



Protection of endowments and 100 years practical struggle of **Jamiat Ulama-i-Hind**

As Order

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President Jamiat Ulama-i-Hindi

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PREFACE

The services rendered by the Jamiat Ulama-i-Hind for the protection of the nation, community, and Islamic identity are a bright chapter in history.

The elders and forefathers have recorded a history of struggle, action, determination, and steadfastness, through which Muslims have learned to live with dignity in this country.

In spite of his old age, the successor to Sheikh-ul-Islam and custodian of his knowledge and wisdom, Amir-ul-Hind, Hazrat Maulana Arshad Madani, the President of Jamiat Ulama-i-Hind, has continuously upheld the traditions of the elders. With foresight, steadfastness, and in accordance with constitutional and legal boundaries, he has faced every storm arising against the nation and community through the platform of Jamiat Ulama-i-Hind. This has further inspired the people of the Muslim Ummah to live with dignity in this toxic atmosphere.

The preservation of the invaluable assets and properties worth trillions of rupees of the Muslim community in India is also a prominent part of Jamiat Ulama-i-Hind's services. The continuous efforts of the leadership of Jamiat Ulama-i-Hind for the protection and recovery of these properties are briefly reported in the current context. You will find bright and illustrious examples of "Centenary services of Jamiat Ulama-i-Hind for protection of Auqaf (endowments)" in the following pages.

Wa ma Alaina Ill Al Balagh Ul Mubeen
(Our only duty is to convey to you the Message)

Asjad Madani
Vice President,
Jamiat Ulama-i-Hind
9, October 2024

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"Waqf has always been respected in religious terms, it is one of the remnants virtues of the donor, through which the needy are eternally benefited and the donor is always rewarded. Nowadays, considering the economic problems and needs of Muslims, the importance of endowment increases a lot. The financial needs of mosques and other places of worship, monasteries, cemeteries and religious and spiritual schools, educational scholarships, care of orphans and widows and other similar important religious and social needs can be fulfilled through them. But it is a pity that the revolution era has eliminated them."

Excerpt, Presiding lecture:

Seventeenth General Meeting April 15, Hyderabad.
Shaikh- ul-Islam Hazrat Madani, May God light his grave.

Among the various problems that the Muslims of India are facing, the protection of endowment properties and their proper use is also an important and burning problem. The religious and spiritual status of the endowments spread all over the country is accepted and stable in its place, whose registered number is more than five lakh and their total area covers more than six lakh acres. While in the case of a new survey, thousands of new endowment properties may be identified. Undoubtedly, these waqf properties are a valuable capital and asset of Indian Muslims, the value of which was estimated (six years ago) by the Sachchar Committee to be Rs 20,000 crore. But unfortunately, the annual income from these waqf properties is only 63 crore rupees. Conspiracies are being made at both official and non-official levels to damage these properties and plans are made to erase their original existence, so the issue of protecting endowments requires constant effort and attention.

That is why the Jamiat Ulema-i-Hind not only prioritized the protection of endowments from the beginning but also declared it as an important part of its constitution in view of its permanent

importance. Before and after the independence of the country, whenever there were serious threats to the existence of Waqf, Jamiat Ulema-i-Hind became active against it. It has a long history of struggle for protection of waqf (past details and services will be covered in later lines). Unfortunately, when the Congress-led UPA government at the centre, which is considered secular, proposed the formation of Waqf Development Agency and presented the Waqf Amendment Bill, 2010, it questioned the very existence of Muslim endowments. The Waqf Act Amendment Bill of 1995 had serious flaws to the extent that it lost the true spirit of endowment and endower. The word Muslim was not mentioned anywhere in this act. How can the ancient and active organization of Indian Muslims, Jamiat Ulema-i-Hind, which has always been sensitive in religious and Shariah matters and has never been a victim of hesitation, remain silent on this serious situation. Under its sense of responsibility, the Jamiat Ulema-i-Hind decided to call a conference on the protection of endowments in India so that the voice of the Muslims of India could be conveyed to authorities that they will not accept a formula or proposal as well as an amendment which do not protect the endowments and its utilization. A large number of Shariah experts, scholars, heads of religious institutions, as well as leaders of political and non-political parties from all corners of the country attended this All India conference held on May 22, 2011, at India Islamic Cultural Centre in the capital city of New Delhi. On this occasion, President of Jamiat Ulema-i-Hind and teacher of Hadith, Darul Uloom Deoband, Hazrat Maulana Syed Arshad Madani, who delivered a spirited and meaningful presidential speech, will be remembered for a long time, which created tremors in the halls of power. Honourable President said:

