where copies are supplied free of cost under the rules or instructions for the time being in force, the rate of the fee to be charged for the supply of copies, urgently required, shall be double the rate as specified in sub-rule (1).

(3) Copying fee shall be payable in cash in advance.

(4) The amount calculated in accordance with the rate mentioned in sub-rule (1), shall be retained by the Registrar as copying fee, and the surplus amount, if any, deposited by the party, shall be refunded to him at the time of supplying the copy:

Provided that, if the amount deposited by a person is not sufficient to cover the copying fee, he may pay the deficit before taking delivery of the copy.

(5) Notwithstanding anything contained in sub-rules (1), (2), (3) and (4), no fee shall be paid by the Board with respect to the applications, written statements, replies or any other documents relating to its matter which is pending for decision before the Tribunal.

(6) If the Registrar of the Tribunal feels any doubt about the propriety of granting copy of any document, he shall place the application before the Tribunal for its orders.

(7) The persons, who are not parties to an application, may also be supplied a copy of any order or document on the order of the Tribunal after making payment of the copying fee.

(8) All copies shall be certified by the Registrar.

**Section 109(xxv) 62. Seal of the Tribunal.-** The official seal of the Tribunal shall be such, as the State Government may specify.

**Section 109(xxv) 63. Code of Civil Procedure and the Punjab Haryana High Court Rules to be generally followed.-** In deciding any question relating to the procedure, not specifically provided by the Act or in these rules, the Tribunal shall, be guided by the provisions of the Code of Civil Procedure, 1908 (5 of 1908) and the Punjab and Haryana High Court Rules.

**Section 109(xxv) 64. Suits by or against the Board.-** (1) The Chairperson of the Board or any other person, authorized by him in this regard, shall be competent to sanction for-

(a) filing of any suit, writ, appeal or case, connected with the affairs of any waqf before the Tribunal or Court or any other authority; and

(b) defending of any suit, writ, appeal or case filed against the Board in connection with the affairs of any waqf before the Tribunal or court or any other authority.

(2) The Chairperson or the person authorized by him, shall be competent to appoint an advocate or a legal representative to file or defend a suit, writ, appeal or any other co-related, proceedings on behalf of the Board.

**65. Interpretation.-** If any question arises as to the interpretation of these rules, the State Government shall decide the same. **Section 109(xxv)**

**66. Relaxation of Rules.-** The State Government may, on the recommendation of the Board, with absolute majority, relax any provision of these rules for the better and smooth functioning of the aquaf. **Section 109(xxv)**

**67. Repeal and Saving.-** (1) The Punjab Waqf Rules, 1964, are hereby repealed:

Provided that any order issued or any action taken under the rules so repealed, shall be deemed to have been issued or taken under the corresponding provisions of these rules.

**FORM-‘A’**  
**(Rule 9)**

**Electoral Role (Section 14 (2)(1)] list of persons eligible to the vote under the categories mentioned in sub-clauses (i), (ii) , (iii) and (iv) of clause (b) of sub-section (1) of Section 14**

Serial Number	Name of the Ex-Legislator	Name of Father/Husband	Sex	Age as on	Ex- MLA/ MLC	Address	Name of number of constituency represented and period	Under which category the voter is falls as per eligibility criteria mentioned above.
1.	2	3	4	5	6	7	8	9

**Date:**

**Place:**

RETURNING OFFICER

**FORM-‘B’**  
**[Rule 11(4)]**

**LIST OF CONTESTING CANDIDATES**

Election to the office of the member of the Punjab Waqf Board in the category -----  
---- of section 14(1) (b) of the Act.

SR. No.	Name of candidate	Address of the candidate
1.	2	3
1.		
2.		
3.		
4.		
5.		
etc.		

**Place:**

RETURNING OFFICER

**Date:**

**FORM- 'C & E'**

**[Rules 13(1) and 14(1)]**

**RECEIPT FOR NOMINATION PAPER AND NOTICE OF SCRUTINY  
[SECTION 14(2)]**

(To be handed over to the person presenting the nomination paper)

Serial Number of nomination paper \_\_\_\_\_

The nomination paper of \_\_\_\_\_ was delivered to me at my office at \_\_\_\_\_  
(hours) on \_\_\_\_\_ (Date) by candidate/proposer.

All nomination papers shall be taken for scrutiny at \_\_\_\_\_ (hours)  
on \_\_\_\_\_ (date) \_\_\_\_\_ place.

