

**GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

STARRED QUESTION NO:571
ANSWERED ON:05.05.2005
CONSTITUTION OF WAKF BOARDS
Athawale Shri Ramdas

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether Wakf Act, 1995 has been implemented in all the States;
- (b) if not, the names of States where State Wakf Boards have not been constituted under the said Act;
- (c) whether difficulty is being faced in transferring the pending civil cases related to Wakf Board properties to tribunals;
- (d) if so, the remedial steps taken in this regard;
- (e) the names of States where survey related to Wakf properties has been conducted;
- (f) whether the Union Government has directed the State Governments to ask the Government or semi Government agencies to vacate Wakf properties in their possession or to pay rent on market rate; and
- (g) if so, the details thereof?

Answer

MINISTER OF SOCIAL JUSTICE & EMPOWERMENT (SMT. MEIRA KUMAR)

(a) to (g) A statement is laid on the table of the House.

Statement referred to in reply to Lok Sabha Starred Question No. 571 by Shri RAMDAS ATHAWALE regarding `Constitution of Wakf Boards` to be answered on 5.05.2005

(a) & (b) The Wakf Act, 1995 was notified on 22.11.1995. However, Arunachal Pradesh, Chhattisgarh, Goa, Jharkhand, Mizoram, Nagaland, Sikkim and Daman & Diu have not constituted the Boards. The Act is not applicable in J&K.

(c) & (d) Assam, Madhya Pradesh, Orissa and Tripura Wakf Boards have informed of difficulties in getting the pending cases before the civil courts transferred to the Tribunals constituted under section 83 of the Wakf Act. The remedial steps are to be taken by the State Wakf Boards as they are competent to file appeal/revision as per law.

(e) The survey of Wakf properties in States/UTs of Himachal Pradesh, Kerala, Madhya Pradesh, Uttar Pradesh, Uttaranchal, Dadra & Nagar Haveli has been completed.

(f) & (g) The Ministry of Social Justice & Empowerment has been taking up the matter with the State Governments/UT Administrations from time to time for getting the encroached Wakf properties restored to the Wakf Boards. However, the Boards are competent to initiate proceedings for removal of encroachments as per provisions of the Wakf Act.