

**GOVERNMENT OF INDIA  
MINISTRY OF MINORITY AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO.5509  
TO BE ANSWERED ON 28.03.2018**

**State Wakf Boards**

**5509. SHRI ASADUDDIN OWAISI:**

Will the Minister of MINORITY AFFAIRS be pleased to state:

- (a) whether there are 31 State Wakf Boards and 42000 registered Wakf properties excluding many non-registered Wakf properties and if so, the details thereof;
- (b) whether there are large number of complaints regarding Wakf properties across the country;
- (c) if so, whether the Government proposes to appoint a Board of adjudication at the central level and three member tribunal at State level to deal with the complaints on war footing, if so, the details thereof; and
- (d) the time by which these are likely to start functioning along with the terms and conditions of Board of Adjudication and State level tribunals?

**ANSWER**

**MINISTER OF MINORITY AFFAIRS  
(SHRI MUKHTAR ABBAS NAQVI)**

(a) : There are 32 State/UT Waqf Boards (SWBs) in the country and 5,68,724 records of waqf properties have been entered in the Registration Module of Waqf Management System of India (WAMSI) Portal. The details are available at [www.wamsi.nic.in](http://www.wamsi.nic.in).

(b) : As per Section 32 of the Waqf Act 1995 as amended, the waqf properties are managed by State Waqf Boards. The Ministry and Central Waqf Council receive complaints regarding the waqf properties from time to time and the same are forwarded to concerned SWBs & State Governments for appropriate action.

(c) & (d): The Board of Adjudication under Section of 9 (5) of the Waqf Act, 1995 has already been constituted by the Central Government on 19.01.2017 and a copy of Gazette notification containing terms & conditions is Annexed. Further, as per Section 83 of the Waqf Act, 1995 as amended, the State Government shall constitute as many Tribunals as it may think fit, for the determination of any disputes,

question or other matter relating to a waqf or waqf properties etc.. Every Tribunal shall consist of:-

- i. one person, who shall be a member of the State Judicial Services holding a rank, not below that of a District, Sessions or Civil Judge, Class I, who shall be the Chairman;
- ii. one person, who shall be an officer from the State Civil Services equivalent in rank to that of the Additional District Magistrate, Member;
- iii. one person having knowledge of Muslim law and jurisprudence, Member,

The terms & conditions of appointment including the salaries and allowances payable to the Chairman and other members other than person appointed as ex officio members shall be such as may be prescribed. Three member Tribunals have been constituted in 22 SWBs.

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2 referred to reply to Part (c) of R.S. Unstarred Q. No. 5509 asked by Shri  
Aisi regarding State Waqf Board to be answered on 28/3/18.

Annexure

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THE GAZETTE OF INDIA: EXTRAORDINARY

[PART II—SEC 3(ii)]

MINISTRY OF MINORITY AFFAIRS

NOTIFICATION

New Delhi, the 19th January, 2017

S.O.220 (E).—In pursuance of the provisions contained in sub-section (5) of section 9 of the Waqf Act, 1995 (43 of 1995), the Central Government hereby constitutes the Board of Adjudication for the purpose of deciding disputes arising out of directives issued to the Boards by the Central Waqf Council under sub-section (4) of section 9 of the said Act and appoints Justice M.Y. Eqbal, retired judge of the Supreme Court of India, as its Presiding Officer, for a period of three years with effect from the date of publication of this notification or till he attains the age of seventy years or until further orders, whichever is earlier.

