

**GOVERNMENT OF INDIA  
MINORITY AFFAIRS  
LOK SABHA**

STARRED QUESTION NO:589

ANSWERED ON:06.05.2010

EMPOWERMENT OF WAKF BOARDS

Ajmal Shri Badruddin;Singh Shri Sushil Kumar

**Will the Minister of MINORITY AFFAIRS be pleased to state:**

- (a) whether a number of commercial and residential properties belonging to the Wakf Boards have been encroached upon in various parts of the country;
- (b) if so, the details thereof;
- (c) the corrective action taken thereof by the authorities concerned;
- (d) whether reports have been received from various quarters regarding illegal sale of prime Wakf properties in the country including Mumbai;
- (e) if so, the details thereof for the last five years; and
- (f) the steps being taken to make the Wakf Boards more effective in dealing with the aforesaid matters including initiating amendments to the Wakf Act, 1995?

**Answer**

MINISTER OF THE STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF MINORITY AFFAIRS (SALMAN KHURSHID)

(a) to (f): A statement is laid on the Table of the House

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (f) OF LOK SABHA STARRED QUESTION NO. 589 BY SHRI SUSHIL KUMAR SINGH AND SHRI BADRUDDIN AJMAL DUE FOR ANSWER ON 6/5/2010

(a) to (d): As per Section 13 of the Wakf Act, 1995, the Board of Wakfs are established by the concerned State Governments by notification in the official gazette. As per Section 32 of the Act, the general superintendence of all auqaf in a State vests in the Board established or the State and it is the duty of the Board to exercise its powers under this Act to ensure that the auqaf under its superintendence are properly maintained, controlled and administered and the income thereof is duly applied to the objects and for the purposes for which such auqaf were created or intended. Therefore, it is the duty of the concerned State Government and the State Waqf Board to manage the waqf properties properly and take corrective action. There have been reports from time to time regarding encroachment of waqf properties in various parts of the country. The Joint Parliamentary Committee on Wakf and the Sachar Committee, in their reports, have also adversely commented upon encroachments on waqf properties in various parts of the country. There have also been reports of illegal sale of waqf properties in the country, including Mumbai. In the Mumbai case, Government of Maharashtra had reported back that they have directed the State Waqf Board to initiate proceedings of restoration of the said property under section 52 of the Wakf Act, 1995. As the matter pertains to the domain of a State Government and the remedial action is also to be taken by the concerned State Government or the State Waqf Board, the Central Government relies upon the concerned State Government for appropriate corrective action.

(e): An extract from the Ninth Report of the Joint Parliamentary Committee on Wakf, detailing the list of encroachments, is enclosed as Annex I.

(f): A Bill for amending the Wakf Act, 1995, was introduced in the Lok Sabha on 27th April, 2010. The proposed amendments in the existing Wakf Act, 1995 proposes to make the State Waqf Boards more effective in dealing with the problems of encroachments on and sale of waqf properties. The Central Government has also launched a scheme of computerization of records of State Waqf Boards in December, 2009 to make the administration and management of Waqf properties more transparent, effective and efficient. A scheme of grants-in-aid to the Central Waqf Council(CWC) for administrative expenditure has also been launched to strengthen CWC in order to improve its institutional capacity to deal with the matters relating to the management of waqf properties.