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Towards a Transparent Waqf System: Bridging Religious Autonomy and Legal Accountability in the Context of Property Rights

SHRUTI SHARAN¹ AND DR. ASEEM CHANDRA PALIWAL²

ABSTRACT

The institution of Waqf, a cornerstone of Islamic philanthropy, has long served as a vehicle for social welfare and community development. In India, however, the waqf system is marred by legal ambiguities, administrative inefficiencies, and constitutional conflicts, threatening its foundational objectives. This paper critically analyzes the Waqf Act, 1995 and its subsequent amendments, particularly focusing on the Waqf (Amendment) Bill, 2024, through the lens of constitutional principles such as equality, religious freedom, and property rights. Drawing from historical, legal, and comparative perspectives, it exposes the systemic flaws in waqf governance, ranging from unchecked powers of Waqf Boards and exclusion of civil court jurisdiction to widespread encroachment, corruption, and lack of transparency. The study further evaluates landmark judicial pronouncements and case studies from Indian states to underscore the real-world implications of these legal provisions. Drawing lessons from successful waqf management models in countries like Singapore and Malaysia, the paper advocates for a balanced approach that safeguards religious autonomy while ensuring legal accountability and administrative efficiency. It proposes a roadmap centered on digitization, independent audits, inclusive governance, and adoption of technological innovations to modernize waqf administration in India. Ultimately, the research emphasizes the need to align waqf practices with constitutional mandates and global best practices, thereby unlocking its socio-economic potential and fostering communal trust.

Keywords: *waqf governance, religious autonomy, constitutional law, legal reform, property, rights.*

I. INTRODUCTION

The institution of ‘Waqf’ is a type of charitable endowment in the religion of Islam and has

¹ Author is a student at Unitedworld School of Law, Karnavati University, India.

² Author is an Associate Professor at Karnavati University, Unitedworld School of Law, India.

played a pivotal role in supporting religious, educational and social welfare initiatives of the Muslim community from the inception of Islam.³ Rooted in Islamic tradition, the concept of ‘Waqf’ which essentially means “detention or dedication of property in perpetuity for some pious purpose”⁴ has taken shape into a systematic legal framework in various countries, including India, where it is regulated by the Waqf Act, 1995. The Waqf Act, 1995 has been amended twice since its enactment. Firstly, through the Waqf (Amendment) Act, 2013 and secondly through the Waqf (Amendment Bill), 2023 which is a proposed amendment as of now. The regulatory landscape surrounding waqf, especially after the amendment in 2013 has brought this subject to a significant debate and tussle between religious autonomy and state oversight.

Contributing towards a wider discourse on religious endowments, constitutional rights, and governance in India, this paper highlights constitutional and legal challenges in the current waqf system and the analysis of the suggested and proposed amendments in the Waqf Amendment Bill of 2023. The legal scholars and policymakers, religious communities, civil society organisations and property stakeholders, navigating the complex intersection of faith and law may derive valuable insights from this study.

(A) Historical and Religious foundations of Waqf

Across the world, different religions have emphasized the relevance of charity and pious services through various philosophies and strictures. The Shrimad Bhagavatam, in Chapter 17, verse 21 and 22, and various other verses, while highlighting the importance of righteousness and social harmony explains the concept of virtuous and royal donations.⁵ In Christianity, charity is central to the teachings of the church. According to it, every duty and action in these teachings originate from love, which is the essence of all laws.⁶ Similarly, in Islam, the doctrine of charity is underscored through the principles of Zakat and Sadaqah. Verse 215 of Chapter 2 (Surah Al-Baqarah) and verse 134 of Surah-Al-Imran in the Quran Sharif⁷ talk about acts of giving, promoting social compassion and justice. Of these principles, the concept of Sadaqah, which also means continuous charity, forms the basis of the ‘Waqf System’ in Islam.

The Quran Sharif doesn’t mention the word ‘Waqf’ directly. As per historical accounts, Hazrat

³ Singh, A. (2015). Zamindars, inheritance law and the spread of the waqf in the United Provinces at the turn of the twentieth century. *Indian Economic and Social History Review*, 52(4), 501–524.

⁴ M Kazim vs A Asghar Ali, AIR 1932 11 Patna 238

⁵ *Gita Supersite* <https://www.gitasupersite.iitk.ac.in/> accessed 9 March 2025.

⁶ Matthew 22:36-40, Pope Benedict XVI, *Caritas in Veritate* (29 June 2009) https://www.vatican.va/content/benedict-xvi/en/encyclicals/documents/hf_ben-xvi_enc_20090629_caritas-in-veritate.html accessed 15 March 2025.

⁷ *The Quran*, Surah Al-Baqarah 2:215 <https://quran.com/en/al-baqarah/215> accessed 16 March, 2025.

Prophet Ibrahim and Hazrat Prophet Ismail had worked for making the Kaba Sharif so that people can worship Allah. It was done in the form of continuous charity or Sadaqah for two purposes, worship of Kaaba and following the path of Allah. This form, considered as one of the most rewarding forms of charity provided ongoing benefits to both individual and community. It was postulated that the people who donated can reap benefits even after death as it is never stops.⁸ The Kaaba Sharif is considered as the first Waqf in the world.⁹ Although there are other theories that the first formalised waqf was done by Prophet Mohammad who set aside lands and orchards for the benefit of poor and other religious and social welfare purposes. The conditions followed in the first known waqf, formed the basis of the Waqf System.

- It shall solely be for Allah's cause
- It will not be given as gift
- It shall not be for sale or heritage
- It shall only be for public welfare
- It will not be inherited in any case

(B) Purpose of Waqf

The purposes of waqf were enumerated and were categorised as religious and charitable. However, a more advanced categorisation that is followed across jurisdictions and in the present day is as follows. A waqif can choose any of the purposes as mentioned below before donating.

Type of Waqf	Purpose	Examples
Religious waqf	Support religious activities	Mosques, Madrasas
Charitable Waqf	Provide Social Welfare	Hospitals, Food Distribution
Family Waqf	Secure Family Income	Properties for Descendants
Public Infrastructure Waqf	Develop Public Utilities	Roads, Bridges, Caravanserais
Educational Waqf	Promote Knowledge	Schools, Libraries, Scholarships

⁸ Al-Hasanaat, 'Sadaqah-e-Jariyah' <https://alhasanaat.com/projects/sadaqah-e-jariyah/> accessed 15 March 2025.

⁹ Abderrazak Belabes, 'The Forgotten History of the Waqf: The Ka'aba' (2024) 2(3) *Islamic History and Literature* 137 <https://doi.org/10.62476/ihl23137> accessed 10 March 2025.

