

(The Myanmar Mussalman Wakf Rules, 1924.)

No.241

The 12th September 1924.

[Amendment : 18.06.1989]

In exercise of the powers conferred by section 11 of the Mussalman Wakf Act, 1923, the Governor in Council makes the following rules to carry into effect the purposes of the Act. These rules may be called the Myanmar Mussalman Wakf Rules, 1924.

Particulars to be furnished by Mutwalli (Section 3).

1. In addition to the particulars prescribed by section 3, sub-section (1), every mutwalli shall furnish to the Court (a) a properly certified copy of the deed of Wakf, (b) a statement showing any changes that have taken place in the Wakf property since the Wakf was created, (c) a statement showing what properties have been bought with Wakf money, with the date of purchase; the motive of purchase and the use to which the property has been put and the method by which the income therefrom has been disposed of, and (d) the names of any relatives of the Wakif who are in receipt of allowances or have at any time during the five years preceding the commencement of the Act received allowances from the Wakf.

Publication of Notice and Statement (Section 4).

2. In addition to the publication prescribed in section 4, sub-section (1), a copy of the notice of the furnishing of the statement shall be affixed in some conspicuous place in such mosque or mosques as the Court may decide.

Court fees (Section 4).

3. An application under section 4, sub-section (1), shall be stamped with an eight-anna stamp.

Form of Accounts (Section 5).

4. The accounts furnished under section 5 shall set out separately the income derived from each lot of immoveable property, from each block of shares in every public company, and from each other investment held by the Wakf fund.

Powers of Auditor (Section 6).

5. The Auditor appointed under section 6, clauses (a) and (b), shall have power to demand the production before him of all documents and papers concerning the Wakf and all vouchers evidencing payments by or

to the fund, in the custody of or known or believed to be in the custody of the mutwalli, which the aforesaid auditor considers should be made available for the purposes of the audit.

Procedure on failure of Mutwalli to produce documents (Section 6).

6. Should the mutwalli fail to comply with his request, the auditor may apply to the Court and the Court may then take action in accordance with the procedure set out in Order XI, Rule 14, of the First Schedule, Code of Civil Procedure, 1908, or may issue a summons to the mutwalli or any other person having the custody thereof to enforce the production of the required documents in accordance with the provisions of Order XVI of the First Schedule, Code of Civil Procedure, 1908.

Preservation of Records.

7. The statements and documents filed under section 3 and the further particulars and documents furnished under section 4 (1) shall be preserved for ever. All other accounts papers and documents filed in Court under the Act may be destroyed after three years.

Rules governing the inspection of Records and the grant of copies.

8. Applications under section 9 for inspection or for copies shall be governed by the rules set out in High Court Notification No. 9 (General), dated the 14th June 1923.

By order of the Governor in Council.

MAUNG GALE,
Deputy Secy. to the Govt. of Myanmar,
Home and Political Dept.