

وقف بل 2024

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کا تجزیہ

ڈاکٹر سید ظفر محمود

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دستور ہند کا حصہ تین

بنیادی حقوق

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Constitution of India

Part III

मौलिक अधिकार

Fundamental Rights

Article 26 آرٹیکل 26

مذہبی معاملات کے انتظام کی آزادی

धार्मिक मामलों के प्रबंधन की स्वतंत्रता

FREEDOM TO MANAGE

RELIGIOUS AFFAIRS

आरटिकल 26. धार्मिक मामलों के प्रबंधन की स्वतंत्रता

प्रत्येक धार्मिक संप्रदाय को निम्नलिखित अधिकार होंगे:

धर्म के मामलों में अपने स्वयं के कार्यों

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का प्रबंधन करना;

संपत्ति का स्वामित्व और अधिग्रहण करना; और

ऐसी संपत्ति का प्रबंधन करना।

قانون سازی کے عمل پر آئینی پابندی

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قانون بنانے کی پروسس پر
سंसیدھان کا انکوش

آرٹیکل 13(2)

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آرٹکل (2) 13

ملک ایسا کوئی قانون نہیں بنائے گا
جو اس حصہ کے تحت دیے گئے حقوق کو چھینتا ہو یا محدود کرتا ہو، اور
اس شق کے خلاف بنایا گیا ہر قانون بے اثر تصور کیا جائے گا۔

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देश ऐसा कोई कानून नहीं बनाएगा
जो इस भाग द्वारा प्रदान किए गए अधिकारों को छीनता हो या सीमित करता हो, और

इस खंड के विरुद्ध बनाया गया हर कानून निष्प्रभाव माना जाएगा।

وقف بل 2024

عملی بے ضابطگیوں کا شکار ہے اور
آئینی خلاف ورزیوں، پسماندہ اقدامات،
غیر منطقی باتوں، غیر جوازوں اور
پیشگی تصورات سے بھرا ہوا ہے۔

پورا بل وزارت کو واپس کر

دیا جانا چاہیے،

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اس تاکید کے ساتھ کہ اس بل

کو پارلیمنٹ میں پیش کرنے

کی کوئی ضرورت نہیں ہے۔

वक्रफ़ बिल 2024

प्रक्रियागत अनियमितताओं से पीड़ित है

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और यह संविधानिक उल्लंघनों,

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प्रतिगामी कदमों, तर्कहीनताओं,

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अनुचितताओं और पूर्वाग्रहों

से भरा हुआ है।

इस लिए

पूरा बिल मंत्रालय को वापस भेजा
जाना चाहिए और यह निर्देश दिया
जाना चाहिए कि इस बिल को
संसद में प्रस्तुत नहीं किया जाए ।

موجودہ قوانین کی کچھ مثالیں

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موجودہ قوانین کے کچھ اداکار

No. 2899(2)/XVII-V-1—1(Ka)-8-1983

Dated Lucknow, October 13, 1983

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Sri Kashi Vishwanath Mandir Adhinyam, 1983 (Uttar Pradesh Adhinyam Sankhya 29 of 1983) as passed by the Uttar Pradesh Legislature and assented to by the President on October 12, 1983.

THE UTTAR PRADESH SRI KASHI VISHWANATH TEMPLE ACT, 1983

[U. P. ACT NO. 29 OF 1983]

(As passed by the Uttar Pradesh Legislature)

AN
ACT

to provide for the proper and better administration of Sri Kashi Vishwanath Temple, Varanasi and its endowments and for matters connected therewith or incidental thereto

IT IS HEREBY enacted in the Thirty-fourth Year of the Republic of India as follows :—

CHAPTER I

Preliminary

1. (1) This Act may be called the Uttar Pradesh Sri Kashi Vishwanath Temple Act, 1983. Short title and commencement

(2) It shall be deemed to have come into force on January 28, 1983.

Uttar Pradesh

12

उत्तर प्रदेश अधिसूचना गजट, 13 अक्टूबर, 1983

Overriding effect of the Act.

2. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law, for the time being in force, or custom or usage, contract, deed or engagement, judgment, decree or order of any court or scheme of management settled by any court.

Functionaries under the Act to be Hindus.

3. No person shall, unless he is a Hindu by religion, be eligible for being or continuing as a member of the Board or Executive Committee or as Chief Executive Officer or as an employee of the Temple and every person shall cease to hold office or to exercise any power or discharge any function as such when he ceases to be a Hindu.

Definitions

4. In this Act, unless the context otherwise requires,—

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Sec 3: No person shall, unless he is a Hindu by religion, be eligible for being or continuing as a Member of the Board or Executive Committee or Chief Executive Officer or as an employee

उत्तर प्रदेश श्री काशी विश्वनाथ मंदिर क़ानून, 1983

धारा 3:

कोई भी व्यक्ति,

अगर वह धर्म से हिंदू नहीं है,

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बोर्ड या कार्यकारी समिति का सदस्य,
मुख्य कार्यकारी अधिकारी या कर्मचारी
बनने या बने रहने के लिए पात्र नहीं होगा ।

Uttar Pradesh

CHAPTER II

The Board of Trustees

Vesting of the Temple and its endowments.

Constitution of the Board of Trustees.

5. The ownership of the Temple and its endowments shall vest in the deity of Sri Kashi Vishwanath.

6. (1) With effect from the appointed date, the administration and governance of the *Temple* and its *endowments* shall vest in a Board to be called the Board of Trustees for Sri Kashi Vishwanath Temple ;

(2) The Board of Trustees shall consist of the following members, namely :—

(a) Dr. Vibhuti Narain Singh who shall also be the President of the Board ;

(b) Sri Jagadguru Sankaracharya of Sringeri ;

Uttar Pradesh

(c) Secretary to the Government of Uttar Pradesh in the Department of Cultural Affairs—*ex officio*;

(d) Secretary to the Government of Uttar Pradesh in the Department of Finance—*ex officio*;

(e) Secretary to the Government of Uttar Pradesh in the Department of Harijan and Social Welfare—*ex officio*;

(f) Secretary to the Government of Uttar Pradesh in the Judicial/Legislative Department by rotation in such manner as may be prescribed—*ex officio*;

(g) Director of Cultural Affairs, Uttar Pradesh—*ex officio*;

(h) Commissioner, Varanasi Division—*ex officio*;

(i) District Magistrate, Varanasi—*ex officio*;

(j) Vice-Chancellor, Sampurnanand Sanskrit Vishwavidyalaya Varanasi—*ex officio*;

(k) Two local eminent persons having good knowledge and experience in the management and administration of the affairs of the temple and any worship, service, ritual or religious observance made therein, to be nominated by the State Government;

(l) Three eminent Hindu scholars well-versed in Hindu theology, to be nominated by the State Government.

(3) Where a member of the Board cannot perform his duties as such by reason of the fact that he is not a Hindu, the person available next below him in this behalf shall be a member of the Board for the time being.

(4) The Board shall be a body corporate having perpetual succession and may sue or be sued by the name aforesaid.

Sec 6(3):
Where a member of the Board cannot perform his duties as such by reason of the fact that he is not a Hindu, the person available next below him in this behalf shall be a member of the Board.

धारा 6(3)

यदि बोर्ड का कोई सदस्य

(राज्य सरकार का सेक्रेटरी, संस्कृति विभाग का निदेशक,
वाराणासी का कमिश्नर व कलेक्टर)

इस कारण से अपने कर्तव्यों का पालन नहीं कर सकता कि

वह हिंदू नहीं है,

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तो इस संबंध में इसके ठीक नीचे उपलब्ध व्यक्ति बोर्ड
का सदस्य होगा।

(i)

**THE TAMIL NADU HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS
ACT, 1959
(Tamil Nadu Act 22 to 1959)**

Arrangement of sections

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SECTION

CHAPTER – I
PRELIMINARY

1. Short title, extent, application and commencement
2. Power to extend Act to Jain Religious Institutions and Endowments.
3. Power to extend Act to Charitable Endowments
4. Exemptions
5. Certain Acts not to apply to Hindu Religious Institutions and Endowments
6. Definitions
7. Constitution of Advisory Committee
- 7-A. Constitution of District Committee

(b) appointment to the post of Deputy Commissioner shall be—

(i) by transfer from among the members of the ²[Tamil Nadu] State Judicial Service or of any other service ; or

(ii) by promotion from Assistant Commissioners ; or

(iii) by direct recruitment ; or

(iv) by agreement or contract.

(c) ³[* * *]

10. Commissioner, etc., to be Hindus.—The Commissioner, ⁴[the Additional Commissioner], ⁵[every Joint, Deputy or Assistant Commissioner] and every other officer or servant appointed to carry out the purpose of this Act, by whomsoever appointed, shall be a person professing the Hindu Religion and shall cease to hold office as such when he ceases to profess that religion.

11. Commissioner to be corporate sole. —The Commissioner shall be a corporate sole and shall have perpetual succession and a common seal and may sue and be sued in his corporate name].

12. Commissioner, etc., to be servants of Government.—(1) The Commissioner, ¹[Additional Commissioner], ²[Joint Commissioners], Deputy Commissioners, Assistant Commissioners and other officers and servants including executive officers of religious institutions employed for the purposes of this Act shall be servants of the Government and their salaries, allowances, pensions and other remuneration shall be paid in the first instance out of the Consolidated Fund of the State. The ³[* * *] cost of auditing the accounts of religious institutions shall also be paid in the first instance out of the Consolidated Fund of the State.

Tamilnadu

Commissioner, the Additional Commissioner, every Joint, Deputy or Assistant Commissioner and every other officer or servant appointed to carry out the purpose of this Act, by whomsoever appointed, shall be a person professing the Hindu Religion and shall cease to hold office as such when he ceases to profess that religion.

