

**GOVERNMENT OF INDIA  
MINISTRY OF MINORITY AFFAIRS**

**RAJYA SABHA  
UNSTARRED QUESTION NO.2610  
TO BE ANSWERED ON 09.08.2016**

**Value of land possessed by Waqf Board**

**2610. SHRI HUSAIN DALWAI:**

Will the Minister of MINORITY AFFAIRS be pleased to state:

- (a) how much Waqf land is currently available in India and the details of monetary value of this land, State-wise;
- (b) how much Waqf land is currently under encroachment in India and the details of monetary value of the encroached land, State-wise with special reference to the State of Maharashtra;
- (c) what steps are being taken to prevent encroachment of Waqf land and to reclaim encroached land; and
- (d) how much Waqf land has been sold in the open market since January, 2010 till present, the total amount of sale proceed in monetary terms etc., the State-wise?

**ANSWER**

**MINISTER OF STATE (INDEPENDENT CHARGE) OF MINISTRY OF MINORITY AFFAIRS  
(SHRI MUKHTAR ABBAS NAQVI)**

- (a) and (b): There are 6 lakh acres of waqf land as per the Sachar Committee Report and Market value of this Land as estimated by the committee is Rs.1.20 lac crore. However, according to Section 32(1) of the Waqf Act, 1995, the general superintendence of all Auqaf in a State shall vest in the Board established by the State/UT Government and it shall be the duty of the Board to exercise its power under this Act as to ensure that 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 and intended. Further, as per Section 5 and 37 of the Waqf Act, 1995, the details of Waqf Properties are maintained by the State/UT Waqf Boards Hence, the extent of land under encroachment and details of monetary value of encroached land in the various parts of the country are not maintained by the Central Government.
- (c) : Government of India brought amendments in Waqf Act, 1995 by Waqf Amendment Act, 2013 which came into force w.e.f. 1/11/2013. Following major provisions have been added in the Waqf Act, 1995 through amendment to give more power to State/UT Waqf Boards to prevent encroachment and to reclaim encroached land:-

Definition of Encroacher has been added. State Government has been mandated to appoint Survey Commissioners and complete the survey of Waqf Properties. Alienation of Waqf Properties without the prior approval of the State/UT Waqf Board has been made punishable with rigorous imprisonment. Any offence of alienation of Waqf Property shall be cognizable and non-bailable. The Composition of Tribunal has

been increased from one member to three members and the jurisdiction of Tribunal has also been extended by inclusion of disputes concerning the eviction of a tenant. Sell, gift, exchange, mortgage or transfer of any movable or immovable property which is a Waqf Property has been completely prohibited under the new Act.

- (d) : As stated in reply to parts (a) and (b) above, no such details are maintained by the Central Government. The details are available with the concerned State/UT Waqf Boards.

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