Date:

SIGNATURE OF RETURNING OFFICER

**FORM-‘D’**

**[Rules 13 and 14(1)]**

**ELECTION FOR THE OFFICE OF MEMBER OF PUNJAB WAQF BOARD  
IN CATEGORY OF CLAUSE (b) OF SUB-SECTION (1) OF SECTION 14  
NOMINATION PAPER**

1. Full name of candidate
2. Father’s or husband’s name
3. Serial number of candidate in electoral roll
4. Age
5. Sex
6. Occupation
7. Address

**CANDIDATE’S DECLARATION**

I ..... declare that I am willing to stand for election and my age as shown above is correct. I also declare that:

1. I am a Muslim
2. I am not an undischarged insolvent.
3. I have not been convicted of an offence involving moral turpitude or such conviction has been reserved or I have been given full pardon in respect of such offence.
4. I have not been in any previous occasion;
  - a. Remove from office as a member or as a mutawalli; or
  - b. Removed by an order of competent court of Tribunal from any position of trust either for miss-management or corruption.

SIGNATURE OF CANDIDATE

Endorsement by Returning Officer  
or other authorized person.

This nomination paper was presented to me \_\_\_\_\_ (person) on \_\_\_\_\_  
(date) at \_\_\_\_\_

(date and hour)

SIGNATURE OF THE RETURNING OFFICE/OR OTHER  
AUTHORIZED PERSON

Decision of Returning Officer accepting or rejecting the nomination paper.

I have examined this nomination paper in accordance with rule 13 and decide as follows:-

Date.....

RETURNING OFFICER

**FORM-‘F’**

**(Rule 15)**

**LIST OF NOMINATION RECEIVED ON ..... (DATE) .....  
FOR THE OFFICE OF MEMBER OF THE PUNJAB WAQF BOARD  
IN CATEGORY OF ..... SECTION 14(2)**

Sr. No. of nomination	Name of the candidate	Father or husband's name	Age	Occupation and address	Electoral roll no. of candidate
1	2	3	4	5	6

The nomination paper will be taken up for scrutiny at ..... A.M./P.M. on ..... The date of ..... at (place).

Place:

SIGNATURE OF RETURNING OFFICER

Date:

**FORM-‘G’**

**[Rule 16(5)]**

**LIST OF VALIDITY NOMINATED CANDIDATES**

Election to members of the ..... Waqf Board in category ..... of clause (b) of sub-section (1) of section 14.

SR. No.	Name of candidate	Address of the candidate
1.	2	3
1.		
2.		
3.		
4.		
So on		

RETURNING OFFICER

Place:

Date:



**FORM-‘H’**

**(Rule 17)**

**NOTICE TO THE RETURNING OFFICER BY A CANDIDATE  
FOR MEMBERSHIP OF THE WAQF BOARD IN THE  
CATEGORY OF .....**

*Section 14(2)*

To

The Returning Officer,

I.....a candidate validly nominated at the above election do hereby give notice that I withdraw my candidature.

Place:

Date:

SIGNATURE OF CANDIDATE

This notice was delivered to me at my office at (hour) ..... on (date).....

By ..... (name).

Place:

Date:

RETURNING OFFICER

**FORM-‘I’**

**[Rule 17]**

**RECEIPT FOR NOTICE OF WITHDRAWAL**

*(To be handed over to the person delivering the notice)*

The notice of withdrawal of candidate by ..... A candidate at the election to the office of the Punjab Waqf Board in the category of section 14(2) of the Act as delivered to me at the office at .....(hour) on ..... (date).

Place:

Date:

RETURNING OFFICER

**FORM-‘J’**

**[Rule 18(1)]**

**LIST OF CONTESTING CANDIDATES**

Election to the office of the member of the Punjab Waqf Board in the category -----  
---- of section 14(2) of the Act.

---

SR. No.	Name of candidate	Address of the candidate
1.	2	3
1.		
2.		
3.		
4.		
5.		
etc.		

---

Place:

RETURNING OFFICER

Date:

**FORM-‘K’**

**[Rule 19(1) ]**

**DECLARATION OF RESULT OF ELECTION UNDER RULE OF 19(1)  
THE PUNJAB WAQF RULES 2018**

In accordance with rule ..... of the Punjab Waqf Rules, 2018, I declare that the following candidate has been duly elected for the office of the members of Punjab Waqf Board in the category of sub-clause ..... of clause (b) of sub-section (1) of section 14 of the Waqf Act, 1995.

Name:

Address:

Place:

SIGNATURE OF RETURNING OFFICER

Date:

**CERTIFICATE OF ELECTION**

I ..... Returning Officer for the member/members of the ..... Waqf Board hereby certify and declare Shri/Smt..... s/o, w/o ..... to have been duly elected to the office of the member of the ..... Waqf Board in the category of sub-clause ..... of clause (b) of sub-section (1) of section 14 of the Waqf Act, 1995 and that in token thereof, I have granted him this certificate of election.

RETURNING OFFICER

Place :

Secretary (.....)