धारा 10: तमिलनाडु हिंदू धार्मिक और धर्मार्थ न्यास अधिनियम, 1959

आयुक्त, अतिरिक्त आयुक्त, प्रत्येक संयुक्त, उप या सहायक आयुक्त और इस अधिनियम के उद्देश्य को पूरा करने के लिए नियुक्त किया गया प्रत्येक अन्य अधिकारी या कर्मचारी,

जिसे भी नियुक्त किया गया हो,

वह हिंदू धर्म को मानने वाला व्यक्ति होगा

और जब वह उस धर्म का पालन करना बंद कर देगा, तो उसे इस पद से मुक्त कर दिया जाएगा।

Andhra Pradesh

ANDHRA PRADESH CHARITABLE AND HINDU RELIGIOUS INSTITUTIONS
AND ENDOWMENTS ACT, 1987

ACT No.30 OF 1987

ARRANGEMENTS OF SECTIONS

SECTIONS

CHAPTER -I
PRELIMINARY

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1. Short title extent, applications and commencement
2. Definitions

CHAPTER-II

COMMISSIONER, ADDITIONAL COMMISSIONER, REGIONAL JOINT
COMMISSIONER ETC., AND THEIR POWERS AND FUNCTIONS

Andhra Pradesh

CHAPTER-II

COMMISSIONER, ADDITIONAL COMMISSIONER, REGIONAL JOINT COMMISSIONER ETC., AND THEIR POWERS AND FUNCTIONS

3. Appointments etc., of Commissioner, Additional Commissioner, Regional Joint Commissioner, Deputy Commissioner and Assistant Commissioner - (1) Subject to the provisions of section 4, the Government shall appoint a Commissioner, Additional Commissioner and such number of Regional Joint Commissioners, Deputy Commissioners and Assistant Commissioners as they think fit for the purpose of exercising the powers and performing the functions conferred on or entrusted to them by or under this Act.

(2) The Commissioner, the Additional Commissioner and every Regional Joint Commissioner, Deputy Commissioner or Assistant Commissioner appointed under sub-section (1) exercising the powers and performing the functions as aforesaid in respect of religious institutions or endowments, shall be a person professing Hindu religion and shall cease to exercise those powers and perform those functions when he ceases to profess that religion.

(3) The conditions of service of the officers appointed under sub-section (1), shall be such as may be determined by the Government.

(4) The officers appointed under sub-section (1) shall be the employees of the Government and their salaries, allowances, pensions and other remuneration shall be paid in the first instance out of the Consolidated Fund of the State and subsequently reimbursed from the Endowments Administration Fund.

Sec 3(2): The Commissioner, the Additional Commissioner and every Regional Joint Commissioner, Deputy Commissioner or Assistant Commissioner appointed under sub-section (1) exercising the powers and performing the functions as aforesaid in respect of religious institutions or endowments, shall be a person professing Hindu religion and shall cease to exercise those powers and perform those functions when he ceases to profess that religion.

धारा 3(2):

आंध्र प्रदेश धर्मार्थ और हिंदू धार्मिक संस्थान और न्यास अधिनियम, 1987

आयुक्त, अतिरिक्त आयुक्त और प्रत्येक क्षेत्रीय संयुक्त आयुक्त, उप आयुक्त या सहायक आयुक्त, जिन्हें उपधारा (1) के तहत नियुक्त किया गया है और जो धार्मिक संस्थानों या न्यासों के संबंध में उपरोक्त शक्तियों का प्रयोग कर रहे हैं और कार्य कर रहे हैं,

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वह हिंदू धर्म का पालन करने वाला व्यक्ति होगा

और जब वह उस धर्म का पालन करना बंद कर देगा, तो वह उन शक्तियों का प्रयोग और कार्य करना बंद कर देगा।

Karnataka

[https://www.indiacode.nic.in/bitstream/123456789/7825/1/33_of_2001_\(e\).pdf](https://www.indiacode.nic.in/bitstream/123456789/7825/1/33_of_2001_(e).pdf)

THE HINDU RELIGIOUS INSTITUTIONS AND CHARITABLE ENDOWMENTS ACT, 1997

Arrangement of Sections

[Statement of Objects and Reasons](#)

Sections :

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CHAPTER - I

PRELIMINARY

1. [Short title extent commencement and application](#)
2. [Definitions](#)

Karnataka

[https://www.indiacode.nic.in/bitstream/123456789/7825/1/33_of_2001_\(e\).pdf](https://www.indiacode.nic.in/bitstream/123456789/7825/1/33_of_2001_(e).pdf)

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6. Commissioner and other officers to be Government servants.-

The Commissioner, the Deputy Commissioner, Assistant Commissioners, Tahsildars, Inspectors and other officers and subordinate staff appointed under this Act shall be Government servants and they shall draw their pay and allowances from the consolidated fund of the State.

Sec 7: The Commissioner and every Deputy Commissioner or Assistant Commissioner and every other Officer or servant, appointed to carry out the purposes of this Act by whomsoever appointed, shall be a person professing Hindu Religion, and shall cease to hold office as such when he ceases to profess that religion.

7. Commissioner, etc. to be Hindu.- The Commissioner and every Deputy Commissioner or Assistant Commissioner and every other Officer or servant, appointed to carry out the purposes of this Act by whomsoever appointed, shall be a person professing Hindu Religion, and shall cease to hold office as such when he ceases to profess that religion.

8. Delegation of powers.- (1) The State Government may, by notification delegate any of its powers or functions under this Act or the rules other than the power conferred under section 76 or 77, to be exercised by the Commissioner or any other officer subject to such conditions as may be specified in the notification.

धारा 7: कर्नाटक हिंदू धार्मिक संस्थान और धर्मार्थ न्यास अधिनियम, 1997

आयुक्त और प्रत्येक उप आयुक्त या सहायक आयुक्त और इस अधिनियम के उद्देश्यों को पूरा करने के लिए नियुक्त किया गया प्रत्येक अन्य अधिकारी या कर्मचारी, जिसे भी नियुक्त किया गया हो, वह हिंदू धर्म का पालन करने वाला व्यक्ति होगा, और जब वह उस धर्म का पालन करना बंद कर देगा, तो उसे इस पद से मुक्त कर दिया जाएगा।

37

THE ORISSA HINDU RELIGIOUS ENDOWMENTS ACT, 1951

TABLE OF CONTENTS

PREAMBLE

CLAUSES

CHAPTER I

PRELIMINARY

1. Short title, extent, application and commencement
2. Power to extend Act to Jain or Buddhist institutions and endowments
3. Definitions

State
Government
to appoint
them

5. The State Government may, by notification, appoint a person, who professes the Hindu religion and who is a member of either judicial or administrative service or a retired member thereof, to be the Commissioner of endowments and they may further appoint such number of Deputy Commissioners and Assistant Commissioners as they think fit.

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The State Government may, by notification, appoint a person, **who professes the Hindu religion** and who is a member of either judicial or administrative service or a retired member thereof, to be the Commissioner of endowments and they may further appoint such number of Deputy Commissioners and Assistant Commissioners as they think fit.

धारा 5: उड़ीशा हिंदू धार्मिक न्यास अधिनियम, 1981

राज्य सरकार अधिसूचना द्वारा एक ऐसे व्यक्ति को

नियुक्त कर सकती है

जो हिंदू धर्म का पालन करता हो

और जो न्यायिक या प्रशासनिक सेवा का सदस्य हो

उसे न्यास का आयुक्त नियुक्त कर सकती है

Commis-
sioner, etc.,
to be
Hindus.

6. The Commissioner, every Deputy Commis-
sioner, or Assistant Commissioner, and every other
officer or servant, appointed to carry out the purposes
of this Act by whomsoever appointed, shall be a
person professing the Hindu religion and shall cease
to hold office as such when he ceases to profess that
religion.

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The Commissioner, every Deputy Commissioner, or Assistant
Commissioner, and every other officer or servant, appointed to carry
out the purposes of this Act by whomsoever appointed, **shall be**
a person professing the Hindu religion and shall
cease to hold office as such when he ceases to profess that religion.

धारा 6: उड़ीशा हिंदू धार्मिक न्यास अधिनियम, 1981

आयुक्त, प्रत्येक उप आयुक्त, या सहायक आयुक्त, और इस अधिनियम के उद्देश्यों को पूरा करने के लिए नियुक्त किया गया प्रत्येक अन्य अधिकारी या कर्मचारी, जिसे भी नियुक्त किया गया हो,

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वह हिंदू धर्म का पालन करने वाला व्यक्ति होगा

और जब वह उस धर्म का पालन करना बंद कर देगा, तो वह इस पद से मुक्त हो जाएगा।

धार्मिक न्यास अधिनियम, 1863

THE RELIGIOUS ENDOWMENTS ACT, 1863

SECTIONS 7 & 8.

APPOINTMENT OF COMMITTEES

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THE STATE GOVERNMENT SHALL APPOINT A
COMMITTEE IN EVERY DIVISION OR DISTRICT TO
EXERCISE THE POWERS

FROM AMONG PERSONS

PROFESSING THE RELIGION

FOR THE PURPOSES OF WHICH THE MOSQUE, TEMPLE
OR OTHER RELIGIOUS ESTABLISHMENT WAS
FOUNDED OR IS NOW MAINTAINED

تلنگانہ اور کرناٹک
ریاستی وقف بورڈز
نے پہلے ہی
وقف بل 2024 کو مسترد کر دیا ہے۔

तेलंगाना और कर्नाटक राज्य वक्फ बोर्डों ने वक्फ
विधेयक 2024 को पहले ही अस्वीकार कर दिया है।

भारत की संसद
लोक सभा सचिवालय
नई दिल्ली



वक्फ (संशोधन) विधेयक, 2024 संबंधी संयुक्त समिति ने
'वक्फ (संशोधन) विधेयक, 2024' के संबंध में सुझाव आमंत्रित किए

