

Waqf (Amendment) Bill, 2025

Prelims - Indian polity and Governance

Mains - GS II |Government Policies & Interventions | Statutory, Regulatory and Quasi-judicial Bodies.

Why in news?

Parliament recently passed Waqf (Amendment) Bill, 2025.

- **Waqf** - A Waqf is a permanent endowment made by a Muslim for charitable/religious causes - like building mosques, schools, or hospitals.
- Once declared, the waqf property becomes inalienable - it can't be sold, gifted, inherited or mortgaged.
- Ownership is considered to be with God and the property is managed by Waqf Boards.

Waqf Board is constituted under the Waqf Act, 1995 (amended in 2013) by state governments to register, maintain and oversee Waqf properties in the state.

- **Waqf (Amendment) Bill, 2025** - It aims to update the Waqf Act, 1995 to fix issues in the management of Waqf properties.
- The proposed changes focus on
 - Overcoming the shortcomings of the previous act and enhancing the efficiency of Waqf boards
 - Updating the definitions of waqf
 - Improving the registration process
 - Increasing the role of technology in managing Waqf records.
- **Name of the Act** - Unified Waqf Management, Empowerment, Efficiency, and Development Act, 2025.
- **Key Provisions**

Formation of Waqf	<ul style="list-style-type: none"> • Removes waqf by user and allows formation only through declaration or endowment. • Donors must be practicing Muslims for at least 5 years and must own the property. • Waqf-alal-aulad cannot deny inheritance rights to female heirs. <i>Waqf-alal-aulad is a specific type of Waqf where income from the donated property is dedicated primarily for the benefit of the donor's family or descendants, recognized under Muslim law.</i>
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Government Property as Waqf	<ul style="list-style-type: none"> Any government property identified as Waqf will cease to be Waqf. Ownership disputes will be resolved by the Collector, who will submit a report to the state government.
Power to Determine Waqf Property	<ul style="list-style-type: none"> Waqf Board previously had the power to inquire and determine waqf property, so the provision has been removed.
Survey of Waqf	<ul style="list-style-type: none"> Empowers Collectors to conduct surveys and mandates pending surveys to be conducted as per state revenue laws.
Central Waqf Council Composition	<p>Central Waqf Council - A statutory body established in 1964 under the Ministry of Minority Affairs, to advise the Central Government and State Waqf Boards on Waqf matters.</p> <ul style="list-style-type: none"> Two members must be non-Muslims. MPs, former judges, and eminent persons appointed to the Council as per the Act need not be Muslims. The following members must be Muslims - Representatives of Muslim organisations, Scholars in Islamic law, Chairpersons of Waqf Boards Of the Muslim members, <u>2 members must be women</u>.
Waqf Boards Composition	<ul style="list-style-type: none"> The Bill empowers the state government to nominate one person from each background to the Board. They need not be Muslims. It adds that the Board must have <ul style="list-style-type: none"> Two non-Muslim members At least one member each from Shias, Sunnis, and Backward classes of Muslims One member each from Bohra and Agakhani communities (if there is Waqf in the state) Two Muslim members must be women.
Waqf Tribunal Composition	<p>Waqf Tribunal is a quasi-judicial body set up by state government under Waqf Act 1995 to adjudicate disputes concerning Waqf properties.</p> <ul style="list-style-type: none"> A current or former <u>District Court judge</u> as chairman A current or former joint secretary to the state government
Appeal on Tribunal Orders	<ul style="list-style-type: none"> The Bill omits provisions deeming finality to Tribunal's decisions. Allows appeals to the High Court <u>within 90 days</u>.
Powers of Central Government	<ul style="list-style-type: none"> The Bill empowers the central government to make rules regarding registration, publication of accounts of waqf and publication of proceedings of Waqf Boards. The Bill empowers the central government to get these audited by the CAG (Comptroller and Auditor General) or a designated officer.
Separate Waqf Boards for Sects	<ul style="list-style-type: none"> Separate Waqf boards allowed for Bohra and Agakhani sects, along with Shia and Sunni sects.

- The Bill promotes a secular, transparent and accountable system of waqf governance.
- It aims to protect public interest and ensure that waqf properties serve religious, social and charitable purposes effectively.

References

- [PIB | Waqf \(Amendment\) Bill, 2025](#)

2. [PRS India | Waqf \(Amendment\) Bill, 2024](#)

