**DEED WAKF ALAL AULAD**

THIS DEED of Wakf alal aulad is made at …………..the......................day of 20 …………..by M, son of N, resident of..................... hereinafter referred to as the wakf.

WHEREAS the wakf is absolutely seized and possessed of the land and premises situate at …………..and more particularly described in the First Schedule hereunder;

AND WHEREAS the said wakf is the absolute owner of the securities, investments and movable properties more particularly described in the Second Schedule hereunder;

AND WHEREAS by the branch of Mahomedan Law by which the Wakf is governed, he is entitled to declare a wakf for the benefit of his heirs and descendants and in the event of extinction of the line of his descendants for the benefit of the poor muslims in the manner hereinafter appearing;

AND WHEREAS the value of the properties for the purposes of this Deed is Rs . ......................

NOW THIS DEED WITNESSETH THAT, in consideration of the premises, the wakf hereby declares a wakf of all those immovable properties, shares, investment and movable properties more particularly described in the First and Second Schedules hereto and dedicates the same for the benefit of the wakf, his family, children and descendants and in case of extinction of his line of descendants for the use and benefit of the muslims as hereinafter stated.

(2) The wakf appoints himself to be the first mutawalli of the said wakf during his life time with absolute power of management thereof and after his death, any person nominated by the wakif in his life time,failing which his eldest son shall be the next mutawalli. On the death of such mutawalli, the person nominated by him failing which the eldest son or daughter of the mutawalli shall be appointed as the next mutawalli.

(3) The wakf properties and assets will be managed by the mutawalli to the best of his ability. He shall be entitled to collect rents, profits and income of the properties and assets of the wakf and give proper receipts. The rates, land revenue, taxes, and assessment and expenses for carrying out repairs in respect of the properties and assets of the wakf will be paid out of the profits and income of the properties and assets of the wakf. If the mutawalli is a minor or a person of unsound mind, his guardian appointed by the court shall manage the properties and assets of the wakf.

(4) The mutawalli shall be entitled to receive the net income of the properties and assets of the wakf, which shall be utilised by him for his maintenance and maintenance of his family and such heirs or heirs of the previous mutawalli or mutawallis in his/her discretion

(5) The mutawalli shall not have the power to sell, mortgage or otherwise alienate any of the properties and assets mentioned in the First Schedule hereto or any part thereof, except by lease for a period not exceeding five years. at a time, but he may vary or convert into cash the securities, investments and movable properties mentioned in the Second Schedule hereto. However, the mutawalli can sell, mortgage or otherwise, alienate any of the immovable properties and assets with the previous order of the court.

(6) The mutawalli shall maintain proper accounts of the income and expenditure of the properties and assets of the wakf and all surplus moneys as shall not be required for immediate use shall be deposited in a bank account. The accounts of the wakf shall be audited each year and the copy of the audited accounts and balance sheet will be submitted to the statutory authorities.

(7) On the extinction of the line of descendants of the wakif, the mutawalli shall use the income and profits of the properties and assets of the wakf for the use and benefit of the poor muslims in such manner line of as he thinks fit.

IN WITNESS WHEREOF I, the said …………..have hereunto set my hands to this writing the day and year first hereinabove written.

The First Schedule above referred to

The Second Schedule above referred to

WITNESSES Signed and delivered by me, the within named

1.

2.