Agricultural Waqf	Utilize Farming Revenue	Crop Yields for Charity
Cash Waqf	Fund Diverse Modern Projects	Microfinance, Scholarships
Military Waqf	Support Armed Forces	Barracks, Soldier Families
Women-Led Waqf	Empower Women in Philanthropy	Shelters, Orphanages
Green Waqf	Conserve the environment	Reforestation/Water Conservation

Table 2. Elaborate Purpose of Waqf

Source: The concept and objective of Waqf by Mohd. Tahir, International Islamic University Malaysia

Mohd. Ghorī began the system of waqf by gifting two villages. Islamic scholars said that rulers who wins an area by power, the area will be considered his and waqf the state lands, also called as Kharaj land or crown land in Sharia. Thereafter, mosques started running in self-sustainable model and the first given property by Ghorī was the first waqf'ed land in India.¹⁰

Joseph Schacht, in his paper titled “Early Doctrines of Waqf,” explains that: “The origin of the institution of waqf cannot be traced to any single source. It is the result of combinations of several factors and various elements which were intimately fused during the formative period of Mohammadan Law”.¹¹ The concept of waqf originates from Shari'a (the religious law of Islam).¹² ‘Waqf’ derives its meaning from the word “waqufa” which essentially means to stop, detain or restrain. The plural of waqf is ‘wuquf’ or ‘awqaf’ and its verb is ‘waqafa’.¹³ It means a dedication of property for the religious, social, educational and welfare activities.¹⁴ It is a formal process in which the donor (waqif) donates the assets (mawquf) for a specific charitable purpose. This dedication is permanent in nature as the ownership is inherently transferred to

¹⁰ India Herald, ‘Waqf land in India grew from villages gifted by invader Ghorī to lakh-acre’ <https://www.indiaherald.com/Breaking/Read/994767593/Waqf-land-in-India-grew-from-villages-gifted-by-invader-Ghorī-to-lakh-acre> accessed 16 February, 2025.

¹¹ Aharon Layish, ‘Notes on Joseph Schacht's Contribution to the Study of Islamic Law’ (1982) 9(2) *Bulletin (British Society for Middle Eastern Studies)* 132–140, Taylor & Francis, Ltd.

¹² *Mumtaz Qader Mirza N. Safdar v Advocate General* AIR 1946 Oudh 244.

¹³ Muhammad Jawad Maghniyyah, *Waqf, Hajr and Wasaya according to the Five Schools of Islamic Law* (vol 8, 1st edn, Department of Translation and Publication, Islamic Culture and Relations Organization 1997).

¹⁴ P S Munawar Hussain, *Muslim Endowments, Waqf Law and Judicial Response in India* (1st edn, Routledge 2021).

God, which ensures its perpetuity.

In the Waqf Act, 1995, Waqf is defined under section 3(r).¹⁵ It is defined as the permanent dedication by any person, of any movable or immovable property for any purpose recognised by the Muslim law as pious, religious or charitable. The Indian government passed the first waqf legislation in 1954 (Waqf Act, 1954) for improving the administration of waqf properties in the country. The act has underwent amendments in 1959, 1964, 1969, and 1984 till it got replaced by the Waqf Act, 1995. This was further amended in 2013 (Waqf Amendment Act, 2013). It comprises of 9 chapters and 113 sections.¹⁶ . Indian waqf properties are among the largest Awqaf in the whole world and thus possess immense potential.¹⁷

(C) Evolution of the Waqf System in India

The waqf laws in India have undergone significant transformations across different historical time periods since the inception of Islam. The following table presents a structured overview of the key legal developments from the Islamic Era to the present.

Era	Year	Key development	Significance
Islamic Period	8th Century CE (2nd Century A.H.)	Waqf properties under strict central control by the monarch, with provincial officers like Sadr-e-Subah and Sadr-e-Sarkar managing them.	Established the foundation of waqf management under Muslim rule.
British Colonial Period	1810	Bengal Code Regulation XIX	For managing rents and produce for upkeep of religious institutions, mark minimal British interference
	1817	Madras Code Regulation VII	Regulated lands granted for religious purpose in Fort. St. George

¹⁵ The Waqf Act 1995 https://www.indiacode.nic.in/bitstream/123456789/15941/1/the_waqf_act%2C_1995.pdf accessed 23 March 2025.

¹⁶ Tabasum Rasool, 'Waqf Administration in India: Issues and Challenges of State Waqf Boards' (2017) 7(1) *Journal of Islamic Thought and Civilisation* <Page 3> accessed 5 March 2025.

¹⁷ Amir Afaq Ahmad Faizi, 'Waqf Record Management in India' (2016) Center for Rural Studies, Lal Bahadur Shastri National Academy of Administration, Mussoorie https://www.lbsnaa.gov.in/storage/uploads/pdf_data/1740657430_3-Waqf_Study2016.pdf accessed 5 March 2025.

		Religious Endowments Act	Ended Govt. Control, allowing local communities to manage waqf
		Charitable Endowments Act	Legal framework for managing all charitable endowments
	1913	Musalman Wakf Validating Act	Officially recognised waqf-al-aulad (family waqf) and ensured reversion to charitable purposes
	1923	Mussalman Wakf Act	Required trustees to maintain and submit accounts to prevent mismanagement
	1930	Mussalman Waqf Validating Act	Gave retrospective validity to all family waqfs across India.
	1934	Bengal Waqf Act	Established the Bengal Waqf Board for supervision.
		United Provinces Muslim waqf Act	Created the Central Waqf Board in Uttar Pradesh
		Hyderabad Endowment Regulation Act	Waqf regulations introduced in the Princely State of Hyderabad.
	1943	Delhi waqf board established	Expansion of waqf boards in India
Post-Independence era	1954	Wakf Act 1954	First post-independence waqf law to regulate management and ensure income was used for intended religious or charitable purposes.
	1959, 1964, 1969	Amendments to Wakf Act, 1954	Addressed mismanagement, lack of transparency, and oversight issues.
	1976	Waqf Inquiry committee report	Highlighted corruption, encroachments, and recommended

			reforms.
	1984	Waqf Amendment Act	Increased limitation period for claiming waqf properties from 12 to 30 years and applied Waqf Act to evacuee properties.
	1995	Waqf Act, 1995	Comprehensive legislation consolidating previous laws and repealing the 1954 Act.
		Sachar Committee Report, 2006	Identified inefficiencies in waqf management and recommended financial and administrative reforms.
		Joint Parliamentary Report on Waqf Board	Stressed the need for transparency, better documentation, and digitization of Waqf properties.
	2013	Waqf Amendment Act, 2013	Improved waqf management, introduced professional appointments, tightened leasing rules, and increased penalties for encroachments but widened the powers of Waqf Board and tribunal paving way for loopholes and increased autonomy over property ownership and its adjudication
Recent Developments	2024	Waqf (Amendment) Bill, 2024	Proposed 14 major amendments to address inefficiencies in Waqf Boards, reduce litigation, and improve administration under the 1995 Act.