1. लोकसभा में यथा पुरस्थापित वक्फ (संशोधन) विधेयक, 2024 को जांच और प्रतिवेदन के लिए संसद की संयुक्त समिति को भेज दिया गया है। प्रस्तावित विधेयक के व्यापक प्रभावों पर विचार करते हुए, श्री जगदंबिका पाल, संसद सदस्य की अध्यक्षता में समिति ने सामान्य रूप से जनता और विशेष रूप से गैर-सरकारी संगठनों/विशेषज्ञों/हितधारकों और संस्थानों से विचार/सुझाव वाले ज्ञापन आमंत्रित करने का निर्णय लिया है।
2. समिति को लिखित ज्ञापन/सुझाव प्रस्तुत करने के इच्छुक लोग, उनकी दो प्रतियां अंग्रेजी अथवा हिन्दी में संयुक्त सचिव (जेएम), लोक सभा सचिवालय, कमरा नं 440, संसदीय सौध, नई दिल्ली-110001, दूरभाष 23034440/23035284, फैक्स नंबर: 23017709 को भेज सकते हैं और इस विज्ञापन के प्रकाशन की तारीख से 15 दिनों के भीतर jpcwaqf-lss@sansad.nic.in को मेल कर सकते हैं। 'वक्फ (संशोधन) विधेयक, 2024' का पाठ लोकसभा की वेबसाइट पर उपलब्ध है (अंग्रेजी संस्करण के लिए लिंक- <https://sansad.in/ls/legislation/bills> और हिंदी संस्करण के लिए लिंक- <https://sansad.in/ls/hi/legislation/bills> (विधेयक नं. 109))
3. समिति को प्रस्तुत किए गए ज्ञापन/सुझाव समिति के अभिलेखों का हिस्सा होंगे और इन्हें 'गोपनीय' माना जाएगा तथा इन्हें समिति के विशेषाधिकार प्राप्त होंगे।
4. ज्ञापन प्रस्तुत करने के अलावा जो लोग समिति के समक्ष उपस्थित होने के इच्छुक हैं, उनसे अनुरोध है कि वे विशेष रूप से इसका उल्लेख करें। तथापि, इस संबंध में समिति का निर्णय अंतिम होगा।

cbc.3120111/0003/2425

ہندوستان کی پارلیمنٹ

لوک سبھا سکرٹریٹ
نئی دہلی



وقف (ترمیمی) بل، 2024 سے متعلق جوائنٹ کمیٹی نے
'وقف (ترمیمی) بل، 2024' کے سلسلہ میں مشورے طلب کئے

1. جیسا کہ لوک سبھا میں وقف (ترمیمی) بل، 2024 کو پیش کیا گیا ہے، کو جانچنے اور اس کی رپورٹ کیلئے پارلیمنٹ کی جوائنٹ کمیٹی کو بھیج دیا گیا ہے۔ مجوزہ بل کو وسیع پیمانہ پر غور کرتے ہوئے مسٹر جگد مہیکا پال، رکن پارلیمنٹ کی صدارت میں کمیٹی نے عمومی طور سے عوام اور خاص طور سے غیر سرکاری تنظیموں/ماہرین/اسٹیک ہولڈروں اور اداروں سے غور و خوض/مشاورت پر مبنی میمورنڈم طلب کرنے کا فیصلہ لیا ہے۔
2. کمیٹی تحریری میمورنڈم/مشورے پیش کرنے کے خواہشمند لوگ، ان کی دو کاپیاں انگریزی یا ہندی میں جوائنٹ سکرٹری (جے ایم) لوک سبھا سکرٹریٹ، روم نمبر 440، سنسدیہ سونڈھ، نئی دہلی-110001، ٹیلی فون نمبرز 23034440 / 23035284، فیکس نمبر: 23017709 کو بھیج سکتے ہیں۔ اور اس اشتہار کی اشاعت کی تاریخ سے 15 دنوں کے اندر jpcwaqf-lss@sansad.nic.in پر میل کر سکتے ہیں۔ 'وقف (ترمیمی) بل، 2024' کا متن لوک سبھا کی ویب سائٹ پر دستیاب ہے۔
(انگریزی اشاعت کے لئے لنک - <https://sansad.in/ls/legislation/bills> اور ہندی اشاعت کے لئے لنک - <https://sansad.in/ls/hi/legislation/bills> (بل نمبر 109))
3. کمیٹی کو پیش کئے گئے میمورنڈم/مشورے کمیٹی کے دستاویز کا حصہ ہوں گے اور انہیں 'خفیہ' مانا جائے گا اور انہیں کمیٹی کے خصوصی اختیارات حاصل ہوں گے۔
4. میمورنڈم پیش کرنے کے علاوہ جو لوگ کمیٹی کے سامنے پیش ہونے کے خواہشمند ہیں، ان سے درخواست ہے کہ وہ خاص طور سے اس کا ذکر کریں، تاہم، اس حوالہ سے کمیٹی کا فیصلہ حتمی ہوگا۔

cbc.3120111/0003/2425

جے پی سی کی پندرہ دن کی میعاد

13 ستمبر کو

ختم ہو رہی ہے

عوام الناس کے علاوہ

یہ کام مرکزی وقف کمیٹی ، صوبائی وقف بورڈوں اور ملک کے نمایاں مسلم تنظیموں و اداروں کے ذریعہ مشترکہ طور پر کیا جانا چاہیے۔

اور اس کام کے لئے کم از کم ایک سال کا وقت دیا جانا چاہیے۔

دو برس سے
سنٹرل وقف گائونسل کو
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بیس لازمی مسلم ممبروں
اور لازمی مسلم سیکریٹری سے
محروم کر دیا گیا ہے۔

یہ وقف قانون کے سیکشن 9
اور
دستور ہند کے آرٹیکل 26 کی خلاف ورزی ہے۔

یہ بھی یاد رکھیے کہ مرکزی وقف
کمٹی اپنے اندرونی امور کا انتظام
وقت کی آمدنی سے کرتی ہے

(out of the mandatory 1% of annual income
contributed by every state waqf board)

سنٹرل وقف کاؤنسل کی قانونی کاموں کی ذمہ داریاں

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موجودہ ایکٹ کا سکشن (4) 9

ریاستی وقف بورڈز اپنی کارکردگی کے بارے میں
، معلومات مرکزی وقف کونسل کو فراہم کریں گے

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خاص طور پر ان کی مالی کارکردگی، سروے، ریونیو
ریکارڈز، وقف دستاویزات کا تحفظ، وقف جائیدادوں
، پر تجاوزات، سالانہ رپورٹس اور آڈٹ کے بارے میں

جس طریقے اور جس مدت میں کونسل کی طرف سے
مقرر کیا جائے گا۔

موجودہ ایکٹ کا سکشن (4) 9

اگر مرکزی وقف کونسل اس بات سے مطمئن ہو کہ کسی بے ضابطگی یا اس ایکٹ کی دفعات کی خلاف ورزی کے ابتدائی شواہد موجود ہیں، تو وہ مخصوص معاملات پر بورڈز سے معلومات طلب کر سکتی ہے۔ اور کونسل ہدایات جاری کر سکتی ہے جن کی متعلقہ بورڈ کی طرف سے تعمیل کی جائے گی۔

مرکزی وقف کونسل نہیں ہے
اس لئے کام نہیں ہوا

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جب دو سال سے مرکزی وقف
کاؤنسل ہی نہیں ہے تو بل
کا مسودہ کس نے تیار کیا؟

براه کرم اب

خالی آسامیاں پُر کریں اور مرکزی وقف کونسل کے تمام اراکین کی تقرری (قانون کے مطابق) مسلم طبقہ سے کریں۔

قانون کے مطابق، کونسل کا سیکرٹری بھی مسلمان ہونا ضروری ہے۔ لہذا کسی سینئر مسلمان افسر کو کونسل کا سیکرٹری مقرر کیا جائے۔

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اس نو تشکیل شدہ کونسل کو وقف سے متعلق حقائق، ڈیٹا اور آراء جمع کرنے کے عمل کو چلانا اور نگرانی کرنی چاہیے۔

Provided also that all decisions taken by the Chairperson either on the recommendations of a Committee or otherwise shall be ratified forthwith by the Council.

7. Secretary to the Council.—¹[(1) There shall be a Secretary to the Council, who shall be a Muslim.

(1-A) The Chairperson shall make appointment to the post of Secretary, which shall be equivalent to a Group A post of the Central Government, on

نئی کونسل کا ابتدائی نقطہ 2024 کا وقف بل
نہیں ہونا چاہیے۔

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بلکہ ابتدائی نقطہ 2014 ہونا چاہیے
کیونکہ ٹب سے وقف ترمیمی ایکٹ 2013 کو
نافذ کیا جانا تھا۔

وقف بل 2024 کے ذریعے
مسلمانوں کے ساتھ مختلف
سلوک کیوں کیا جا رہا ہے؟

Waqf Act 1995

CHAPTER III CENTRAL ¹[WAQF] COUNCIL

9. Establishment and constitution of Central ¹[Waqf] Council.—²[(1) The Central Government may, by notification in the Official Gazette, establish a Council to be called the Central Waqf Council, for the purpose of advising the Central Government, the State Governments and the Boards on matters concerning the working of Boards and the due administration of auqaf.

(1A) The Council referred to in sub-section (1) shall issue directives to the Boards, on such issues and in such manner, as provided under sub-sections (4) and (5).]

(2) The Council shall consist of—

(a) the Union Minister in-charge of ¹[waqf]—*ex officio* Chairperson;

(b) the following members to be appointed by the Central Government from amongst Muslims, namely:—

(i) three persons to represent Muslim organisations having all India character and national importance;

³[(ii) four persons of national eminence, one each from the fields of administration or management, financial management, engineering or architecture and medicine;]

(iii) three Members of Parliament of whom two shall be from the House of the People and one from the Council of States;

(iv) Chairpersons of three Boards by rotation;

(v) two persons who have been Judges of the Supreme Court or a High Court;

(vi) one Advocate of national eminence;

(vii) one person to represent the mutawallis of the ¹[waqf] having a gross annual income of rupees five lakhs and above;

(viii) three persons who are eminent scholars in Muslim Law:

⁴[Provided that at least two of the members appointed under sub-clauses (i) to (viii) shall be women.]

Why the Govt. wants to remove the following from existing Act ?

