

What is a Waqf?

August 8, 2024 • vajiramandravi.com



About Waqf:

- Under the Waqf Act of 1954, a Waqf refers to a **property dedicated in the name of God for religious and charitable purposes**.
- **Legally**, it is the **permanent dedication by a Muslim** of any **movable or immovable property** for purposes recognised by Muslim law as pious, **religious, or charitable**.
- A Waqf can be **established through a deed** or instrument, or a **property** can be **considered a Waqf** if it **has been used for religious or charitable purposes over a long period**.
- The proceeds from a Waqf typically fund educational institutions, graveyards, mosques, and shelter homes.
- **Once a property is designated as a Waqf**, it **becomes non-transferable** and is **detained perpetually** as a **charitable act toward God**, essentially transferring ownership to God.

- Waqfs **can be either public**, serving charitable ends, **or private**, benefiting the property owner's direct descendants.
 - **To create a Waqf, one must be of sound mind and hold valid ownership** of the property.
 - The **creator of a Waqf**, known as the Waqif, **does not have to be a Muslim**, as long as they profess belief in Islamic principles.
 - **How is a Waqf governed?**
 - Waqfs in India are regulated by the **Waqf Act, 1995**.
 - A **survey commissioner lists all properties declared as Waqf by conducting local investigations**, summoning witnesses, and requisitioning public documents.
 - The Waqf is **managed by a mutawali**, who acts as a **supervisor**.
 - **Unlike trusts** established under the Indian Trusts Act, 1882, which can serve broader purposes and be dissolved by the board, **Waqfs are specifically for religious and charitable uses** and are **intended to be perpetual**.
 - **What is a Waqf Board?**
 - A Waqf board is a **legal entity capable of acquiring, holding, and transferring property**.
 - It **can sue and be sued in court**.
 - **Each state has a Waqf Board** led by a **chairperson**, including **nominees from the state government, Muslim legislators, parliamentarians**, members of the state Bar Council, **Islamic scholars**, and **mutawalis** (managers) of Waqfs with an annual income of Rs 1 lakh and above.
 - The Waqf Board **administers Waqf properties, recovers lost properties**, and **sanctions the transfer** of immovable Waqf properties through sale, gift, mortgage, exchange, or lease, **with at least two-thirds of the board members voting in favour** of the transaction.
 - The **board appoints custodians** to ensure the Waqf and its revenue are used for their designated purposes.
 - The **Central Waqf Council (CWC)**, established in 1964, **oversees** and advises state-level **Waqf Boards across India**.
 - **Waqf Act 1995:**
 - It is comprehensive legislation enacted by the Indian government to improve the **administration and management of waqf properties**.
 - It **establishes the Central Waqf Council and State Waqf Boards, distributing powers between Chief Executive Officers and Waqf Boards**.
 - Key provisions include the mandatory registration of all Waqfs with the Waqf Board, the maintenance of a central register of Waqfs, the authority of Waqf Boards to appoint executive officers, the removal of encroachments from Waqf properties, the preparation of annual budgets for waqf maintenance, and the maintenance of records and inspection of Waqf properties.
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Q1: What is the Central Waqf Council (CWC)?

Central Waqf Council is a statutory body under the administrative control of the Ministry of Minority Affairs was set up in 1964 as per the provision given in the Waqf Act, 1954 as Advisory Body to the Central Government on matters concerning the working of the Waqf Boards and the due administration of Waqf. However, the role of the Council

was expanded significantly under the provisions of the Waqf (Amendment) Act, 2013. The Council has been empowered to advise the Central Government, State Governments and State Waqf Boards

Source: [Women, Non-Muslims On Boards, Council Can't Claim Land: Waqf Act Changes](#)

Source: <https://vajiramandravi.com/current-affairs/waqf/>

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