Table 3. Evolution of the Waqf System

Source: Joint Parliamentary Committee Report on Waqf Bill,2024

II. WAQF GOVERNANCE: CONSTITUTIONAL PRINCIPLES AND LEGAL CHALLENGES

(A) Judicial Interpretations of Waqf Act, 1995 as amended by the Waqf (Amendment) Act, 2013 in light of Constitutional principles

The first significant Waqf legislation in India was enacted in 1913. Indian Muslims contend that they are a "minority class" post-constitutional. Consequently, parliament has made nine colossal amendments to the 1913 act under the umbrella of Articles 29 and 30 of the Constitution. Any such legislation that gets amended or enacted must stick to the Grundnorm; however, the Wakf (Amendment) Act, 2013 is the best example of such a modification that has resulted in several controversies and complexities. Wakf Board owns the third-largest piece of land in the country as of 2024.

Some of the Legal and Constitutional inconsistencies that have been raised by the judiciary in the case of waqf legislation citing the violation of constitutional structure are:

1. Wakf properties are granted special protections and benefits not available to trusts and endowments of other religions under Article 14 (Right to Equality). Bypassing regular civil courts and establishing Wakf Tribunals with authority solely for Wakf matters, a second judicial system is created.

2. Article 15 (Prohibition of Discrimination): It is against the secular fabric of the Constitution to provide Wakf properties preferential treatment while using public resources, such as survey fees.

3. Article 25: Freedom of religion

Infringement of Religious Practice: Article 25 provides protection for freedom to practice, propagate, and profess religion. If waqf legislation is believed to interfere with basic religious activities, like the management of waqf properties, issue arises. Critics argue that provisions that empower state administrators to monitor waqf administration could restrict religious freedom of the Muslim community.

Regulation of Religious Endowments: The management of waqf properties is regarded by some as part of religious practice. Free exercise of religion can be considered, however, to be curtailed by government-imposed statutes such as audits, surveys, and the demand that non-Muslims sit on waqf boards.

4. Article 26: Freedom to Manage Religious Affairs

Autonomy of Religious Denominations: Article 26 grants every denomination the autonomy to manage its own religious affairs, including ownership and administration of property. As

statutory bodies, waqf boards possess significant control over waqf properties, often overriding local communities or religious figures. This calls into question the autonomy of religious denominations.

Non-Muslim Representation on Waqf Boards: The Waqf Amendment Bill, 2024, seeks to introduce non-Muslims on waqf boards. This has been opposed on the basis that it undermines the religious autonomy and integrity of the waqf system since it can lead to interference in religious matters.

5. Article 300-A (Right to Property): Without following the required procedures, Wakf Boards' unrestricted authority to claim properties as Wakf property is said to violate property rights.

(B) Impugned sections of the Waqf Act, 1995 as amended by Waqf (Amendment) Act, 2013

Through the lense of legality and constitutionality, total 28 sections of the Act seem to raise constitutional concerns but main sections which are mentioned regularly came under court's scrutiny.

- Properties may be designated as Wakf under Section 3(r) without revealing the identity of the Wakif (giver).
- Sections 4 and 5: Give the Survey Commissioner broad authority to declare properties Wakf without informing the public or conducting a thorough investigation.
- Section 6: Requires Wakf Tribunals to decide disputes, excluding civil courts.
- Sections 28 and 52 provide Wakf Boards the power to order district magistrates to implement the law, which leads to administrative irregularities.
- With the exception of Tribunal supervision, Section 40 gives the Wakf Board the authority to unilaterally proclaim properties to be Wakf. Section 85 prohibits revenue courts, civil courts, and other agencies from pursuing legal action on waqf-related issues.
- Wakf Board members are granted a privilege not granted to other religious leaders by Section 101, which designates them as public workers.

(C) Analysis of the amendments introduced as a reform measure in the Waqf (Amendment bill), 2024

The Joint Parliamentary Committee (JPC) has cleared the Waqf Amendment Bill, accepting 14

amendments suggested by the BJP-led National Democratic Alliance (NDA). The committee, headed by Mr. Jagdambika Pal, passed these amendments by a majority vote of 16-10. The bill aims to reform the Waqf Act of 1995, which regulates the administration of Waqf properties in India. One of the major amendments shifts the power to decide whether a property is Waqf from the District Collector to an officer appointed by the state government.

The process of approval has been controversial. The opposition members suggested 44 amendments, which were all shot down, prompting accusations that the committee subverted democratic processes. Trinamool Congress MP Kalyan Banerjee termed the day as a "black day for democracy," and Congress MP Imran Masood was worried that the bill had the potential to "ruin" the Waqf system.

Albeit such oppositions, the JPC went ahead with the amendments, citing large-scale consultations for six months, 34 sittings, and interactions with more than 284 stakeholders. The final report is scheduled to be published on January 29.

1. The concept of Waqf by User

Omission of section 3 (r) in the Bill – Waqf by user is a concept in which formal documentation is not needed for declaration of waqf by virtue of the property being used for a long time. The Hon'ble supreme court has explained in a Salem Muslim Burial Ground Protection Committee v. State of Tamil Nadu¹⁸ in 2023 that the even though the concept of waqf by user is present, the procedural requirements have to be fulfilled as given in section 4 of the Act. The two surveys, submission of final report to both state governments and the waqf board is mandatory. It is a sine qua non for establishing a valid waqf.

Muslim law doesn't require express declaration of property to establish a waqf. The circumstances of the case or the conduct of wakif result in establishing waqf. This principle was reiterated in the case of Ram JanmBhoomi Temple¹⁹ and also it is statutorily recognised in section 3(r) of the principal act.

2. Wrongful declaration of Waqf property as Government property

As per the bill of 2024, section 3C is said to have retrospective effect as in any government property whether identified or declared as waqf before or after the implementation of this act, will no longer be considered waqf. The amendment shifts the burden of proof to the person/organisation claiming the property as waqf. In *Laxman Purshottam vs State of Bombay*²⁰, the

¹⁸ 2023 INSC 551

¹⁹ M Siddiq (Ram Janmabhumi Temple-5 J) v Suresh Das (2020) 1 SCC 1; 2019 SCC OnLine SC 1440

²⁰ AIR 1964 SC 436

apex court ruled that order issued by collector must be supported by written reasons and followed by inquiry. It encompasses considering both oral and documentary evidence, fair hearing and proper inquiry. Hence it is not violative of Article 14 of the constitution.