9(2)(b) The following members to be appointed by the Central Govt from amongst Muslims

موجودہ وقف قانون میں مرکزی وقف
کونسل کے **100 فیصد** اراکین کا
مسلمان ہونا لازمی ہے۔

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اب اے بل کی بنیاد پر
پچاس فیصد سے کم
اراکین کا مسلمان ہونا لازمی ہوگا۔

Requirement of CWC Members to be Muslim

Category of Membership		No.	Existing Law	Bill of 2024	
			All Muslim		
(b)	Three Members of Parliament of whom two shall be from the House of the people and one from the Council of States;	3	Muslim		✗
(c)	(i) Three persons to represent Muslim organisations having all India character and national importance;	3	Muslim	✓	
(c)	(ii) Chairpersons of three Boards by rotation;	3	Muslim	✓	
(c)	(iii) One person to represent the mutawallis of the waqf having a gross annual income of five lakh rupees and above;	1	Muslim	✓	
(c)	(iv) Three persons who are eminent scholars in Muslim law;	3	Muslim	✓	
(d)	Two persons who have been Judges of the Supreme Court or a High Court;	2	Muslim		✗
(e)	One Advocate of national eminence;	1	Muslim		✗
(f)	Four persons of national eminence, one each from the fields of administration or management, financial management, engineering or architecture and medicine;	4	Muslim		✗
(g)	Additional Secretary or Joint Secretary to the Government of India dealing with waqf matters in the Union Ministry or department-member, ex officio.	Additional Category Created			✗
Total			20	10	11

?*

*** Additional violation of Article 26**

Waqf Bill 2024

9. In section 9 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The Council shall consist of—

(a) the Union Minister in charge of waqf—Chairperson, *ex officio*;

(b) three Members of Parliament of whom two shall be from the House of the people and one from the Council of States;

(c) the following members to be appointed by the Central Government from amongst Muslims, namely:—

(i) three persons to represent Muslim organisations having all India character and national importance;

(ii) Chairpersons of three Boards by rotation;

(iii) one person to represent the mutawallis of the waqf having a gross annual income of five lakh rupees and above;

(iv) three persons who are eminent scholars in Muslim law;

(d) two persons who have been Judges of the Supreme Court or a High Court;

(e) one Advocate of national eminence;

(f) four persons of national eminence, one each from the fields of administration or management, financial management, engineering or architecture and medicine;

(g) Additional Secretary or Joint Secretary to the Government of India dealing with waqf matters in the Union Ministry or department—member, *ex officio*;

Provided that two of the members appointed under clause (c) shall be women:

Provided further that two members appointed under this sub-section shall be non-Muslim.”

Why does the Govt. want that Muslim Waqfs should be governed by non-Muslims ?

This is discrimination against Muslims.

It violates Art 15, 25, 26, 29 of Constitution.

“Provided further that at least two members appointed under this sub-section shall be non-Muslim.”

حکومت کیوں چاہتی ہے کہ مسلم وقف کا
انتظام غیر مسلموں کے ذریعے کیا جائے؟

یہ مسلمانوں کے خلاف تفریق ہے۔

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یہ آئین کے آرٹیکل 15، 25، 26، 29 کی
خلاف ورزی ہے۔

Waqf Act 1995

14. Composition of Board.—(1) The Board for a State and ³[the National Capital Territory of Delhi] shall consist of—

(a) a Chairperson;

(b) one and not more than two members, as the State Government may think fit, to be elected from each of the electoral colleges consisting of—

(i) Muslim Members of Parliament from the State or, as the case may be, ³[the National Capital Territory of Delhi];

(ii) Muslim Members of the State Legislature;

⁴[(iii) Muslim members of the Bar Council of the concerned State or Union territory:

Provided that in case there is no Muslim member of the Bar Council of a State or a Union territory, the State Government or the Union territory administration, as the case may be, may nominate any senior Muslim advocate from that State or the Union territory, and]

(iv) mutawallis of the ¹[auqaf] having an annual income of rupees one lakh and above.

⁵[*Explanation I.*—For the removal of doubts, it is hereby declared that the members from categories mentioned in sub-clauses (i) to (iv), shall be elected from the electoral college constituted for each category.

Explanation II.—For the removal of doubts it is hereby declared that in case a Muslim member ceases to be a Member of Parliament from the State or National Capital Territory of Delhi as referred to in sub-clause (i) of clause (b) or ceases to be a Member of the State Legislative Assembly as required under sub-clause (ii) of clause (b), such member shall be deemed to have vacated the office of the member of the Board for the State or National Capital Territory of Delhi, as the case may be, from the date from which such member ceased to be a Member of Parliament from the State National Capital Territory of Delhi, or a Member of the State Legislative Assembly, as the case may be;]

⁶[(c) one person from amongst Muslims, who has professional experience in town planning or business management, social work, finance or revenue, agriculture and development activities, to be nominated by the State Government;

(d) one person each from amongst Muslims, to be nominated by the State Government from recognised scholars in Shia and Sunni Islamic Theology;

(e) one person from amongst Muslims, to be nominated by the State Government from amongst the officers of the State Government not below the rank of Joint Secretary to the State Government;]

All Members
of State
Waqf
Boards have
to be
Muslim.

Waqf Act 1995

¹[(1A) No Minister of the Central Government or, as the case may be, a State Government, shall be elected or nominated as a member of the Board:

Provided that in case of a Union territory, the Board shall consist of not less than five and not more than seven members to be appointed by the Central Government from categories specified under sub-clauses (i) to (iv) of clause (b) or clauses (c) to (e) in sub-section (1):

Provided further that at least two Members appointed on the Board shall be women:

Provided also that in every case where the system of mutawalli exists, there shall be one mutawalli as the member of the Board.]

(2) Election of the members specified in clause (b) of sub-section (1) shall be held in accordance with the system of proportional representation by means of a single transferable vote, in such manner as may be prescribed:

Provided that where the number of Muslim Members of Parliament, the State Legislature or the State Bar Council, as the case may be, is only one, such Muslim Member shall be declared to have been elected on the Board:

Provided further that where there are no Muslim Members in any of the categories mentioned in sub-clauses (i) to (iii) of clause (b) of sub-section (1) the ex-Muslim Members of Parliament, the State Legislature or ex-member of the State Bar Council, as the case may be, shall constitute the electoral college.

(3) Notwithstanding anything contained in this section, where the State Government is satisfied, for reasons to be recorded in writing, that it is not reasonably practicable to constitute an electoral college for any of the categories mentioned in sub-clauses (i) to (iii) of clause (b) of sub-section (1), the State Government may nominate such persons as the members of the Board as it deems fit.

(4) The number of elected members of the Board shall, at all times, be more than the nominated members of the Board except as provided under sub-section (3).

²* * * * *

(6) In determining the number of Shia members or Sunni members of the Board, the State Government shall have regard to the number and value of Shia ³[auqaf] and Sunni ³[auqaf] to be administered by the Board and appointment of the members shall be made, so far as may be, in accordance with such determination.

²* * * * *

(8) Whenever the Board is constituted or reconstituted, the members of the Board present at a meeting convened for the purpose shall elect one from amongst themselves as the Chairperson of the Board.

(9) The members of the Board shall be appointed by the State Government by notification in the Official Gazette.

“Where there are no Muslim Members of Parliament, State Legislature or Bar Council, then ex-Muslim Members of Parliament, the State Legislature or ex-member of the State Bar Council shall constitute the electoral college”.

Why does the Govt want to take away this constitutional privilege from Muslims ?

Existing Waqf Act, Sec 9(1A) Second proviso:

جہاں پارلیمنٹ، ریاستی اسمبلی یا بار کونسل میں کوئی مسلم رکن نہیں ہے، وہاں سابق مسلم پارلیمنٹ کے رکن، ریاستی اسمبلی کے سابق رکن یا ریاستی بار کونسل کے سابق رکن الیکٹورل کالج بنائیں گے۔

**حکومت مسلمانوں سے یہ آئینی حق
کیوں چھیننا چاہتی ہے؟**

Waqf Bill 2024

Provided further that two members appointed under this sub-section shall be non-Muslim.”

10. In section 13 of the principal Act, for sub-section (2A), the following sub-section shall be substituted, namely:—

“(2A) The State Government may, if it deems necessary, by notification in the Official Gazette, establish a separate Board of Auqaf for Bohras and Aghakhani.”

11. In section 14 of the principal Act,—

(a) for sub-sections (1), (1A), (2), (3) and (4), the following sub-sections shall be substituted, namely:—

“(1) The Board for a State and the National Capital Territory of Delhi shall consist of, not more than eleven members, to be nominated by the State Government,—

(a) a Chairperson;

(b) (i) one Member of Parliament from the State or, as the case may be, the National Capital Territory of Delhi;

(ii) one Member of the State Legislature;

(c) the following members belonging to Muslim community, namely:—

(i) one mutawalli of the waqf having an annual income of one lakh rupees and above;

(ii) one eminent scholar of Islamic theology;

(iii) two or more elected members from the Municipalities or Panchayats:

Provided that in case there is no Muslim member available from any of the categories in sub-clauses (i) to (iii), additional members from category in sub-clause (iii) may be nominated;

(d) two persons who have professional experience in business management, social work, finance or revenue, agriculture and development activities;

(e) one officer of the State Government, not below the rank of Joint Secretary to that State Government;

(f) one Member of the Bar Council of the concerned State or Union territory;

Provided that two members of the Board appointed under clause (c) shall be women:

Provided further that two of total members of the Board appointed under this sub-section shall be non-Muslim:

Why does the Govt want to limit the legal requirement of being Muslim to only four members of the Board (as compared to the existing requirement that all members will be Muslim) ?

**حکومت مسلمان ہونے کی قانونی
ضرورت کو صرف چار اراکین تک
کیوں محدود کرنا چاہتی ہے**

**جبکہ موجودہ قانون کے مطابق تمام اراکین کا
مسلمان ہونا ضروری ہے**

Waqf Act 1995

23. Appointment of Chief Executive Officer and his term of office and other conditions of service.—¹[(1)There shall be a full-time Chief Executive Officer of the Board who shall be a Muslim and shall be appointed by the State Government, by notification in the Official Gazette, from a panel of two names suggested by the Board and who shall not be below the rank of Deputy Secretary to the State Government, and in case of non-availability of a Muslim officer of that rank, a Muslim officer of equivalent rank may be appointed on deputation.]

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Sec 23(1) There shall be a full-time Chief Executive Officer of the Board who shall be a Muslim and shall be appointed by the State Government, by notification in the Official Gazette, from a panel of two names suggested by the Board and who shall not be below the rank of Deputy Secretary to the State

Waqf Bill 2024

In section 23 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) There shall be a full-time Chief Executive Officer of the Board to be appointed by the State Government and who shall be not below the rank of Joint Secretary to the State Government."