**FORM-‘L’**

**[Rule 20]**

**Appointment of Election Agent**

**Election of the member of Punjab Waqf Board under the Category\_\_\_\_\_**

To: The Returning Officer

-----  
-----

I \_\_\_\_\_ S/o \_\_\_\_\_ a candidate  
for the above election, do hereby appoint Shri \_\_\_\_\_ (name and address)  
as my Election Agent from this day at the above election.

Date:

Place:

Signature of Candidate.

**Consent of the Agent**

I accept the above appointment by the candidate \_\_\_\_\_ (name) as  
Election Agent.

Date:

Place:

Signature of Election Agent.

Photograph of  
Agent signed  
across by  
the Agency

Signature attested by me

(Returning Officer)

**FORM-‘M’**

**[Rule 32(1)]**

**Declaration of result of Election**  
**(To be used when a seat is contested)**

Election of the member of Punjab Waqf Board under the category of \_\_\_\_\_

In pursuance of the provisions contained in rule 32(1) of Punjab Waqf Rules, 2018, I declare that:

Shri/Smt. 1. \_\_\_\_\_ (Name)

\_\_\_\_\_ (Address)

\_\_\_\_\_

\_\_\_\_\_

Shri/Smt. 2. \_\_\_\_\_ (Name)

\_\_\_\_\_ (Address)

\_\_\_\_\_

\_\_\_\_\_

has/have been duly elected to fill the seat/seats from the above category.

Date:

Place:

Returning Officer

**FORM-‘N’**

**[Rule 33]**

**CERTIFICATE OF ELECTION**

**ELECTION OF THE MEMBER OF PUNJAB WAQF BOARD UNDER THE  
CATEGORY OF \_\_\_\_\_**

I \_\_\_\_\_ Returning Officer for the election of Members of the Punjab Waqf Board, hereby certify that I have on the \_\_\_\_\_ (date) day of \_\_\_\_\_ (month and year) declared Shri/Smt. \_\_\_\_\_ S/o \_\_\_\_\_ to have been duly elected a Member of the Punjab Waqf Board under the \_\_\_\_\_ category \* and that in token thereof, I have granted him this Certificate of Election.

Date:

Place:

Returning Officer

(Seal)

\*Mention

- (i) Member of Parliament/Ex-Muslim Member of Parliament.
- (ii) Member of Legislature/Ex-Muslim Member of Legislature.
- (iii) Member of Bar Council/Ex-Muslim Member of Bar Council
- (iv) Mutawalli of Wakf

**FORM-‘O’**  
**[Rule 34(1)]**  
**RETURN OF ELECTION**

Election of Members of Punjab Waqf Board under the Category\* of members of Paliament/Members of Legislature/Members of Bar Council/Mutawallis.

Results of the poll and of the transfer of vote is as follows:

Number of valid votes \_\_\_\_\_

Number of Members to be elected \_\_\_\_\_

Quota (Number of votes sufficient to secure the election of a candidate)

NAME OF CANDIDATE	FIRST COUNT	SECOND COUNT	THIRD COUNT	FOURTH COUNT
	Votes polled	Transfer of votes	Transfer of votes	Transfer of votes
1	2	3(A)	3(B)	4(A) 4(B) 5(A) 5(B)

Non-transferable

Loss due to fraction

Total

Name of elected

Candidate/candidates

And/or Order of election

I declare that

(1) (Name) \_\_\_\_\_ S/o \_\_\_\_\_

(Address) \_\_\_\_\_

(2) (Name) \_\_\_\_\_ S/o \_\_\_\_\_

(Address) \_\_\_\_\_

Date:

Place:

(Signature)  
Returning Officer

\*Strike out category, which are not relevant.

\*\* All documents mentioned in rule 34(1) shall be sent to the election authority alongwith this return.

**FORM-‘P’**

**[Rule 35(1)]**

**NOTICE**

**Election of Chairperson of the Punjab Waqf Board**

To

All the members  
Punjab Waqf Board

A meeting is being convened at (place) \_\_\_\_\_ (on) date \_\_\_\_\_ at  
(time) \_\_\_\_\_ to elect the Chairperson of the Board as provided under section 14(2)  
of the Wakf Act, 2018.

You are, therefore, requested to attend the said meeting at the given time and place.  
Nomination to contest for the post of Chairperson may be filled before the Presiding Officer  
on or before the time and date of the said meeting.

Date:

Place:

Additional Chief Secretary to Government Punjab,  
Home Affairs & Justice Department

Or

His representatives, not below the Rank of  
Joint Secretary to conduct Election of Chairperson



**FORM-‘Q’**

**[Rule 42(1)]**

**APPLICATION OR INSPECTION**

**Paste duplicate receipt here of application fee**

To

The Chief Executive Officer

Punjab Waqf Board

-----

Name of the applicant ..... s/o, w/o Shri.....

Resident of .....

Description of the file the record of which is to be inspected

.....