3. The Introduction of Non-Muslims in State council

In the governing council of waqf, the aspect of inclusion of Non-Muslims is raised in the new bill. But according to the contentions of waqf board of Maharashtra, the similar laws for Hindu community, such as Devaswom Acts, Hindus only serve in Devasam boards. The same was upheld in *P Shreedharan Pillai vs State of Kerala* in 2019²¹. Also, in the Telangana charitable and hindu religious institutions and endowments act of 1987, only individuals professing the Hindu faith are permitted to serve on councils. This amendment in clause(g) was said to undermine the autonomy and religious integrity of the waqf system. However, according to the ministry, Central Waqf Council's expansion to include non-muslim members, aims to foster inclusivity and diversity in the management. Also, the section 96 of the Waqf Act, 1995, grants the central government the authority to oversee secular activities of Auqaf, which brings within its ambit, the central waqf council and the state waqf boards.

In *Tilkayat vs State of Rajasthan*²², on raising challenge to the Nathdwara Temple Act, section 5(3) of the Act permitted the collector to be a member of the board, regardless of his religion. The court stressed that managing temple properties doesn't qualify for a religious practise but is a secular one.

The Calcutta HC stated in *Basheer v. State of West Bengal*²³, that there had been no violation of the Article 25(1) that is guarantee of religious freedom. It claimed that the relevant law did not restrict anyone's ability to freely practice, adhere to, or spread their faith. Law only regulated the financial and economic facets of religious activities; these are not protected as fundamental religious rights. It went on to clarify that waqf does not qualify as a "religious denomination" under Article 26 of the Constitution. Hence, Article 25(2)(a) gives the State the power to control or outright forbid any financial, economic, or secular activity that might be connected to religious activities.

Another issue was with the representation of more orthodox communities of the Muslim community namely, the Bohras and Agakhanis. A proposed amendment was suggested in consonance to this as to create a separate board for them. The ministry said it doesn't violate

²¹ 2024 KER 84861

²² 1964 SCR (1) 561

²³ AIR 1976 CAL 142

article 14 of the constitution while citing the case of *Maulana Kureshi vs UOI* of 2002, wherein the challenge was that waqf divided Muslims into Shias and Sunnis (two sects of islam) into groups of their respective waqfs.

A series of judgements were highlighted in the Joint Parliamentary Committee Report when asked about the key rulings related to Article 26, which would impact the Waqf Amendment Bill, 2024. Firstly, the Shirur Math judgement was mentioned which is a landmark case defining the scope of state intervention in religious denominations. Following the same path, Waqf administration was also seen as a socio-religious and not strictly religious. Next was the Shri Chitambaram Nataraja temple judgement²⁴ of 2014 which reaffirmed that religious institutions should enjoy autonomy with minimal state interference unless in cases of mismanagement affecting public order. The bearing on the bill was that, in this case, state's supervisory role was enabled by the principal act to ensure proper administration. Another landmark ruling of the Shri Padmanabhaswamy temple in 2020²⁵, upheld the rights of the royal family to manage temple affairs with limited state oversight. It provided a framework for regulating waqf institutions as well, while striking a balance between religious traditions and administrative regulations as the Waqf Act, 1995, as a central legislation regulates waqf properties, similar to state level laws. Another case was *Adityanath vs Travancore Devaswom Board*²⁶ which drew its judgement on similar lines reiterating that state supervision is confined to the administration part only. In 2019, the court gave a similar opinion in *Shri Jagannath Puri Judgement*.²⁷ Stressing on the administrative bodies role in addressing corruption and mismanagement, the court ruled in *Rajasthan Dharmik Nyas Board*²⁸ that religious trust and boards should have internal autonomy with limited administrative role of state.

In the case of *Sabarimala* (2018)²⁹, the conflict between constitutional rights and religious practices, more especially, gender equality, was settled. The Court limited the extent to which religious customs can supersede constitutional principles by ruling in favor of women's entry into the Sabarimala Temple. Waqf management involves striking a balance between state supervision and religious autonomy, just like the Sabarimala verdict. Judgement of the *Sikh Gurdwara Prabandhak Committee* (2012)³⁰ upheld the Sikh community's autonomy over its religious establishments, emphasizing that government intervention is only justified in cases

²⁴ *Podhu Dikshitar of Sri Sabhanayagar Temple v Government of Tamil Nadu* (2014) 1 SCC 696

²⁵ *Sree Padmanabhaswamy Temple v Union of India* (2020) 7 SCC 612

²⁶ *N. Adithyan v Travancore Devaswom Board* (2002) 8 SCC 106

²⁷ *Mrinalini Padhi v Union of India* (2019) 14 SCALE 608

²⁸ *Rajasthan Dharmik Nyas Board v State of Rajasthan* (2015) 12 SCC 77

²⁹ *Indian Young Lawyers Association v State of Kerala* (2018) 9 SCR 561

³⁰ *Shiromani Gurdwara Parbandhak Committee v Mahant Harinder Singh* (2012) 12 SCC 378

where public morality or order is in danger. This ruling is also claimed to support the Waqf Act of 1995, which gives the State oversight of waqf management without infringing on religious freedom. Like Sikh gurdwaras, waqfs are governed by a set of laws to guarantee good governance and openness. The Supreme Court's rulings affirm that religious organizations have the autonomy to manage their own affairs, with the government only being involved in administrative and secular matters. By ensuring appropriate management of waqf properties without interfering with religious practices, the Waqf Act of 1995 upholds the aforementioned concept.

(D) Other Suggested Amendments and Radical Reforms submitted to the Joint Parliamentary Committee

The legislative amendments to the Waqf Act, 1995, proposed by a group of legal experts including Advocates Hari Shankar Jain, Vishnu Shankar Jain, Parth Yadav, and Mani Munjal, aim to address long-standing concerns over arbitrary inclusion of properties as Waqf and lack of clarity regarding its scope. Key recommendations include amending Section 2 to exclude properties such as evacuee property, non-Islamic religious properties, and those governed by the Trusts or Societies Act, along with the addition of Section 2A to prevent overlap with laws protecting historical monuments. The inclusion of Section 3(fc) further defines "private property" to clearly differentiate between Waqf and non-Waqf holdings, ensuring such private or charitable properties aren't wrongfully included in Waqf listings.