حکومت مسلمانوں کو ان کے بنیادی
حق (آرٹیکل 26) سے کیوں محروم
کرنا چاہتی ہے کہ ریاستی وقف بورڈ
کامی ای او مسلمان ہونا چاہیے؟

مزید یہ کہ حکومت موجودہ جمہوری عمل
اور آئینی حق کو کیوں ختم کرنا چاہتی
ہے، کہ جہاں بورڈ دو نام تجویز کرتا ہے اور
حکومت ان میں سے ایک کو مقرر کرتی ہے؟

مرکزی وقف کونسل، ریاستی وقف بورڈز اور سی ای
، او کی تقرری میں
حکومت نے مسلمانوں کے اس آئینی حق کو واپس
، لینے کی تجویز دی ہے
جس کے تحت وہ اپنے وقف کے معاملات کا خود
انتظام کر سکتے ہیں، جو ان کے ایمان اور ثقافت کا
حصہ ہے۔

لہذا یہ مجوزہ ترامیم غیر آئینی ہیں اور ناقابل
قبول ہیں۔

Gazette of India 23.09.2013

भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 1
PART II—Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 37] नई दिल्ली, सोमवार, सितम्बर 23, 2013/ आश्विन 1, 1935 (शक)
No. 37] NEW DELHI, MONDAY, SEPTEMBER 23, 2013/ ASVINA 1, 1935 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 23rd September, 2013/Asvina 1, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 20th September, 2013, and is hereby published for general information:—

THE WAKF (AMENDMENT) ACT, 2013

No. 27 OF 2013

[20th September, 2013.]

An Act to amend the Wakf Act, 1995.

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Wakf (Amendment) Act, 2013.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In the long title to the Wakf Act, 1995 (hereinafter referred to as the principal Act), for the word "Wakfs", the word "Auqaf" shall be substituted.

3. In section 1 of the principal Act, in sub-section (1), for the word "Wakf", the word "Waqf" shall be substituted.

Short title and commencement.

Amendment of long title.

Amendment of section 1.

Two women in Central Waqf Council was provided in 2013

Substitution of new section for section 8.

State Government to bear cost of survey.

Amendment of section 9.

Provided that whosoever, being a public servant, fails in his lawful duty to prevent or remove an encroachment, shall on conviction be punishable with fine which may extend to fifteen thousand rupees for each such offence."

10. For section 8 of the principal Act, the following section shall be substituted, namely:—

"8. The total cost of making a survey including the cost of publication of the list or lists of auqaf under this Chapter shall be borne by the State Government."

11. In section 9 of the principal Act,—

(a) for sub-section (1), the following sub-sections shall be substituted, namely:—

"(1) The Central Government may, by notification in the Official Gazette, establish a Council to be called the Central Waqf Council, for the purpose of advising the Central Government, the State Governments and the Boards on matters concerning the working of Boards and the due administration of auqaf.

(1A) The Council referred to in sub-section (1) shall issue directives to the Boards, on such issues and in such manner, as provided under sub-sections (4) and (5).";

(b) in sub-section (2), in clause (b),—

(i) for sub-clause (ii), the following sub-clause shall be substituted, namely:—

"(ii) four persons of national eminence, one each from the fields of administration or management, financial management, engineering or architecture and medicine";

(ii) after sub-clause (viii), the following proviso shall be inserted, namely:—

"Provided that at least two of the members appointed under sub-clauses (i) to (viii) shall be women.";

(c) after sub-section (3), the following sub-sections shall be inserted, namely:—

"(4) The State Government or, as the case may be, the Board, shall furnish information to the Council on the performance of Waqf Boards in the State, particularly on their financial performance, survey, maintenance of waqf deeds, revenue records, encroachment of waqf properties, annual reports and audit reports in the manner and time as may be specified by the Council and it may suo motu call for information on specific issues from the Board, if it is satisfied that there was prima facie evidence of irregularity or violation of the provisions of this Act and if the Council is satisfied that such irregularity or violation of the Act is established, it may issue such directive, as considered appropriate, which shall be complied with by the concerned Board under intimation to the concerned State Government.

Gazette of India 23.09.2013

(Amendment) Act, 2013.”;

6

THE GAZETTE OF INDIA EXTRAORDINARY

[PART II—

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2A) Where a Board of Waqf is established under sub-section (2) of section 13, in the case of Shia waqf, the Members shall belong to the Shia Muslim and in the case of Sunni waqf, the Members shall belong to the Sunni Muslim.”.

13. In section 14 of the principal Act,—

(1) in sub-section (1),—

(i) for the words “the Union territory of Delhi”, wherever they occur, the words “the National Capital Territory of Delhi” shall be substituted;

(ii) in clause (b),—

(a) for sub-clause (iii), the following sub-clause shall be substituted, namely:—

“(iii) Muslim members of the Bar Council of the concerned State or Union territory:

Provided that in case there is no Muslim member of the Bar Council of a State or a Union territory, the State Government or the Union territory administration, as the case may be, may nominate any senior Muslim advocate from that State or the Union territory, and”;

(b) after sub-clause (iv), the following *Explanations* shall be inserted, namely:—

“*Explanation I.*—For the removal of doubts, it is hereby declared that the members from categories mentioned in sub-clauses (i) to (iv), shall be elected from the electoral college constituted for each category.

“*Explanation II.*—For the removal of doubts it is hereby declared that in case a Muslim member ceases to be a Member of Parliament from the State or National Capital Territory of Delhi as referred to in sub-clause (i) of clause (b) or ceases to be a Member of the State Legislative Assembly as required under sub-clause (ii) of clause (b), such member shall be deemed to have vacated the office of the member of the Board for the State or National Capital Territory of Delhi, as the case may be, from the date from which such member ceased to be a Member of Parliament from the State

Two women in State Waqf Board was provided in 2013

or National Capital Territory of Delhi, or a Member of the State Legislative Assembly, as the case may be;”;

(iii) for clauses (c) to (e), the following clauses shall be substituted, namely:—

“(c) one person from amongst Muslims, who has professional experience in town planning or business management, social work, finance or revenue, agriculture and development activities, to be nominated by the State Government;

(d) one person each from amongst Muslims, to be nominated by the State Government from recognised scholars in Shia and Sunni Islamic Theology;

(e) one person from amongst Muslims, to be nominated by the State Government from amongst the officers of the State Government not below the rank of Joint Secretary to the State Government;”;

(II) after sub-section (1), the following sub-section shall be inserted, namely:—

“(IA) No Minister of the Central Government or, as the case may be, a State Government, shall be elected or nominated as a member of the Board:

Provided that in case of a Union territory, the Board shall consist of not less than five and not more than seven members to be appointed by the Central Government from categories specified under sub-clauses (i) to (iv) of clause (b) or clauses (c) to (e) in sub-section (1):

Provided further that at least two Members appointed on the Board shall be women:

Provided also that in every case where the system of mutawalli exists, there shall be one mutawalli as the member of the Board.”;

(III) sub-section (5) shall be omitted.

(IV) sub-section (7) shall be omitted.

(1500/CP/RCP)

यह हर समय निगरानी में रहेगा। हमारा मंत्रालय ओवरसाइट कंटीन्युअस मॉनीटर करता रहेगा। वक्फ प्रॉपर्टी के लिए यह सारा प्रावधान किया गया है।

सेंट्रल गवर्नमेंट का एक पोर्टल है। उसमें सारे एकाउंट्स का फार्मेट होगा। जो मुतवल्लीज हैं, जिनके खिलाफ कंप्लेंट्स करते हैं, उनको एकाउंटेबल बनाया गया है कि कोई गलत काम करेगा, तो उसके खिलाफ कार्रवाई होगी। इस पोर्टल को गति-शक्ति इको सिस्टम के साथ इंटीग्रेट करने का ऑलरेडी प्रोसेस शुरू कर चुके हैं।

मुझे कहते हुए अच्छा लग रहा है कि जो नया सेंट्रल वक्फ काउंसिल और स्टेट वक्फ बोर्ड्स होगा, इसमें महिलाओं का रिप्रेजेंटेशन अनिवार्य हो गया है। इसमें मुस्लिम महिला रहेगी और जितने अलग डिनोमिनेशन्स हैं, Bohras, Aga Khanis and Other Backward Classes amongst Muslims, इनको भी हमने बोर्ड में स्थान देने का निर्णय किया है... (व्यवधान)

हम सब लोग यहां मेंबर ऑफ पार्लियामेंट हैं। हमारी कांस्टीच्युएंसी में हर धर्म के लोग हैं। अभी दादा बोल रहे थे कि मेरी कांस्टीच्युएंसी में मुसलमान हैं क्या? मेरी कांस्टीच्युएंसी में बहुत मुसलमान वोटर्स हैं। ... (व्यवधान) इनको बताइए... (व्यवधान) इसीलिए मैंने कहा न दादा, आप हर समय मत बोलिए, आपको नींद आ जाएगी। ... (व्यवधान)

**Minister told the Parliament
that two women each in
Central Waqf Council and State
Waqf Board was provided
through the Waqf Bill of 2024**

مرکزی وقف کونسل اور ریاستی وقف بورڈز میں دو دو نشستیں خواتین کے لیے مختص کرنا

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پہلے ہی وقف ترمیمی ایکٹ 2013 کے ذریعے کیا جا چکا ہے۔

،جب سے وقف بل 2024 لوک سبھا میں پیش کیا گیا ہے
میڈیا میں کچھ غلط رپورٹس گردش کر رہی ہیں۔
ان میں بھارت میں وقف جائیدادوں کی مصنوعی طور پر بڑھائی گئی تعداد شامل ہے۔
اس حوالے سے یہ وضاحت کرنا ضروری ہے کہ
بھارت میں وقف جائیدادوں کی واحد مستند تعداد ہے

