

**GOVERNMENT OF INDIA
MINISTRY OF MINORITY AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO.2390
TO BE ANSWERED ON 06.12.2016**

Board of adjudication to deal with complaints regarding Waqf properties

2390. SHRIMATI RENUKA CHOWDHURY:

Will the Minister of MINORITY AFFAIRS be pleased to state:

- (a) whether Government proposes to set up a board of adjudication to deal with complaints regarding Waqf properties;
- (b) if so, the details thereof; and
- (c) the fresh steps taken by Government to free the Waqf properties from the clutches of encroachers?

ANSWER

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

- (a)&(b): Waqf Act, 1995 as amended has provision of setting up of a board of adjudication to decide any dispute arising out of a directive issued by Central Waqf Council to the State Waqf Boards under Section 9(4) of Waqf Act. This Ministry has already initiated the process for setting up of the board of adjudication.
- (c): The Government of India brought amendments in Waqf Act, 1995 through Waqf Amendment Act, 2013 which came into force w.e.f. 1/11/2013. Major provisions to deal with encroachment issues were added in the Waqf Act, 1995 through the amendment. The Amendment inter alia include addition of the definition of Encroacher; mandate to State Governments to appoint Survey Commissioners and complete the survey of Waqf Properties; provisions of rigorous imprisonment for alienation of Waqf Properties without prior approval of the State/UT Waqf Board; provision to prohibit sale, gift, exchange, mortgage or transfer of any movable or immoveable Waqf Property to any other person.

In addition, this Ministry is implementing two Plan Schemes namely i) Computerisation of records of State Waqf Boards and ii) Strengthening of State Waqf Boards. These schemes are being implemented with the objective to streamline the records of Waqf Properties, which inter alia will deter encroachments.