Another major reform is the introduction of a National Waqf Dispute Resolution Committee (NWDRC) under proposed Sections 3(X) and 3C, to function as a dedicated body for resolving disputes related to Waqf declarations. It is designed to have multiple zonal benches and aims to expedite the resolution of disputes, maintain accurate government records, and provide a uniform framework under the Commissions of Inquiry Act, 1952. Additional procedural reforms such as amending Section 4(B)(1) to exclude non-Muslim and government properties from Waqf surveys, and the introduction of Section 4(3A) requiring a mandatory hearing for affected individuals within 60 days, reinforce the principles of natural justice and due process.

Crucially, the amendment to Section 6(1) proposes replacing "any person aggrieved" with "any person interested" and shifting jurisdiction from Waqf tribunals to civil courts. The Supreme Court, in judgments like *Board of Muslim Wakfs v. Radha Kishan* and *Ramesh Gobindram v. Sugra Humayun Mirza Wakf*, clarified that non-Muslims were previously excluded from challenging Waqf listings, which was rectified in 2013 through an amendment allowing "any person aggrieved" to contest such listings. This shift offers broader protection to non-Muslims

whose properties are wrongfully included in Waqf lists and ensures their right to challenge such declarations even beyond the one-year statutory limit, thus reinforcing the constitutional right to property and access to justice.

III. WAQF IMPLEMENTATION: ADMINISTRATIVE COMPLEXITIES AND ACCOUNTABILITY

(A) Instances of Corruption and Mismanagement

Starting from 1990s, the financial conditions of Muslims was reported to be very poor and the property under the waqf was increasing massively. In light of this, in 2005, Justice Rajendra Sachar, made a report on actual conditions of Muslims and conducted an analysis of the waqf properties and its yearly data from 1981 to 2000. The Sachar committee demanded all waqf boards and their respective states revenue and survey data to be shared with the committee. The economist potential of waqf assets in India was also analysed. The state waqf boards, to the shocker of the Sachar committee hadn't updated their data and many small states had no data maintained. They weren't updated duly. But the data was collected anyhow. After a year on 17 November 2006, a 405-page committee report was released and submitted to PM Dr. Manmohan Singh. The key findings of the same were noted and the revelations included that 4.9 lack acres of properties was registered by Waqf, which was separate from what were claimed upon and not registered. The total land consisted of six lac acres and the market value of the registered property was calculated to be 1.2 lakh crores. Sachar committee had sorted dedicate Waqf schedule from the government but the government had denied. Even if all waqf properties were to be calculated, according to the 10% return, 12,000 crores was the estimated profit but the Waqf Board claimed to reap only 163 crore worth profits. Rs. 12,000 crores was similar to the budget of States of Sikkim, Nagaland and Mizoram and the budget estimate of Ministry of Minority Affairs (MoMA) is Rs. 3183 crore of proposed allocation for ministry with Rs. 1575 crore for education empowerment as per the ministry of minority affairs allocation 2024. This meant that four times the revenue from the profit of waqf was to be there but the urban area property report of 2004-5 revealed that 38.4% Muslims were below poverty line with West Bengal at that time had most waqf properties but even after that most poor Muslims were present in West Bengal. If we see the case of Singapore where 200 Waqf properties have a revenue of approx 42.7 crores, then it was impossible that 4.9 Lac worth property had generated only 163 crores in India. Meanwhile, if we see the case of other countries, Singaporeans developed a Sukuk Musharakah system and made Islamic bonds & invested the investor's money as well. Malaysia & Indonesia brought Istibdad system with which they made a lot of revenue but in

India Waqf board suffered with corruption, politicians own will and outdated system due to which there's a huge difference in revenue.

In 2021, multiple locations in Maharashtra were raided by ED for alleged Waqf land scam.³¹ India Today conducted an undercover investigation and found that some people were forcefully profiting from waqf properties. They approached a Mutawalli in Meerut regarding waqf property No. 3068. A man named Qamar Ahmad provided them with a fake document. This document, which they obtained a copy of, showed that he was willing to lease out 680 square yards of land for ₹1.3 crore. He admitted that 25% of the money from this transaction would go to waqf board members. Similarly, in Sitapur, Mutawalli Chowdhary Abdul Hamid was prepared to lease out waqf property No. 4181 for 90 years. Another case involved waqf property No. 3493, where Mutawalli Haji Abdul Samad was ready to sell the land for money.

There are many similar cases where politicians and land mafias are involved in the illegal selling or leasing of waqf properties in exchange for money. Mutawallis have been systematically misusing waqf properties, diverting funds meant for poor Muslims for their own benefit. Many individuals are keeping waqf properties for their own benefit. In West Bengal, 126 waqf properties were leased out at extremely low rates. One of these waqf properties was leased to Vijay Mallya's alcohol company for 99 years. This is concerning because waqf properties are not supposed to be used for selling alcohol. There is a long list of politicians involved in such deals. Anwar Maniappady, the chairman of Karnataka's state minority commission, submitted a report alleging that from 2001 to 2012, significant misconduct took place regarding waqf properties.

Politicians and land mafias were involved in giving away 27,000 acres of waqf land at extremely low prices. The entire scam is estimated to be worth ₹2 lakh crore. Several names were directly mentioned in connection with the scam, including Rehman Khan, Zafar Sharif, Tanweer Saik, Qamrul Islam, Khanij Fatima, N.A. Harris, C.M. Ibrahim, and Mallika. Arjun Kharge was also named in the scandal. Additionally, PDP leader Chandrababu Naidu reportedly allocated 1,100 acres of waqf land to the Airport Development Authority of India. Though, recently, the Andhra Pradesh government citing transparency and mismanagement issues had also dissolved the waqf Board and withdrew its notification in 2024.³² YSR Reddy allocated 1,630 acres of prime waqf

³¹ India Today, 'ED Raids Multiple Locations in Maharashtra in Waqf Properties Sale Case' (11 November 2021) <https://www.indiatoday.in/india/story/ed-raids-multiple-locations-maharashtra-waqf-properties-sale-case-1875740-2021-11-11> accessed 25 March 2025.

³² Andhra Pradesh dissolves Waqf Board for better governance', *The Hindu* (Andhra Pradesh, 14 March 2023) <https://www.thehindu.com/news/national/andhra-pradesh/andhra-pradesh-dissolves-waqf-board-for-better-governance/article68934756.ece>

land belonging to Dargah Hussain Shah, which he legally couldn't do. This land, valued at approximately ₹32,000 crores, was given to multinational corporations. In Delhi, waqf land near Jama Masjid and Fatehpuri Masjid, which contained commercial shops, was rented out at extremely low rates of ₹1,500 to ₹2,000 per month. However, the actual rent that should have been collected was ₹20,000 per month. Ahmad Bukhari and Maulana Muazzam Ahmed were accused of being involved in this mismanagement.