4,90,021

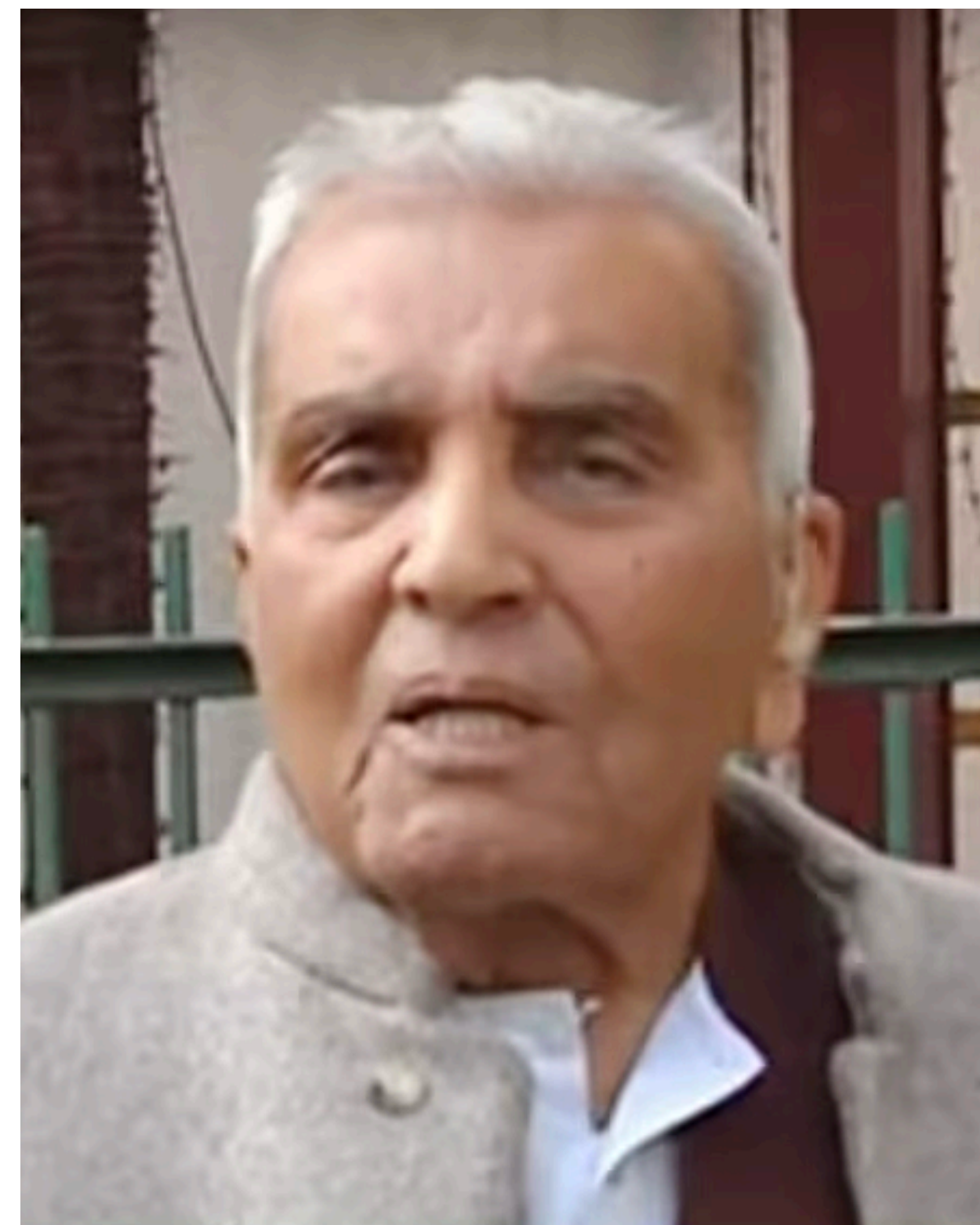
جو جسٹس سچر کمیٹی کی رپورٹ (صفحہ 220) میں عوامی طور پر دستیاب ہے۔
بعد میں جی آئی ایس میپنگ سے متعلق بڑھائی گئی تعداد دراصل قابل انتظام یونٹس

(Management Units - MU)

کی تعداد بتاتی ہے، جو اکثر ایک وقف جائیداد کے
اندر سے زیادہ ہوتی ہیں۔ مثال کے طور پر، ایک وقف جائیداد کے اندر ہر فلیٹ،
ہر منزل یا ہر عمارت کو ایک الگ ایم یو نمبر دیا جاتا ہے۔

چند حقائق

प्रधान मंत्री की उच्च स्तरीय जस्टिस
राजेंद्र सच्चर समिति ने देश की विभिन्न
भाषाओं में विज्ञापन दे कर जनता की राय
माँगी जिस के जवाब में भारी संख्या में
जनता ने वक्रफ़ प्रणाली पर विस्तृत
representations भेजे।



JPC Waqf 1996-2006 और प्रधान मंत्री की उच्च स्तरीय समिति (अध्यक्ष जस्टिस राजिंदर सच्चर) ने 15-20 प्रांतों के दौरे किए थे। वहाँ उन्होंने वक्फ बोर्डों के लोगों, मुतवल्लियों तथा अवाम के विभिन्न शेड्स ऑफ opinion व सरकारी अफसरों, मंत्रियों व मुख्य मंत्रियों से तफसीली मुलाक़ातें कर के जानकारी ली।

इन जानकारियों का संकलन करने के लिए
प्रधान मंत्री की उच्च स्तरीय समिति ने कंसल्टेंट
अपाइंट किए और दिल्ली में राष्ट्रीय स्तर पर
गोष्ठियाँ कीं।

इस पूरी कारवाई का कुल लेखा जोखा बाइंड कर के मंत्रालय में दाखिल कर दिया गया था तथा इस की एक प्रति बाइंड कर के नेहरू मेमोरियल म्यूज़ियम में दाखिल कर दी गई थी।

इसी प्रकार JPC Waqf
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1996-2006 ने भी प्रांतों के दौरे
किए और विभिन्न प्रकार से
आवश्यक जानकारियाँ लीं।

**JPC Waqf 1996-2006 की रिपोर्ट
तथा प्रधान मंत्री की उच्च स्तरीय
समिति की 2006 की रिपोर्ट
संसद के पटल पर रख दी गई थीं।**

फिर कमिटी ऑफ सेक्रेट्रीज
की रिपोर्ट पेश हुई थी।

उन सब की रोशनी में वक्रफ़
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ऐक्ट 1995 में 2013 में भारी
अमेंडमेंट हुए थे।

कुछ सवाल

2013 के अमेंडेड ऐक्ट और रूल्स का इंप्लेमेंटेशन

या कार्यान्वयन किस किस प्रांत में

कब कब कितना कितना हुआ ?

इसमें कितनी सफलता हुई ?

क्या इस का **statewide chart** तैयार किया गया ?

यह चार्ट जेपीसी के सदस्यों को कृपया दिया जाए।

सब से पहली बार सरकार में इस प्रक्रिया
की कब शुरुआत हुई कि वक्फ़ ऐक्ट 1995
(जिस में 2013 में भारी अमेंडमेंट हो चुके थे)
उस में फिर भारी अमेंडमेंट होना चाहिए ?

इस प्रक्रिया के पीछे क्या मुद्दे थे ?
क्या मंत्रालय के पास देश भर से
representations आए थे ?

अगर हॉ तो किस किस प्रांत से कितने कितने
representation किस किस मुद्दे पर आए ?
उन representations का कोई चार्ट तैयार
किया गया ? कृपया उसकी प्रतिलिपि जेपीसी
के मेंबरों को प्रस्तुत की जाए।

क्या मंत्रालय ने सभी 29 **प्रांतीय वक़्फ़ बोर्डों** से लिख कर उन से राय माँगी ?
अगर हाँ तो कितने बोर्डों के जवाब आए ?
क्या मंत्रालय ने इन सब जवाबों का कोई चार्ट तैयार किया है ? कृपया उसकी प्रतिलिपि जेपीसी के मंत्रियों को प्रस्तुत करें।

क्या मंत्रालय ने **सेंट्रल वक्रफ काउंसिल** से लिख कर राय माँगी ?
अगर हाँ, तो इस मुद्दे पर काउंसिल की कितनी मीटिंग्स किस
किस तारीख को हुईं ? उन मीटिंग्स में कौन कौन मंवर हाज़िर थे,
उन मीटिंग्स के मिनिट्स काउंसिल की वेबसाइट पर डाले जाएं।
क्या मंत्रालय ने काउंसिल के जवाबों का कोई चार्ट तैयार किया
है ? कृपया उसकी प्रतिलिपि जेपीसी के मंवरों को प्रस्तुत करें।

क्या मंत्रालय ने **मुतवल्लियों** से लिख कर उन से राय माँगी ?

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अगर हाँ तो कितने मुतवल्लियों के जवाब आए ?
क्या मंत्रालय ने इन सब जवाबों का कोई चार्ट तैयार किया है ? कृपया उसकी प्रतिलिपि जेपीसी के मेंबरों को प्रस्तुत करें।

वक्फ़ मुसलमानों का मुद्दा है।

देश में मुसलमानों की बहुतेरी देशव्यापी
सामाजिक-धार्मिक संस्थाएँ हैं।

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क्या मंत्रालय ने इन से लिख कर राय माँगी ?
क्या उन के जवाबों का कोई चार्ट तैयार किया
गया ? कृपया उसकी प्रतिलिपि जेपीसी के
मेंबरों को प्रस्तुत करें।

वक्रफ़ बिल 2024 में बहुत से proposal हैं जिन का वर्णन Statement of Reasons में नहीं है। सदन में बिल पेश करते समय मंत्री जी ने भी बिल के बहुत से proposals का कारण नहीं बताया। लेकिन मंत्रालय ने तो वक्रफ़ बिल 2024 के हर proposal के पीछे detailed reasons लिख कर तैयार किए होंगे। मंत्रालय के अधिकारियों के पास उस की कापी हो तो जेपीसी के मेंबरों को कृपया दे दी जाए।

यह सभी दस्तावेज़ मंत्रालय की
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वेबसाइट पर अपलोड किये जाएं ।

Replace the word 'Waqf' by
Unified Waqf Management, Empowerment,
Efficiency and Development Act

No reason has been given by the Govt.

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It dilutes the significance of Waqf.

Proposal should be dropped.

सरकार द्वारा कोई कारण नहीं दिया गया है। यह वक्फ के महत्व को कमजोर करता है। इस प्रस्ताव को वापस लिया जाना चाहिए।

Sec 3

Insert new clause (fa)

Government Organisation

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includes the Central Government, State Governments, Municipalities, Panchayats, attached and subordinate offices and autonomous bodies of the Central Government or State Government, or any organisation or Institution owned and controlled by the Central Government or State Government.

This is an instrument to empower the Govt through Collector to declare Govt occupied Waqf properties as Govt Properties.

Proposal should be rejected.