"There are currently three major issues before us regarding Waqf, for which we have to be concerned and serious. One is the Waqf Amendment Act, 2010, which is in currently with the Select Committee of the Rajya Sabha and the Jamiat is constant contact with those members, and it is our effort that the Select Committee takes the Muslim organizations into confidence before finalizing this bill, so

that it can be made more effective and useful. Another issue is desecration of mosques, the picture of which continues to appear in newspapers day after day and continues to disturb the conscience of Muslims. The desecration of these mosques cannot be stopped until the five times prayer is allowed in them. We request our honourable Prime Minister from the platform of Jamiat Ulema-i-Hind to allow five-time prayers in the mosques and to issue instructions to the Department of Archaeology that they allow to offer the pray five times a day. The third issue is the project of Waqf Development Agency, which is being prepared to be managed by the National Minority Finance Corporation, the negative aspects of which we highlighted in detail at the beginning, that this agency should in no be acceptable to us, however much it may be modified to suit our purposes; because we already have a better and more important plan."

Honourable President said:

"The Jamiat Ulema-e-Hind, as per its responsibility has always raised its voice against unnecessary government interference in waqf properties and has insisted on a strong legislative process to ensure the protection of awaqaf. After independence when the country's political scenario changed, the Jamiat Ulema-i-Hind made great strides to protect the endowment with renewed determination and a solid strategy, whether it was a matter of vacating illegal possessions or diverting the proceeds for unrelated purposes. In every era, Jamiat Ulema-i-Hind has raised the voice of truth with all its strength. Mujahid-e-Millat Hazrat Maulana Hifzur Rahman has rendered great services for the Waqf Council from the platform of Jamiat, even today; they are recorded as golden impressions on the pages of history.

Jamiat Ulama-i-Hind expressed its deep concern over the destruction of waqf (endowments) during its eighth general meeting in Peshawar on December 2-4, 1927, chaired by Hazrat Maulana Allama Syed Muhammad Anwar Shah Kashmiri (may Allah's mercy be upon him), Principal of Darul Uloom Deoband. This concern

continued to be voiced in subsequent meetings, including the sixteenth general meeting in Lucknow on April 16-18, 1949, chaired by Qutub-e-Alam Shaikh-ul-Islam Hazrat Maulana Hussain Ahmad Madani (may Allah's mercy be upon him), Sheikh-ul-Hadith and Principal of Darul Uloom Deoband, as well as meetings held on April 18-19, 1934, February 1, 1948, and December 26-27, 1948. It was the result of the efforts of Jamiatul Ulema that in the place of "Muslim Act" 1923, the official endowment act was passed in 1954, The provisions for appointment of members in this Waqf Act are as follows;-

(a) Muslim Members of Parliament and state Muslim Members.

(b) Muslim persons who are familiar with Sharia law and represent an organization like Jamiat Ulama-i-Hind, but the legislative process is always evolving, in which Amendments are needed as per the changing times and circumstances. The Jamiat continued to push for reforms on the defects of the Act, which resulted in minor reforms in 1959, 1964 and 1969, which were not satisfactory, finally in 1970, an inquiry committee was formed. The General body of Jamiat Ulama-i-Hind drew the attention of the Government of India to reforms through a detailed proposal on May 15-16, 1976. At that time, Hazrat Fida-e- Millat was a member of the Rajya Sabha and a member of the Central Waqf Council. He met the Prime Minister as the General Secretary of Jamiat Ulema-i-Hind and informed the government about the distress and anxiety of the Muslims and put forward his demands. In this regard, Jamiat Ulama-i-Hind organized a three-day All-India Waqf Conference on February 16-18, 1979, chaired by economist Professor Ali Muhammad Khusru, Vice Chancellor of Aligarh Muslim University, Aligarh, in which the issue of Awqaf, the plight of Awqaf and its guardians, was raised with all intensity. Emphasis was placed on developing a concrete plan of action against inaction.