Many waqf properties in Delhi were leased for as little as ₹1 to ₹11. A list of such properties revealed that, instead of benefiting the Muslim community, 85% of these properties were leased to Hindus. In Uttar Pradesh, multiple allegations were leveled against Mukhtar Ansari regarding such waqf land dealings. A modern complex was built on waqf land and then transferred to his son. Atiq Ahmad was accused of being involved in this act.

Atiq Ahmad was also accused of transferring a prime waqf property in Prayagraj while its Mutawalli (caretaker) was away for medical treatment. He allegedly registered the waqf property under his family's name. Concerns about corruption in the waqf board have been raised multiple times as properties continue to be taken over. Despite repeated concerns, no action has been taken. Historically, when the British made Delhi their capital, they took control of waqf properties. After the British left, the waqf board reclaimed approximately 77% of Delhi's land, but during that period, many of these properties had already been taken over.

These properties later came under the control of DDO & L&DO, and the government built significant infrastructure on them, including over 200 mosques and 300 other structures. There is an ongoing conflict between the government and the waqf board over waqf properties, with multiple court cases still unresolved. DDA & L&DO have filed over 300 cases against the Delhi Waqf Board regarding land ownership, especially around the 2014 elections.

There has been report on the widespread encroachment of Waqf properties in Karnataka, as explained by Housing, Waqf, and Minority Welfare Minister B Z Zameer Ahmed Khan. The state Waqf Board has registered 4,108 cases in several districts related to encroachments over properties like mosques, dargahs, qabristans, ashurkhanas, and idgahs. A total of 1,935 have been settled, which amounts to nearly 47% of the total. In spite of these decisions, just 371 acres of encroached Waqf land have been effectively retrieved. Judicial and administrative proceedings continue to be slow, with 2,173 cases still pending with the Chief Executive Officer or enquiry officer, and another 76 cases bogged down in different courts.³³

³³ B Z Zameer Ahmed Khan, '1,935 or 47% of the Cases Have Been Disposed of So Far: Karnataka Waqf Property Encroachment Cases', *The Indian Express* (Bangalore, 25 March 2025)

Due to widespread mismanagement, a waqf management system was established in India-The Waqf Asset Management System of India or WAMSI Portal. The goal of this system is to prevent illegal possession of waqf properties. An online portal has been created, which, when accessed, provides state-wise data. This website contains GPS coordinates of waqf properties, along with details of ongoing legal cases related to them.³⁴ We can access reports on property surveys, financial data, rental income, and annual balance sheets.

Category	No. of cases
Total Records of Litigation cases (at waqf boards)	12,792
Total records of Litigation cases (Tribunal & Other Courts)	19,207
Total No. of cases of Alienation	1,340
Total No. of encroachment cases	5,220

Table. Litigation Records as per WAMSI Portal (as on Sept 2024)

By checking the portal, one can find that a total of 58,000 complaints have been registered. Additionally, 40,951 cases are still pending in the waqf tribunal. Currently, 165 cases are ongoing in High courts and the Supreme Court. A surprising fact is that 9,942 of these cases involve Muslim claimants. There is a huge pendency of cases by reason of open-ended timeline of disposal of cases by waqf Tribunals. Despite efforts for their welfare, the same community has faced the most difficulties. As a result, on August 8, 2024, the government introduced a new Waqf bill. This new bill includes several changes, which have led to significant controversies. One key change states that only individuals who have been practicing Islam for at least five years can dedicate their property as waqf. The previous provision allowing any user to waqf property has been removed.

Previously, a survey commissioner conducted waqf property surveys. Under the new law, this responsibility will now be handled by the district collector, who will send reports directly to the state government instead of the waqf board. For waqf properties under dispute between the government and the waqf board, ownership will remain with the government until a final

<https://indianexpress.com/article/cities/bangalore/waqf-property-encroachment-cases-karnataka-zameer-khan-9886384/lite/> accessed 25 February 2025.

³⁴ WAMSI Portal, Waqf Assets Management System of India <https://wamsi.nic.in/> accessed 25 March 2025.

decision is reached. According to the new bill, waqf properties will belong to the government. Additionally, registering any waqf property now requires official approval. To register waqf property, the collector's permission must be recorded in revenue documents. Furthermore, the bill mandates that at least two non-Muslims must be included in the waqf board. In addition, two Muslim women must also be compulsory members of the waqf board. Instead of a Muslim law specialist, a state government officer will now be present. The financial audit of waqf properties will be conducted by the government's CAG (Comptroller and Auditor General). All key decisions regarding waqf properties will be made by the district collector.

As a result of these changes, the influence of the waqf tribunal has diminished. Previously, states had separate Shia and Sunni waqf boards. Under the new bill, additional sect-based waqf boards, such as Agakhani and Bohra waqf boards, will also be included. Additional sections will be included in the waqf system, and Section 107 of the Waqf Act has been removed. Waqf properties now fall under the Limitation Act. Only written waqf declarations will be recognized, while oral waqf declarations made in the past will no longer be considered. Due to these changes, the 2024 waqf bill has faced strong opposition, particularly from the Muslim community in India, which has expressed distrust in the government's intentions. The new waqf act places the entire waqf system under government control, taking authority away from the Muslim community. What will happen in the future regarding this act remains uncertain. The coming months will reveal the full impact, but implementing such a significant change will not be easy for the government.

(E) Encroachment issues and Discrepancy in Official records

1. Lack of documentation and donor records (WAMSI portal data analysis)

A survey of Gujarat's Wakf properties, documented on the WAMSI portal, reveals:

- Properties registered without requisite documentation or donor details are absent.
- Allegations of forgery and inconsistencies in the administrative records of the Gujarat Wakf are present.

Take the instance of Gujarat where there are a total of 30, 881 wakf properties; however, following a review of every district, the name of the wakif is sometimes absent. The property is still listed on the WAMSI website. The property photo (s) was not connected, and the GPS coordinates for the property were either not entered or not available. Additionally, survey details are not entered or completed. Since the beginning, no quoted property has submitted the yearly return. However, the fact that this is a registered Wakf property on WAMSI just indicates that,

aside from the Board, the property may be owned by any individual or by the government. There are 44 wakf properties in Tapi Vyara that are displayed in WAMSI, but not a single detail about any of them can be retrieved.

2. The role of the Ministry of Minority Affairs in Waqf Expansion

In India, the Ministry of Minority Affairs (MoMA) is essential to the management, growth, and development of waqf properties. The ministry is in charge of creating policies, carrying out reforms, and offering financial and technical assistance as the main government agency in charge of waqf administration. This ensures that waqf properties fulfill their intended function, which is the welfare and advancement of the Muslim community.