यह सरकार को कलेक्टर के माध्यम से सरकार द्वारा अधिग्रहित वक्फ संपत्तियों को सरकारी संपत्ति घोषित करने का अधिकार देने का साधन है। इस प्रस्ताव को अस्वीकार कर देना चाहिए।

Sec 3

Insert new clause (fb)

Government Property

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**means movable or immovable property
or any part thereof, belonging to a
Government Organisation;**

वक्फ संपत्तियों की एक बड़ी संख्या है, जो सरकार के कब्जे में हैं। इनका विवरण जस्टिस सच्चर समिति की रिपोर्ट में दिया गया है।

यह बिल जिला कलेक्टर और राज्य सरकार को ऐसी वक्फ संपत्तियों को एकतरफा रूप से 'सरकारी संपत्ति' घोषित करने का अधिकार देने का प्रस्ताव करता है।

इस प्रस्ताव को अस्वीकार कर देना चाहिए।

**After Sec 3 insert
3C**

3C(3). In case the Collector determines the property to be a Government property, he shall make necessary corrections in revenue records and submit a report in this regard to the State Government.

कलेक्टर पहले से ही अत्यधिक कार्यभार में हैं। इसलिए अलग से सर्वेक्षण आयुक्त की व्यवस्था की गई थी।

इसके अलावा, कलेक्टर केंद्रीय और राज्य सरकार दोनों के अधीन* होते हैं। इसलिए, वक्फ संपत्तियों और वक्फ प्रशासनिक मशीनरी पर उन्हें अधिकार देना संविधान के अनुच्छेद 25, 26 और 29 का उल्लंघन है।

इस प्रस्ताव को अस्वीकार कर देना चाहिए।

[*कलेक्टर आईएस का सदस्य होता है, जो एक अखिल भारतीय सेवा है, जिसे केंद्रीय सरकार द्वारा नियंत्रित किया जाता है, भले ही इन अधिकारियों को विभिन्न राज्य/संघ राज्य क्षेत्र कैंडरों में आवंटित किया गया हो।]

New provision proposed in Waqf Bill 2024

3C(4) The State Government shall, on receipt of the report of the Collector, direct the Board to make appropriate correction in the records.

धार्मिक मामलों में सरकार का हस्तक्षेप संविधान के अनुच्छेद 25, 26 और 29 का उल्लंघन है।

किसी अधिकारी में कार्यपालिका और न्यायिक शक्तियों का (एक ही विषय पर) विलय अनुच्छेद 50 का उल्लंघन है।

इस प्रस्ताव को अस्वीकार कर दिया जाना चाहिए।

In Sec 3 of the existing Act, the Bill proposes that

After clause (k), insert (ka)

(ka) “portal and database” means the waqf asset management system or any other system set up by the Central Government for the registration, accounts, audit and any other details of waqf and the Board, as may be prescribed by the Central Government.

**वक्फ संपत्तियाँ मुसलमानों की संपत्तियाँ हैं।
उन पर नियंत्रण मुसलमानों का होना चाहिए।**

**इसलिए, अनुच्छेद 26 के अनुसार, वक्फ संपत्ति
प्रबंधन प्रणाली का नियंत्रण मुसलमानों के हाथ में
होना चाहिए, ना कि सरकार के।**

In Sec 3 of the existing Act, the Bill proposes that

In clause (r) in the opening portion, for the words “any person, of any movable or immovable property”,

The words “syedzafarmahmood.in any person practising Islam for at least five years, of any movable or immovable property, having ownership of such property,” shall be substituted;

Amendment proposed in Sec 3 of the existing Act

"कम से कम पांच वर्षों तक इस्लाम का पालन करना"

मुस्लिम समुदाय के लिए अपमानजनक है।

किसी अन्य समुदाय के लिए किसी अन्य कानून में

ऐसी कोई व्यवस्था नहीं है।

इसके अलावा, यदि कोई गैर-मुस्लिम वक्फ जैसी धर्मार्थ गतिविधि में योगदान देना चाहता है, तो उसे इससे वंचित नहीं किया जाना चाहिए।

इसलिए इस प्रस्ताव को अस्वीकार किया जाना चाहिए।

सेक्शन 3(r)(i)

[यूजर के द्वारा वक्फ़: यहाँ USER का अर्थ है 'उपयोग का अधिकार': अर्थात्, किसी अधिकार का निरंतर प्रयोग, उपयोग, विशेषकर संपत्ति में, या लंबे समय से जारी उपयोग के आधार पर एक अनुमानित अधिकार।]

'वक्फ़' की परिभाषा में 'उपयोग का अधिकार' वाला वक्फ़ शामिल है, जबकि ऐसा वक्फ़ केवल इस कारण से वक्फ़ होना नहीं रुके गा कि ऐसा उपयोग करना बंद हो गया, चाहे उपयोग बंद करने की अवधि कितनी भी लंबी क्यों न हो।

इसे हटाने का प्रस्ताव किया गया है।

हटाने की ऐसी प्रस्तावित प्रक्रिया प्राचीन मस्जिदों, मकबरों, कब्रिस्तानों इत्यादि के अस्तित्व के लिए घातक हो सकती है।

यह प्रस्ताव संविधान के अनुच्छेद 25 का उल्लंघन करता है।

अतः यह प्रस्तावित संशोधन अस्वीकार किया जाना चाहिए।

Sec 3(r)(i)

Waqf includes

(i) A **waqf by user** but such waqf shall not cease to be a waqf by reason only of the user having ceased irrespective of the period of such cesser.

It is proposed to be omitted

Such omission is fatal in respect of ancient mosques, tombs, graveyards, etc.

And, it violates Article 25 of constitution

Hence, this proposal deserves to be rejected.

Bill proposes amendment in Sec 4 of the existing Act

अलग से सर्वेक्षण आयुक्त की व्यवस्था इस लिए की गई थी कि उन्हें वक्फ़ बोर्ड के आधीन रह कर काम करना है । यह भी सब जानते हैं कि कलेक्टर पहले से ही अत्यधिक कार्यभार में हैं।

इसके अलावा, कलेक्टर केंद्रीय और राज्य सरकार दोनों के अधीन* होते हैं। इसलिए, वक्फ़ संपत्तियों और वक्फ़ प्रशासनिक मशीनरी पर उन्हें अधिकार देना संविधान के अनुच्छेद 25, 26 और 29 का उल्लंघन है।

इस प्रस्ताव को अस्वीकार कर देना चाहिए।

[*कलेक्टर आईएएस का सदस्य होता है, जो एक अखिल भारतीय सेवा है, जिसे केंद्रीय सरकार द्वारा नियंत्रित किया जाता है, भले ही इन अधिकारियों को विभिन्न राज्य/संघ राज्य क्षेत्र केंद्रों में आवंटित किया गया हो।]

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وقف ٹریبیونل سے

**حکومت کی جانب سے مسلم قانون کے
ماہر کو باہر کرنے کی تجویز ہے۔**

वक्फ ट्रिब्युनल में ऐसे विशेषज्ञ का समावेश
ट्रिब्युनल के निर्णयों की
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इस्लाम की आस्था और संस्कृति के ढांचे
से संगति के लिए महत्वपूर्ण है,
जो वक्फ संपत्तियों के संचालन और प्रशासन के
लिए आधारभूत है।

यह आरटिकल 26 में अनिवार्य किया गया है।

From Waqf Tribunal: Expert of Muslim Law is proposed to be excluded

Act of 1995	Proposed in Bill of 2024	Comments
Section (4):	Section (4):	
Every Tribunal shall consist of:	Every Tribunal shall consist of two members—	
<p>(a) One person, who shall be a member of the State Judicial Service holding a rank, not below that of a District, Sessions or Civil Judge, Class I, who shall be the Chairman;</p>	<p>(a) One person, who is or has been a District Judge, who shall be the Chairman; and</p>	<p>THE BILL OPENS APPOINTMENTS TO RETIRED JUDGES AND RETIRED GOVT. OFFICERS. THAT WOULD CREATE INFRASTRUCTURAL DIFFICULTIES AND THIS PROPOSAL SHOULD NOT BE ACCEPTED.</p>
<p>(b) One person, who shall be an officer from the State Civil Services equivalent in rank to that of the Additional District Magistrate, Member;</p>	<p>(b) One person, who is or has been an officer equivalent in the rank of Joint Secretary to the State Government—member:</p>	
<p>(c) One person having knowledge of Muslim law and jurisprudence, Member.</p>	<p style="text-align: center;">Proposed to be Deleted</p>	

وقف ٹریبیونل کے حکم کی آخری حیثیت
کو ختم کرنے کی سرکاری تجویز ہے۔

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یہ ایک رجعت پسندانہ قدم ہے اور وقف
جائیدادوں کی اہمیت کو کمزور کرتا ہے۔
اس تجویز کو منسوخ کیا جانا چاہیے۔

The existing provision in Sec 20A for the democratic

چیئرپرسن کو عدم اعتماد کے ووٹ سے ہٹانے
کی تجویز ختم کرنے کی پیشکش کی گئی ہے۔

جمہوری اقدار کو برقرار رکھا جانا چاہیے۔
اس تجویز کو مسترد کیا جانا چاہیے۔

Sec 32(1) موجودہ قانون

موجودہ قانون میں واقف کی منشا کے تحفظ
کی ضمانت دی گئی ہے۔
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حکومت اس ضمانت کو ختم کرنا چاہتی ہے۔
اس مجوزہ ترمیم کو منسوخ کر دینا چاہیے۔

Existing Act, Sec 32(1) Explanation -

यदि किसी वक़फ़ के मामले में किसी कोर्ट ने कोई स्कीम बताई है जिसे मान लिया गया है तो उस स्कीम के कार्याविन को मौजूदा क़ानून में मान्यता प्रदान की गई है। सरकार का प्रस्ताव है कि ऐसी मान्यता को निरस्त कर दिया जाए।

Proposed to be Omitted

Existing Act, Sec 32(1) Explanation -

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यह प्रस्ताव न केवल वक्फ के उद्देश्य के लिए हानिकारक है, बल्कि इस में अदालत की अवमानना भी है।

इस प्रस्ताव को रद्द किया जाना चाहिए।

Sec 36(4)

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موجودہ ایکٹ میں یہ گنجائش رکھی گئی ہے کہ
اگر وقف ڈیڈ موجود نہیں ہے لیکن اس کی تصدیق
کرنے والے دیگر شواہد موجود ہیں تو وہ وقف
کی شناخت کی بنیاد بن سکتے ہیں۔

حکومت کی تجویز ہے کہ اس طرح کا انتظام
منسوخ کر دیا جائے۔

موجودہ قانون کے سیکشن 36(4) میں پیشکش شدہ ترمیم

کئی وقف بہت پرانے ہیں، اکثر ایک صدی سے بھی
زیادہ پرانے۔ وقف ڈیٹا پیش کرنے پر اصرار کرنا اور
پرانے وقفوں کی حقیقتوں کو نظر انداز کرنا ایک
غیر منصفانہ اور وقف مخالف قدم ہے۔
اس لیے، 1995 کے ایکٹ میں یہ شق برقرار رکھنا
ضروری ہے۔

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اس تجویز کو منسوخ کیا جانا چاہیے۔

Existing Sec 36(7)

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Prescribes procedure for Registration of Waqfs by Waqf Board

On receipt of an application for registration, the Board may, before the registration of the waqf, make such inquiries as it thinks fit in respect of the genuineness and validity of the application and correctness of any particulars therein and when the application is made by any person other than the person administering the waqf property, the Board shall, before registering the waqf, give notice of the application to the person administering the waqf property and shall hear him if he desires to be heard.