Subsequently, during its 24th general meeting in

Bombay on January 14-16, 1983, chaired by the successor of Sheikh-ul-Islam, Fida-e-Millat Hazrat Maulana Asad Madani (may Allah's mercy be upon him), Jamiat Ulama-i-Hind expressed serious concern over the neglect and destruction of waqf properties. They drew the government's attention through a detailed proposal, stating that the waqf properties were not being used according to the intentions of the donor.

The demand for amendment of the Waqf Act, 1954 was presented to the government in his judgment as unsatisfactory, but unfortunately it was not given full attention in the Waqf Amendment Act, 1984, due to which objection is natural, for which a committee was formed again. On July 22, 1984, a meeting of Muslim Members of Parliament was held at the invitation of the Jamiat Ulema-e-Hind, in which the Waqf Amendment Act was considered and a letter based on the nine-point amendments was sent to the Law Minister and the Rajya Sabha Secretary. But the government presented the Waqf Bill without any amendment, against which the Jamiat Ulema-i-Hind urgently called a meeting of the Majlis-e-Amaila (Executive Committee) on 16 September 1984 and expressed regret for the negative attitude of the government and insisted on conducting an organized movement. Due to which the government agreed to amend the act as per the intention and got approval from the relevant ministry. Now only the bill had to be presented in Parliament; but there was also an unnecessary delay, against which the Jamiat Ulema-i-Hind again launched a movement and attracted the government towards it. Alhamdulillah, this effort paid off and in 1995, the Waqf Act was introduced in both houses of Parliament, which is now known as the 'Awqaf Act 1995?'

Explaining the Shariah status of Waqf and its historical background, the Honourable President said that before discussing the Waqf Development Agency, we should not forget that according to Islamic Shariah, permanent donation of movable or immovable

property to fulfil the religious, welfare or charitable purposes is called "waqf" which once established can never be terminated. Once a Waqf is applied, the endower is no longer the owner of the endowment property; rather that property belongs to Allah. Although there is no evidence of a waqf in the early Islam, however, the first religious waqf that was established after the migration was the Masjid-e- Quba. It was built in Madinah in the first year of Hijra. After that, as the scope of the Islamic Empire expanded, the series of endowments also continued to progress rapidly. In the middle ages, religious endowments and other institutions were regularly used as excellent means to perform public services. In India, the Muslim rulers gave a large amount of land as charity and this process continues in the Muslim society for about 800 years. There is no authentic information about waqf properties under the British rule. After 1920, various state and central laws were drafted and rules for compulsory registration of waqf properties were started, but poor laws, lack of administration, insincere attitude of politicians, indifference of Muslim society and indifference of guardians and sometimes dishonesty caused constant damage to waqf properties. Jamiat Ulema-i-Hind has always made all these issues the focus of its attention since its establishment till today. Shaikh-ul-Islam Hazrat Maulana Syed Hussain Ahmad Madani, May Allah light his grave, explaining the issues of awqaf in the meeting held in Hyderabad in April 1951, said:

"Waqf has always been respected in religious terms, it is one of the remaining virtues of the endower, by which the needy are eternally benefited and the endower is always rewarded. The economic problem of the Muslims in the present day and considering the needs, the importance of endowment increases greatly. The financial needs of mosques and other places of worship, monasteries, religious schools, educational scholarships, care of orphans and widows and other such important religious institutions and the other needs found can be met through them, but unfortunately, the revolution of era has eliminated them."

Jamiat Ulema-i-Hind has taken effective steps to ensure the

safety of waqf properties in every time and even today we are moving forward with the pledge that the Muslims of India will thwart any plan which would destroy the waqf property and does not guarantee security and whose use is contrary to the intended purpose. The government's plan to create a dedicated development agency as a subsidiary under the National Minority Finance Corporation is not at all acceptable to us. In this regard we have to understand the basic structure of the proposed agency and understand the intention of the government.

