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	• 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. *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.*

Government Property as Waqf	• 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	• Waqf Board previously had the power to inquire and determine waqf property, so the provision has been removed.
Survey of Waqf	• Empowers Collectors to conduct surveys and mandates pending surveys to be conducted as per state revenue laws.
Central Waqf Council Composition	***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.* • 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, *2 members must be women.*
Waqf Boards Composition	• 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 • 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	*Waqf Tribunal is a quasi-judicial body set up by state government under Waqf Act 1995 to adjudicate disputes concerning Waqf properties.* • A current or former *District Court judge* as chairman • A current or former joint secretary to the state government
Appeal on Tribunal Orders	• The Bill omits provisions deeming finality to Tribunal's decisions. • Allows appeals to the High Court *within 90 days.*
Powers of Central Government	• 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	• 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

1. PIB | Waqf (Amendment) Bill, 2025

2. PRS India | Waqf (Amendment) Bill, 2024