2. The Presiding Officer shall be paid a consolidated fee of one lakh rupees per sitting subject to a maximum of five lakh rupees upto the final settlement of the dispute.
3. The Presiding Officer shall be entitled to such travelling allowance and daily allowance (TA/DA), as are admissible to a serving Judge of the High Court, for journey performed in connection with hearing of the case.
4. The Presiding Officer shall decide the dispute within a period not exceeding three months, or such longer period as is agreed to by the parties in writing, after the dispute is referred to him for adjudication.
5. Proceedings shall be conducted in the premises of the Central Waqf Council Bhawan.
6. The Central Waqf Council shall make available such secretarial and other staff, as may be required by the Presiding Officer, for deciding the dispute under this notification.
7. The parties to the dispute shall bear their own costs and expenses incurred in the adjudication and jointly pay in equal share the fees and expenses of the Presiding Officer and of his legal or technical adviser, if any appointed for the purpose, unless the Presiding Officer in his order, direct a party to pay all or part of his fees and expenses.

[F.No. 3/6/2015-Waqf]

J. ALAM, Jr. Secy

'राज्य कर्मक मोर्चे' के बारे में श्री ए. ज़ोबैसी द्वारा पूछे गए तथा 28.3.2018 को उत्तर के लिए निर्धारित राज्य सभ अंतरांकित प्रश्न सं. 5509 के उत्तर के भाग (ग) में उल्लिखित अनुलग्नक  
उत्तर सं. सी. एल.-33004/99 REGD. NO. D. L. 33004/99



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अधिसूचना

नई दिल्ली, 19 जनवरी, 2017

क्र.अ. 220 (अ).— केन्द्रीय सरकार, वकत अधिनियम, 1995 (1995 का 43) की धारा 9 की उपधारा (5) में अंतर्निहित उपबंधों के अनुसूची में वकत अधिनियम की धारा 9 की उपधारा 4 के अधीन केन्द्रीय न्याय परिषद द्वारा की गईं या जारी विधियों में उद्घुत विचारों का विनिश्चय करने के प्रयोजन के लिए न्यायनियंत्रण बोर्ड का गठन करती है और स्थापनाएँ एवं कार्य इच्छान, भारत के उच्चतम न्यायालय के संघानिर्णय न्यायाधीश को इन अधिसूचना के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए या उनके पतन तक की शुरु पूर्ण करने तक या अगामी अवधि तक, जो भी पूर्वतर हो, इनके पीठासीन अधिकारी के रूप में नियुक्त करती है।

- पीठासीन अधिकारी को विवाद के अतिरिक्त विषयों तक अधिकतम पांच मात्र व्यक्त के अधखीन प्रति बैठक एक साथ करने की सम्भलत सीमा संदलत की जाएगी।
- पीठासीन अधिकारी, मामले की सुनवाई के संबलत में की गई पाका के लिए उच्च न्यायालय के संभारत न्यायाधीश को परामर्शुनय ऐसे ढाका भाले और सैनिक भाले (सी ए/सी ए) का इस्तेमाल होगा।
- पीठासीन अधिकारी, उच्च न्यायनियंत्रण के लिए निर्दिशत विवाद के परभारत विचार को तीन साल के अलकिक अवधि या ऐसी दीर्घावधि, किन्तु पर परभारत निर्दिशत रूप में संदलत हो, के भीतर विनिश्चित करेगा।
- कार्यवाहियां केन्द्रीय वकत परिषद भवन के परिसरों में संभालित की जाएगी।
- केन्द्रीय न्याय परिषद इस अधिसूचना के अधीन विवाद का विनिश्चय करने के लिए ऐसा सचिवीय और अन्य सहाय उपलब्ध करवाएगा, जो पीठासीन अधिकारी द्वारा अर्पेशित हो।
- जब तक पीठासीन अधिकारी अपने आदेश में किसी परभारत को उनकी समस्त सीमा और व्ययों या उनके साथ भी संदलत करने का निर्देश नहीं देता है, तब तक विवाद के परभारत न्यायनियंत्रण में उपलब्ध उनके अपने अपने और व्ययों का खतून करने तथा पीठासीन अधिकारी और उनके बिधि या तकनीकी सलाहकार की फीस और व्ययों को बराबर हिसब में संयुक्त रूप में संदलत करेगे।

[क्र. सं. 8/6/2015-वकत]

के, सलत, नयुक्त सचिव