Criticizing the behaviour of the Union Ministry of Minority Affairs, the honourable president said that this ministry created for the welfare of minorities is becoming less useful and more troublesome. It is the one that created the conflict of Waqf Development Agency. Pointing out its background, he said:

'The basic concept of Waqf Development Agency' is actually a link in the chain which was presented by the Central Waqf Council in a note in its fiftieth meeting last May 24, 2006, which said that for the development of Waqf properties, the Govt to set up a National Waqf Development Corporation through a revolving corpus fund, Which should be a company registered for profit under the Companies Act. The Central Waqf Council approved the proposal and forwarded it to the government, the initial outline of which was that 51 per cent stake in the company would be owned by the central government and 49 per cent stake would be sold to the Waqf Board, the Central Waqf Council and key national institutions. The blueprint also detailed plans for development of rural estates and said it would create lakhs of employment opportunities in the countryside and a major portion of the profits would be spent on widows, orphans and the poor. The government accepted the recommendations of these two committees and started working on this project. Accepting the recommendations of the Ministry of Minority Affairs, the National Minority Finance Corporation (NMDFC) was reorganized. The Committee of Experts recommended that a subsidiary company called "Waqf Development Agency" be formed, in which the government will have only 26 percent shares and the National Minority Finance Corporation will act as its constituent entity. When

the details of the scheme came out, we asked what the difference between the plan that the council had put forward and this new plan; and the endowment income is only for Muslims, while the National Minority Finance Corporation also works for minorities, so how will the endowment income be recorded in the account of the National Minority Finance Corporation? Why has the Financial Corporation Expert Committee gone beyond its scope and made such a recommendation? The answers to these questions are still not with the Ministry of Minority Affairs. The tragedy is that this matter was taken to the central cabinet and approved in principle and no contact was made with the religious and spiritual institutions on the sensitive issue like endowment.

On April 12, 2010, three key members of the Waqf Council wrote a joint letter to Prime Minister Manmohan Singh, UPA Chairperson Ms. Sonia Gandhi and the Cabinet Secretary, identifying the threat and raising the concern of Muslims. But still the Honourable Minister of Minority Affairs is adamant about the formation of a dedicated Waqf Development Agency and is not ready to listen to any talk in this regard; why? Why is the Ministry of Minority Affairs avoiding providing details to the nation, what is it that this Ministry wants to hide from Muslims? What is so special about this agency that the concern of Muslims is not being taken care of? After all, there is something that is covered.

Drawing a map of the bad condition of waqf properties in different states of the country, in his presiding address, the Honourable President went on to say:

"Even in India's largest state, Uttar Pradesh, the situation of waqf is not very good. In 1942, the Uttar Pradesh Sunni Waqf Board was established, with very limited powers. In 1960, as a result of Jamiat Ulema-i-Hind's efforts, the board was given more powers. The number of total endowments in Uttar Pradesh was only six thousand, which increased to more than sixteen thousand according to the report of 1988. While the survey conducted by the Uttar Pradesh Waqf Commissioner revealed thousands of endowments. At that time

Computerization of properties is also going on by the Waqf Board. In the capital Lucknow, the number of Waqf properties is huge, which runs into billions of rupees. Multi-storey Jawahar Bhavan, Indira Bhavan, Akashdeep, Char Bagh Railway Station, District Magistrate's residence and residence of other government officials; In fact, are built on waqf properties, for the recovery of which systematic efforts and constant campaigns are needed. We need not despair, if we continue our efforts with sincerity, they will surely bear fruit. The Jamiat Ulema-i-Uttar Pradesh campaigned for the repeal of the Rent Control Act and a delegation met the then Minister for Urban Development, Azam Khan, to apprise him of the plight of waqf properties, which resulted in the repeal of the Rent Control Act. By abolishing the act, the new law was approved by the Vidhan Sabha, after that the properties which had an income of Rs. 200, are now getting an income of Rs 20 thousand to one lakh. If someone went to court to increase the rent, the maximum rent could be increased by two and a half percent; but now the rent has been fixed according to the market price, but even today the trustees are not able to take advantage of it. The sad thing is that some religious sellers have also come forward as custodians, who have sold the important properties of Awqaf. These people build commercial complexes and shops to increase the income of the trusts by ignoring the wishes of the benefactors."