Regulating and overseeing State Waqf Boards (SWBs) is one of MoMA's primary duties. These boards were set up in accordance with the Waqf Act of 1995 and are in charge of managing waqf properties on a state-level. The ministry oversees the Central Waqf Council (CWC), which provides waqf-related advice to the federal and state governments. Through these procedures, MoMA guarantees that waqf properties are used for community development, kept in good condition, and shielded from intrusion.

The ministry introduced the Waqf Management System of India (WAMSI) to help waqf properties grow and update. The objectives of this project are to use Geographic Information System (GIS) technology to track properties, digitize waqf records, and increase administrative openness. The project guarantees the effective use of waqf assets and aids in preventing encroachments. However, WAMSI's impact has been hampered by state waqf boards' delayed implementation; MoMA has been advocating for quicker adoption.³⁵

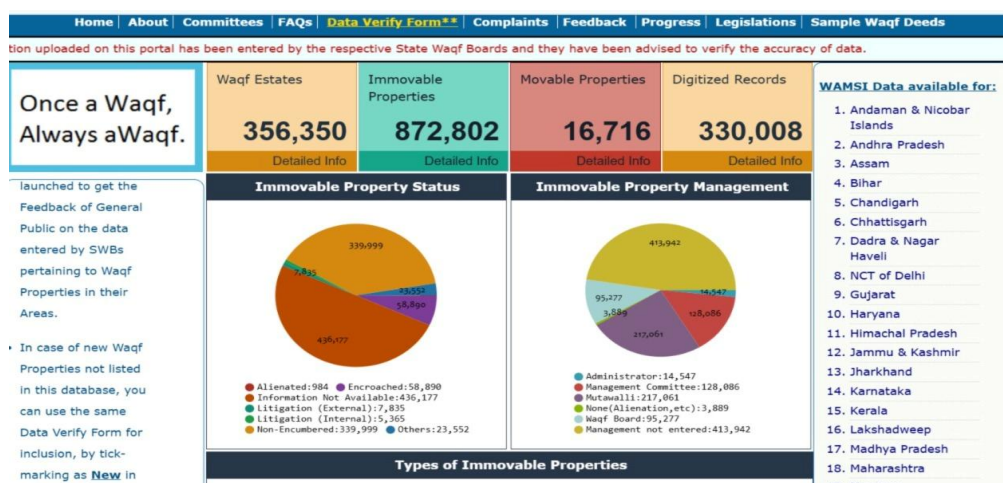


Figure: The WAMSI PORTAL

³⁵ Waqf Management System of India (WAMSI), 'Home' (WAMSI) <https://wamsi.nic.in/wamsi/index.jsp> accessed 6 March, 2025

The National Waqf Development Corporation Limited (NAWADCO)³⁶ was founded in 2013 by the Ministry of Minority Affairs in recognition of the financial difficulties waqf boards faced. Funding and technical support for the development of waqf properties are offered by this financial organization. In order to raise money for community welfare, the intention is to turn unused or encroached waqf properties into lucrative enterprises like retail malls, schools, and medical facilities. NAWADCO has struggled with little finance despite its potential, and its influence is still well below what is expected.

Case studies: Gujarat, Tamil Nadu, Kerala and Karnataka Land disputes

In decisions such as *Maneka Gandhi v. Union of India* and *E.P. Royappa v. State of Tamil Nadu*, the Supreme Court affirmed the non-arbitrariness principle. The Wakf Act's sections 40 and 54 are prime examples of unbridled discretionary powers that compromise equity and justice.

The Supreme Court voiced reservations in *Karnataka Board of Wakf v. Government of India* (2004) 10 SCC 779 regarding the broad authority given to Wakf Boards, specifically its capacity to proclaim private assets as Wakf on their own. The Court emphasized that unbridled powers could violate private property rights and emphasized the opaqueness of investigations and judicial processes. The Court emphasized how important it is to have judicial monitoring in order to protect property owners from capricious behavior.

Similarly, in *A.A. Gaffoor v. Tamil Nadu Wakf Board* (2001)³⁷, the Madras High Court criticized the Wakf Boards for circumventing civil courts in property disputes. It observed that disputes involving public and private landowners should be adjudicated within the framework of civil court jurisdiction. The Court stressed that bypassing civil courts undermines the principles of fairness and equality in resolving property-related conflicts.

In Tamil Nadu's Arcot district, Hindu farmers staged protests against the Waqf Board's designation of 57 acres of agricultural land as Wakf property. The farmers alleged that the Board had unjustly claimed their ancestral lands, leading to heightened communal tensions and social unrest. This incident highlights how unilateral actions by Waqf Boards can fuel community discord and disrupt social cohesion.³⁸

In other cases of Kerala's Ernakulam district³⁹, over 600 Christian families are grappling with

³⁶ Ministry of Minority Affairs, Government of India, 'Waqf' (Ministry of Minority Affairs) https://minorityaffairs.gov.in/show_content.php?lang=1&level=0&ls_id=222&lid=227 accessed 2 March, 2025

³⁷ <https://supremetoday.ai/doc/judgement/02100150894>

³⁸ In Tamil Nadu, Waqf Board Claims Ownership of an Entire Village—There's a Temple Too," Hindustan Times, available at Hindustan Times.

³⁹ Kerala Christian Properties and Waqf Board: Kiren Rijiju's Joint Parliamentary Report," India Today, Sept. 30,

the threat of eviction following ownership claims by the Waqf Board. The contested land, under the stewardship of a Christian institution for more than a century, has become the center of a prolonged legal battle after the Waqf Board recently asserted its rights over the property. This situation has heightened fears of displacement and fueled communal tensions, underscoring the risks posed by unchecked administrative authority and the absence of adequate legal protections for vulnerable communities.

In continuation of this, dozens of recent cases reported in the states of Uttar Pradesh, Tamil Nadu, Gujarat and Karnataka with the unprecedented increase of disputes reaching the High Court and Supreme Court along with the cases that haven't reached the judicial scrutiny has come into picture. Nationally, the number could range between 1000-3000 annually. If left unchecked, it can lead to a large-scale property crisis and survival issue for the majority population of India.

