
Wakf (Tamil Nadu Amendment) Act, 2003**27 of 2003**

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Wakf (Tamil Nadu Amendment) Act, 2003**27 of 2003**

An Act to amend the Wakf Act, 1995 in its application to the State of Tamil Nadu. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-fourth Year of the Republic of India as follows :- Statement of Objects and Reasons² As per Section 50 of the Wakf Act, 1995 (Central Act 43 of 1995), a Mutawalli of every Wakf is bound to discharge all public dues. He is also bound to repay the loan received from the Central Wakf Council under Section 10 (3) of the Act. Further, under Section 72 of the Act, the Mutawalli of every Wakf shall pay contribution to the Board for the services rendered by such Board to the Wakf. It has come to the notice of the Government that many Wakfs have got large sums remain unpaid towards contribution to the Tamil Nadu Wakf Board and also not repaid the loan received from the State Government or Central Wakf Council, in time. If the Mutawallis of such Wakfs are allowed to become members of the Board or to continue as members of the Board, they may not evince interest in better management of Wakfs. 2. In view of the foregoing reasons, the Government have considered that the Mutawalli shall be disqualified for being elected as a member of the Board or for continuing as a member of the Board, if he is having arrear of the above dues or contribution, exceeding a year from the date on which such due or contribution becomes payable. The Government have therefore, decided to amend the said Act suitably in its application to this State for the said purposes. 1. Received the assent of the Governor on the 4th July, 2003 - Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Issue No.201, dated 10th July, 2003. 2. Vide T.N. Bill No.9 of 2003 -

Published in Tamil Nadu Government Gazette, Issue No. 120, dated 30th April 2003.

1. Short Title, Extent And Commencement :-

(1) This Act may be called the Wakf (Tamil Nadu Amendment) Act, 2003.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force on such date as the State Government may; notification,

2. Amendment Of Section 16 :-

In the Wakf Act, 1995 (Central Act 43 of 1995), Section 16 shall be renumbered as sub-section (1) of Section and after sub-section (1) as so renumbered, the following sub-section shall added, namely .-

"(2) A Mutawalli shall be disqualified-

(a) for being elected as a member of the Board if, at the last date for filing nomination or at the date of election, or

(b) for continuing as a member of the Board if, he is in arrears of -

(i) any due to the Central Government or State Government or Central Wakf Council, or

(ii) contribution under sub-section (1) of Section 72, exceeding a year from the date on which such due or contribution become payable.".