

**GOVERNMENT OF INDIA
MINORITY AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3118

ANSWERED ON:31.07.2014

PROTECTION OF WAQF PROPERTIES

Ahir Shri Hansraj Gangaram;Panda Shri Baijayant "Jay";Patil Shri Bheemrao Baswanthrao

Will the Minister of MINORITY AFFAIRS be pleased to state:

- (a) whether a large number of cases of illegal bungling and irregularities in the Wakf Board properties/lands including misuse of Wakf Land for SEZ purpose have come to the light;
- (b) if so, the details of such cases indicating complaints received in this regard during the last three years and the current year, State/UT-wise and year-wise;
- (c) whether the Government has issued directions to the States regarding protection of the wakf properties and computerisation of the records in order to keep it intact;
- (d) if so, the details thereof?
- (e) whether the Ministry has acted on the proposals/representations made by the various State Waqf Boards on the protection of waqf properties; and
- (f) if so, the details thereof State-wise?

Answer

MINISTER OF MINORITY AFFAIRS (DR. NAJMA A. HEPTULLA)

(a) & (b): The State Waqf Boards are established by the respective State Government as provided under Section- 13 of Waqf Act, 1995. As per Section 32 of this Act, the general superintendence of all auqaf in a State vest in the Board established by the State and it is the duty of the Board so as to exercise its power under this Act as to ensure that the Waqf under its superintendence are properly maintained, controlled, administered and not encroached.

However, Central Government have received complaints/ representations of illegal bungling and irregularities on the Waqf Board properties/lands time to time which were forwarded to the State/UT Governments for appropriate action. A statement indicating complaints/representations received during the last three years and the current year, State/UT-wise and year-wise is enclosed at Annexure-I.

(c) & (d): The Waqf Act, 1995 as amended by the Wakf (Amendment) Act, 2013 has come into force w.e.f. 1st November, 2013. The Act was amended for better administration and protection of waqf properties in the country. Central Government has requested State/UT Governments to provide full cooperation and assistance to State Waqf Boards in removal of encroachment to protect the waqf properties.

Central Government had launched a scheme for computerisation of records of State Waqf Boards during 2009. The scheme aims at to computerisation of waqf records under the scheme. A web-based software application namely Waqf Management System of India (WAMSI) was developed and in operation. WAMSI is a centralized data base covering the (a) Registration of auqaf (b) Mutawalli return assessments (c) leasing details of auqaf and (d) litigation tracking of auqaf.

(e)&(f): The State Governments/State Waqf Boards are responsible to maintain control and administer of Waqf Board properties/land under the Waqf Act, 1995. The general superintendence of all auqaf (waqf properties) in a State vests with the Board established by the State and it is the duty of the Board so as to exercise its power under this Act as to ensure that the Waqf under its Superintendence are properly maintained, controlled, administered and not encroached. Thus, it is the responsibility of State Governments to take adequate and timely actions to protect the waqf property. However, the Central Government has brought out significant amendments in the Wakf Act, 1995 to protect the waqf properties after due consultations/ representations received from all stake holders including State Governments / State Waqf Boards.