IV. WAQF SYSTEM BEYOND INDIA: A COMPARATIVE STUDY OF SINGAPORE AND MALAYSIA

(A) An Analysis of Singapore's Waqf System: Strategic Waqf Management in Minority Muslim Context

The Singaporean waqf system is one prominent example of how an efficient waqf management has been conducted in a Muslim minority setting. Although Malaysians account for 60 percent of the Muslim population and occupy 70 percent of the land area in Malaysia, the Islamic landownership system they have created is a model with strong legal frameworks and professionalised administrative systems, which has resulted in a creative and durable model of waqf management in Singapore, even though Muslims constitute only 14 percent of Singapore's population and occupy just 1 percent of its land area.⁴⁰

1. Innovative Management Practices

The waqf system in Singapore is characterized by its innovative management practices by its subsidiary, Warees Investment Pte. Ltd. which was set up in the year 2001, and specializes in redeveloping waqf properties to maximize the financial value. Examples include: At Redevelopment Projects, Warees has converted waqf properties that were in the dilapidated state to high value commercial assets, located in prime areas like Orchard Road and Marina Bay Sands. Funding of large-scale projects, like the redevelopment properties of mosques (e.g.

2024, available at India Today.

⁴⁰ Ahmed S, Ismail N and Khan F, 'Waqf in Non-Muslim Countries: A Case Study of Singapore' (2022) 9(3) International Journal of Waqf Studies <https://journals.smartinsight.id/index.php/IJW/article/view/562> accessed 25 March 2025.

Bencoolen Mosque) and building (e.g. Beach Road) was done through cash waqf and Musharakah Sukuk (joint venture bonds) mechanism. Singapore is further highlighted by the establishment of the Mosque Building Fund (MBF). It is through this fund they finance the building and renovating of mosques all across the country, through monthly salary deductions from Muslim employees. The fund was estimated to have collected an amount of SGD \$130 million in 2016, which shows the potential of collective contributions in waqf-based projects.

Singapore's waqf system is a model of how waqf assets can be turned into long term resources for community development by competent administration, creative financial mechanism and strategic governance. By successfully reconciling the two extremes of tradition and modernization, Singapore sets a precedent for how waqf could be best administered, and serve as a valuable benchmark for Muslim-majority and numerous non-Muslim nations.

(B) Malaysia's Model of Islamic Philanthropy

Waqf system in Malaysia is a combination of Islamic principles and modern administrative framework that focuses on utilizing waqf properties for socio economic development. The management of waqf properties in Malaysia is governed by a combination of Shariah and civil law and is decentralized in the sense that individual states take responsibility for their respective waqf assets. The evolution of this system has taken place over time and it has been able to address the past challenges and to initiate reforms in order to improve efficiency and governance.⁴¹

1. Legal Framework and State Jurisdiction

Islamic affairs, including waqf, are under the jurisdiction of state governments by the Federal Constitution of Malaysia. Through its Islamic Religious Council (Majlis Agama Islam Negeri, MAIN), each state operates its waqf properties, which are the only trustee. The registration, development and administration of all waqf assets in its jurisdiction is the responsibility of MAIN. The decentralized approach enables the states to tailor their management of waqf according to their particular socio-political contexts, however, the administrative efficiency, internally within regions, varies.⁴²

For example, in Selangor and Johor, states have passed specific legislation on waqf at the level of the state. Nevertheless, while other states rely on broader Islamic laws, waqf provisions are

⁴¹ Ibrahim M and Amiruddin S, 'Innovative Approaches to Waqf Management in Malaysia: The Role of Cash Waqf and Public-Private Partnerships' (2020) 18(1) *Journal of Islamic Philanthropy Studies* <https://jips.my/articles/innovative-approaches-malaysia-waqf> accessed 25 March 2025.

⁴² Abdul Karim M, Zaini R and Hassan N, 'Waqf Management and Socioeconomic Impact in Malaysia: A Case Study of Johor and Selangor' (2019) 7(3) *Malaysian Journal of Islamic Affairs* <https://mjia.com/articles/johor-selangor-waqf-management> accessed 25 March 2025.

not specified, which results in gaps in accountability and uniformity.

Several innovative practices have been adopted by Malaysia to modernize waqf administration and maximize the socio-economic impact of waqf properties are as follows. JWZH is a department of Waqf, Zakat, and Hajj established under the Prime Minister's Office in the year 2004. This department acts as coordinating body who provide guidance and support to the state level councils to ensure uniform practices in the country. It also encourages the development of waqf properties and increases the revenue generation. Cash Waqf and Waqf Shares: The use of cash waqf and waqf share schemes makes it possible for wider community participation.⁴³ Pool of financial resources from donor withy pools, with a view of investing such sums into projects able to generate revenue; education facilities and healthcare facilities among many things. These schemes have already been implemented in States such as Johor and Selangor and the proceeds are used to fund scholarships and public infrastructure. MAIN works in public private partnerships in order to overcome resource constraints and develops waqf properties with private corporations. The partnership model not only guarantees professional expertise in realization of the project but also contributes to attracting investments for large scale initiatives.

V. CONCLUSION

This dissertation explores the waqf system in India through the lens of governance, constitutional alignment, and administrative challenges. While waqf, rooted in Islamic heritage, was originally established to serve public welfare and religious harmony, the current institutional framework in India is plagued with issues like corruption, opaque governance, and inadequate legal safeguards. The research finds that key provisions of the Waqf Act, 1995—such as unilateral powers granted to waqf boards and the exclusion of civil court jurisdiction—undermine constitutional principles of equality and property rights. The lack of checks and balances in the functioning of Waqf Tribunals further necessitates judicial intervention and greater accountability to restore trust in the system.

The study also addresses key governance challenges, including weak financial oversight, lack of regular audits, outdated property surveys, and misuse of authority by mutawallis. The Sachar Committee Report revealed that despite being one of India's largest landowners, waqf properties generate limited income due to systemic inefficiencies. Arbitrary property declarations have sparked disputes, especially affecting non-Muslim communities, raising concerns about the balance between religious autonomy and constitutional obligations.

⁴³ Zulkifli Hasan, 'Shariah Governance of Waqf in Malaysia: Legal and Administrative Perspectives' (2015) 9(2) Asian Journal of Business and Management <https://ajbm.com/waqf-governance-malaysia> accessed 25 March 2025.

Recommendations to tackle these issues include digitizing property records through GIS and WAMSI, enhancing board inclusivity with diverse representation, and conducting independent audits involving the CAG.

Comparative insights from countries like Malaysia, Turkey, and Singapore offer valuable lessons for India. Malaysia's use of cash waqf and Islamic bonds has improved transparency and financial stability. The proposed Waqf Amendment Bill, 2024, introduces commendable reforms such as allowing appeals to High Courts, mandating CAG audits, removing waqf-by-user claims, and ensuring broader board representation. However, the study argues that legislative changes must be complemented by technological innovations and participatory governance to be truly effective. Incorporating tools like blockchain and GIS can ensure transparency and minimize corruption. Ultimately, aligning waqf governance with constitutional ideals and global best practices is essential to unlock its vast socio-economic potential and bridge the gap between tradition and modernity.

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