

**GOVERNMENT OF INDIA  
MINORITY AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:3132  
ANSWERED ON:29.08.2013  
WAKF PROPERTIES UNDER ILLEGAL OCCUPATION  
Patil Shri Sanjay Dina ;Ramkishun Shri

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

- (a) whether the Union Government is aware that a large number of Wakf properties are under illegal occupation by various people;
- (b) if so, the details thereof, State-wise;
- (c) the revenue earnings of each Wakf board and the estimated revenue loss from illegal occupations during each of the last three years and the current year, State/UT-wise;
- (d) whether the Union Government has taken any decision to constitute the Wakf Development Corporation to identify the lands of the Wakf Boards and to get them freed from illegal occupations, construction and encroachment;
- (e) if so, the details thereof along with the action taken by the Union Government against those encroaching upon and illegally occupying the Wakf lands;
- (f) whether the Union Government proposes to generate income from the Wakf properties for the welfare of the minority communities in the country; and
- (g) if so, the details thereof?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF MINORITY AFFAIRS (SHRI NINONG ERING)

(a) to (c) As per contain Section 32 of the Wakf Act, 1995, the general superintendence of all the waqfs in a State vests in the Board established by the State Government. According to the provision of Section 32, the Board has to maintain a record containing information relating to origin, income, object and beneficiaries of every waqf. Hence, it is the duty of the Board to exercise its powers under this Act as to ensure that the waqf under its superintendence are properly maintained, controlled, administered and not encroached. Section 54 of the Wakf Act, 1995 provides for removal of encroachment from waqf properties by the State Wakf Boards. Therefore, the details of waqf properties under illegal occupation are with the State Wakf Boards. However, the Ministry has also been requesting the State/UT Wakf Boards from time to time to send the details of the encroachments on waqf properties. A statement showing waqf properties encroached upon and under litigation is at Annexure-I.

Further, the earning from waqf properties as well as revenue loss are also with the State/UT Wakf Boards.

(d) to (g) The establishment of a National Wakf Development Corporation is under consideration of the Government. The Corporation would take up development of the commercially viable waqf properties. These properties after development would generae more income which may be used for the welfare of the minority community.

The matter regarding removal of encroachments from wakf properties is primarily the concern of the State/UT Wakf Boards. Further, the Wakf Act, 1995 is being amended and the Chief Executive Officer is being empowered in removing encroachments from waqf properties by applying to the Tribunal for grant of order of eviction from the waqf properties. Penal provision has also been provided for those who encroach upon waqf properties.