Existing Sec 36(7)

The Bill proposes it to be substituted by

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On receipt of an application for registration, the Board shall forward the application to the **Collector having jurisdiction to inquire the genuineness and validity of the application and correctness of any particulars therein and submit a report to the Board:**

Provided that if the application is made by any person other than the person administering the waqf, the Board shall, before registering the waqf, give notice of the application to the person administering the waqf and shall hear him if he desires to be heard.

(7A) Where the Collector in his report mentions that the property, wholly or in part, is in dispute or is a Government property, the waqf in relation to such part of property shall not be registered, unless the dispute is decided by a competent court.”;

Proposed amendment in Sec 36(7) of existing Waqf Act

ریاستی وقف بورڈ کو لازمی طور پر کلیکٹر کے ماتحت
کرنے کی تجویز ہے۔
اور اس کے اختیارات کلیکٹر کو منتقل کرنے کی تجویز ہے۔

یہ تجویز آئین کے آرٹیکل 25، 26، 29 کی خلاف ورزی
کرتی ہے۔

اس تجویز کو منسوخ کیا جانا چاہیے۔

**Proposal to insert clause (10)
in Sec 36 of the existing Waqf Act**

(10) No suit, appeal or other legal proceeding for the enforcement of any right on behalf of any waqf which have not been registered in accordance with the provisions of this Act, shall be instituted or commenced or heard, tried or decided by any court after expiry of a period of six months from the commencement of the Waqf (Amendment) Act, 2024.

مौजूदा वक्फ अधिनियम की धारा 36 में उपधारा (10) जोड़ने का प्रस्ताव

اس تجویز کے ذریعے وقف کے وجود سے متعلق تمام حقائق کی صورتحال کو ختم کرنے کی تجویز پیش کی گئی ہے۔
اس میں اس بات پر زور دیا گیا ہے کہ تمام اوقاف کو اس نئے پورٹل پر رجسٹر کیا جانا چاہیے،
جسے مرکزی حکومت بنائے گی اور کنٹرول کرے گی۔

یہ آئین کے آرٹیکل 25، 26، 29 کی خلاف ورزی ہے۔
یہ تجویز وقف جائیدادوں کے مفادات کو محدود اور خراب کرتی ہے اور اسے منسوخ کیا جانا چاہیے۔

Existing Sec 40

Proposed to be Omitted

40. Decision if a property is waqf property.—

(1)

The Board may itself collect information regarding any property which it has reason to believe to be waqf property and if any question arises whether a particular property is waqf property or not or whether a waqf is a Sunni waqf or a Shia waqf, it may, after making such inquiry as it may deem fit, decide the question.

(2)

The decision of the Board on a question under sub-section (1) shall, unless revoked or modified by the Tribunal, be final.

(3)

Where the Board has any reason to believe that any property of any trust or society registered in pursuance of the Indian Trusts Act, 1882 (2 of 1882) or under the Societies Registration Act, 1860 (21 of 1860) or under any other Act, is waqf property, the Board may notwithstanding anything contained in such Act, hold an inquiry in regard to such property and if after such inquiry the Board is satisfied that such property is waqf property, call upon the trust or society, as the case may be, either to register such property under this Act as waqf property or show cause why such property should not be so registered:

Provided that in all such cases, notice of the action proposed to be taken under this sub-section shall be given to the authority by whom the trust or society had been registered.

(4)

The Board shall, after duly considering such cause as may be shown in pursuance of notice issued under sub-section (3), pass such orders as it may think fit and the order so made by the Board, shall be final, unless it is revoked or modified by a Tribunal.

Proposed dropping of Sec 40 of the existing Act

وقف پر 2006 کی جے پی سی اور جسٹس سچر کمیٹی
نے رپورٹ دی تھی کہ بڑی تعداد میں وقف جائیدادیں
تجاوزات کی زد میں ہیں۔

لیکن، 2024 کے بل میں ریاستی وقف بورڈ کو تجاوزات
کی زد میں آنے والی وقف جائیداد کی شناخت کرنے اور
اسے واپس حاصل کرنے کے لیے کارروائی کرنے کا حق
دینے سے انکار کرنے کی تجویز دی گئی ہے۔

یہ تجویز وقف مخالف ہے اور اسے مسترد کر دینا چاہیے۔

Proposed omission of Sec 47(1) of the existing Act

The cost of such audit shall not exceed one and a half per cent. of the net annual income of such waqf and such costs shall be met from the funds of the auqaf concerned

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Proposed to be Omitted

Proposed amendment in Sec 47(1) of existing Waqf Act

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**यह प्रस्ताव अनुचित रूप से दमनकारी है
और वक्फ के हितों के लिए हानिकारक है,
इसे रद्द किया जाना चाहिए।**

Existing Sec 52(4)

Proceedings for Recovery of encroached waqf property

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Any person aggrieved by the order of the Collector under sub-section (2) may, within a period of thirty days from the date of the service of the order, prefer an appeal to the Tribunal within whose jurisdiction the property is situated and the decision of the Tribunal on such appeal shall be final.

Proposed amendment in Sec 52(4) of the existing Act

“The decision of the Tribunal on such appeal shall be final”

Proposed to be Omitted.

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The effectiveness of the Waqf Tribunal must be maintained.

This proposal needs to be rejected.

वक्फ अधिकरण की प्रभावशीलता बनाए रखनी चाहिए।

इस प्रस्ताव को अस्वीकार किया जाना चाहिए।

Proposed omission of Sec 52A(2) of the existing Act

Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974) any offence punishable under this section shall be cognizable and non-bailable.

Proposed to be Omitted

This waters down the strength of the Waqf law. This proposal needs to be rejected.

यह वक्फ कानून की मज़बूती को कमजोर करता है।

इस प्रस्ताव को अस्वीकार किया जाना चाहिए।

Proposed omission of Sec 52A(4) of the existing Act

No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Section.

Proposed to be Omitted

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This waters down the strength of the Waqf law. This proposal needs to be dropped.

यह वक्फ कानून की मज़बूती को कमजोर करता है।

इस प्रस्ताव को अस्वीकार किया जाना चाहिए।

Proposed omission of Sec 61(1)(e) of the existing Act

Penalty for failure to deliver possession of any waqf property, if ordered by the Board or Tribunal.

Proposed to be omitted

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Will lead to lawlessness and mismanagement.

This proposal needs to be rejected.

यह अराजकता और कुप्रबंधन की ओर ले जाएगा।

इस प्रस्ताव को अस्वीकार किया जाना चाहिए।

یہ لاقانونیت، سرکشی اور بدنظمی کا باعث بنے گا۔ اس تجویز کو مسترد کر دینا چاہیے۔

Proposed omission of Sec 61(1)(f) of the existing Act

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Penalty for Mutawalli's non-compliance with the directions of the Board

Proposed to be omitted

Will lead to insubordination and mismanagement.

This proposal needs to be dropped.

यह अवज्ञा और कुप्रबंधन की ओर ले जाएगा।

इस प्रस्ताव को अस्वीकार किया जाना चाहिए।

یہ نافرمانی اور بدنظمی کا باعث بنے گا۔ اس تجویز کو مسترد کر دینا چاہیے۔

Proposed amendment in long line of the existing Act

**Imprisonment is proposed to be replaced by
fine upto Rs 50,000.**

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This will encourage encroachment and non-compliance. This proposal needs to be rejected.

यह अतिक्रमण करने और अनुपालन न करने की प्रवृत्ति को बढ़ावा देगा। इस प्रस्ताव को अस्वीकार किया जाना चाहिए।

Proposed omission of Sec 104 of the existing Act

Exemption to Waqf Properties from
Limitation Act

Proposed to be omitted

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یہ ہزاروں وقف جائیدادوں کے
وجود کو خطرے میں ڈالتا ہے۔
اس تجویز کو واپس لینا چاہیے۔

Proposed omission of Sec 108A of the existing Act

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Proposal to withdraw Overriding Effect favoring Waqf Act

This waters down the strength of the Waqf law.

This proposal needs to be rejected.

यह प्रस्ताव वक्फ कानून की मज़बूती को कमजोर करता है।

इस प्रस्ताव को अस्वीकार किया जाना चाहिए।

Proposed omission of Sec 108 of the existing Act

Sec 108

Treatment as Evacuee Property

Proposed to be omitted

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This waters down the strength of the Waqf law.

This proposal needs to be dropped.

यह प्रस्ताव वक्फ कानून की मज़बूती को कमजोर करता है।

इस प्रस्ताव को अस्वीकार किया जाना चाहिए।

**The article on Waqf Bill 2024
authored by
Mr Md Shafeequzzaman IAS (Retd)
published in Muslim Mirror
stands out in substance and rationale.**

Must read !

syedzafarmahmood.in

**[https://muslimmirror.com/waqf-
amendment-bill-2024-pandering-
to-false-narratives/](https://muslimmirror.com/waqf-amendment-bill-2024-pandering-to-false-narratives/)**

جزاكم الله خيرا