

GOVERNMENT OF INDIA  
MINISTRY OF MINORITY AFFAIRS

LOK SABHA  
UNSTARRED QUESTION NO. 3561  
ANSWERED ON 10.08.2023

**Waqf Amendment Act, 2013**

†3561. SHRI SANJAY BHATIA:

Will the Minister of MINORITY AFFAIRS be pleased to state:

- (a) whether the practice of transferring the lease in the name of the heir upon the death of the lessee or with the consent of the lessee by Punjab/Haryana Waqf Board existed before the Waqf Amendment Act, 2013;
- (b) if so, the details thereof;
- (c) whether the transfer of lease of the property was not permitted in the name of a new lessee without the consent letter of the old lessee by the Board as per the old practice, if so, whether there is no such provision in the amended rules; and
- (d) whether the Union Government proposes to retain this existing provision in the new rules and if so, the details thereof?

ANSWER

THE MINISTER OF MINORITY AFFAIRS  
(SHRIMATI SMRITI ZUBIN IRANI)

(a) to (c) As per Rule 18 of Waqf Properties Lease (Amendment) Rules, 2020, the transfer of the lease of waqf properties is only in case of death of the existing lessee to their heir during the currency of lease period, the lease agreement of the deceased lessee for the unexpired period of lease shall be transferred in the name of his or her's son or daughter or spouse for which transfer fee equivalent to three months rental shall be charged by the Waqf Board.

As per Waqf Properties Lease Rules (WPLR), 2014, the lease is being approved after conducting open bid after due process of advertisement. Further WPLR, 2014 has been amended twice in 2015 and 2020 to address especially the grievances/issues of the lessees of

the waqf properties and necessary provisions have been incorporated especially by inserting the clause that Board may not apply the procedure of bidding in case of a lessee occupying waqf property uninterruptedly from 1995 onwards or prior thereto and as a measure of one time concession, renew the lease deed for a period upto ten years as per conditions laid down in Rule 18 (2) of Waqf Properties Lease (Amendment) Rules, 2020

(d) No sir.

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