Name of the tenant (if any).....

Name of the parties (if any) .....

Purpose of inspection .....

Date

SIGNATURE OF APPLICANT

Order passed on the application by Chief Executive Officer

.....

Time of inspection ..... from ..... to.....

viz ..... hours.....

Inspection fee paid .....

Signature of official with designation in whose presence inspection was  
made .....

SIGNATURE OF APPLICANT

Dated:

AFTER INSPECTION MADE

**FORM-‘R’  
(Rule 44(1) )**

**BUDGET ESTIMATE OF RECEIPTS AND PAYMENTS FOR THE  
FINANCIAL YEAR**

Receipt	Actual for immediately preceding year	Budget estimate of current year	Revised estimate of current year	Budget estimate of next financial year	Head of immediately	Actual for immediately preceding year	Budget estimate of current year	Revised estimate of current year	Budget estimate for next financial year
1	2	3	4	5	6	7	8	9	10
Cash balance from previous year									
	(i)	Income			(i)	Expenditure			
	(ii)	Loans			(ii)	Payment of loans			
Cash balance at the end of year****									

- From the surplus of income over expenditure or from balance of loans, etc. when there is no surplus.
- \*\*includes advances of pay, travelling allowances and lawyer's fees.

**(Part-C)**

Actual of immediately preceding year	Budget estimate of current year	Revised estimate of current year	Head of assets	Budget estimate for next financial year	Head of liabilities	Budget estimate for the next financial year	Revised estimate of current year	Budget estimate for current year	Actual for immediately preceding current year
1	2	3	4	5	6	7	8	9	10
<b>Cash balance*</b>									
<b>Deficit at the end of the year</b>									

**\*Includes advances of pay, travelling allowances and lawyer's fees.**

**(Part-D)**

**BUDGET ESTIMATES OF INCOME AND EXPENDITURE DURING THE  
FINANCIAL YEAR ABSTRACTS**

Actual for the immediately preceding year	Budget estimate for current year	Revised budget estimate for current year	Budget estimate for next year	Remarks
1	2	3	4	5

Deficit at the end of the next financial year.....

Chief Executive Officer

**FORM-‘S’**  
**(Rule 59(1))**  
**BEFORE THE TRIBUNAL.....**

Between (A) .....Applicant  
Name  
Address  
  
V/S  
B,C, and D ..... Respondent

**DETAILS OF THE APPLICATION**

1. Particulars of the orders against which the application is made.
  - a. Order number
  - b. Date
  - c. Passed by
  - d. Subject in brief
  - e. Subject in brief
2. (a) Facts of the case  
(b) Grounds for relief, including the relevant legal provisions in support of relief
3. The applicant declares that matters not previously filed or pending with the Tribunal or any Court including high Court/Supreme Court.

The Applicant further declares that he had not previously filed any application/Writ Petition regarding the matter in respect of which this application is made. In case the applicant had previously filed any applicant/Writ petition, the copy of the decision should be given.

4. Relief/Prayer

**Verification:** (1) Name of the Applicant .....S/o .....  
W/o..... D/o.....age ..... occupation .....  
Residing at ..... Do hereby verify that the contents of the paras 1 to 4 are  
true to my knowledge and information and that I have not suppressed any material facts.

(Note: Application shall be accompanied by a Court Fee of rupees five hundred)

(SIGNATURE OF APPLICANT)

Date:

Place:

**Dr. N.S. KALSI, I.A.S.,**  
ADDITIONAL CHIEF SECRETARY  
to GOVERNMENT OF PUNJAB,  
DEPARTMENT OF HOME  
AFFAIRS AND JUSTICE, CHANDIGARH.

**PART III**

**GOVERNMENT OF PUNJAB**

DEPARTMENT OF AGRICULTURE AND FARMERS WELFARE  
(MANDI BRANCH)

**NOTIFICATION**

The 8th October, 2018

**No. G.S.R.78/P.A.23/1961/S.43/Amd.(19)/2018.-** In exercise of the powers conferred by section 43 of the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act No. 23 of 1961), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab State Agricultural Marketing Board (Group-B) Service Rules, 1988, namely:-

**RULES**

1. (1) These rules may be called the Punjab State Agricultural Marketing Board (Group-B) Second Amendment Service Rules, 2018.
  - (2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
2. In the Punjab State Agricultural Marketing Board (Group-B) Service Rules, 1988 (hereinafter referred to as the said rules), in Appendix 'B', in serial No.26, under column 5,
  - (a) in item (i), for the words "twelve years", the words "seven years" shall be substituted; and
  - (b) in item (viii), for the words "twelve years", the words "seven years" shall be substituted.

**VISWAJEET KHANNA,**  
Additional Chief Secretary  
to Government of Punjab,  
Department of Agriculture and Farmers Welfare.