Holding the Muslim society and the central and state governments equally responsible for the destruction and destruction of waqf properties, the Honourable President presented the example of the national capital, Delhi: "If we examine only the Delhi Waqf properties in the example, the Delhi Waqf Board owns billions of property, but the tragedy is that without the government grant, this board is not even able to pay the salaries of its employees. The only source of income it has is the rent of the properties and on some the board has taken out the source of income by putting up hording etc.,

which has given the board financial strength, but still it is insufficient. Several factors are responsible for the poor condition of the Delhi Waqf Board, which need to be addressed; one is the recovery of property from usurpers, the other is the correctness of the administration and the third is the revision of the rent. If these things are corrected, the income of the Waqf Board can increase more than a hundred times, but we do not see the possibility of this immediately. Due to the constant concern and efforts of Jamiat Ulema Hind, there was always a member of the Delhi Waqf Board, but unfortunately, when the BJP came to power, it ended this process, due to which Delhi Jamiat's representation in Waqf Board ended.

The biggest tragedy of the Delhi Waqf Board is that the property here is rented at very low rent, which, if the right rent is charged, can solve most of the problems of the Muslims with its income. Under the Right to Information Act, when the Delhi Waqf Board obtained a list of only those properties whose monthly rent was between Rs 1 and 11, 86 such properties came to light. If the right rent is earned from these properties, the annual income can reach hundreds of thousands.

But most of the waqf properties in Delhi are such, which we are not even in possession of now and there is no way of recovering them in the near future .Presently there are waqf properties the capital region of Delhi, where our honourable President resides. Ministers and Members of Parliament have houses and offices. There is the Supreme Court and the Delhi High Court. There is the Department of Archaeology and the National Museum. There is Oberoi Hotel and Golf Club. Delhi has famous schools and educational institutes. All these are the waqf properties, whose papers have been modified and changed by the government and the loot is going on. There are many properties, whose legal documents are with the waqf board, but still the board has to go through the courts to acquire them. Currently, the board has about 1977 properties, out of which 123 properties were filed by the Vishwa Hindu Parishad in the court, which was dismissed by the court in the past few days. At present, the total income of the Delhi Waqf Board is only Rs.2 crores, while the expenditure reaches Rs.3 crores.

Highlighting the alarming condition of waqf in other states, President Maulana Arshad Madani said:

"In the states which have a lot of waqf properties, Andhra Pradesh is also included, but the story of waqf properties there is not less heart breaking. In this important state, the sympathizers and well-wishers of the Ummah dedicated property worth billions of rupees for the welfare of the Muslims that is the reason that almost all governments used to have departments to take care of it. Religious affairs were looked after under the name of "Religious Affairs in Nizam rule". A Muslim Waqf Board was established by the Raj Par Mukh to deal with Waqf matters. A Muslim Waqf Board was established for the affairs of Waqf On 1st April 1955, the Waqf Act came into force in the state and an IAS Awqaf Commissioner was given the responsibility of identifying and surveying various types of Waqf institutions in Andhra Pradesh. As a result, about 35,703 waqf institutions were identified. According to the survey conducted during 1965-1958, there are 3,632 mosques, 1,690 Dargahs, and 11, 373 Ashura Houses, 70 380 chillas, 8 371 cemeteries, 1122 Eid Gahs and 1776 other institutions, which have 133 290 acres of waqf land, but in the last five decades, about 55 thousand acres of waqf land has been occupied. 60 per cent of Waqf land in Hyderabad and 55 per cent in Rangareddy is no longer with the Board. At present, more than 1000 acres of waqf land is occupied by Industrial Infrastructure Corporation, Microsoft has more than 17 acres of waqf land, Maulana Azad National University has taken 200 acres of waqf land, International Airport has 1584 acres of waqf land. Despite the presence of such valuable land, the tragedy of the Waqf Board there is that it needs government assistance to pay the employees. More or less this is the situation of most of the states of the country. A Union Minister from West Bengal says that the value of corruptions in waqf properties in the state of Bengal can be

more than 1000 crore rupees. A judicial inquiry was also ordered once, the report of which mentioned the involvement of several big leaders but unfortunately the waqf properties could not be recovered. Madhya Pradesh has a small overall Muslim population, but does not lack waqf properties; but the condition of the state is that when the Madhya Pradesh Waqf Board was formed, the number of waqf cemeteries in Bhopal city was 187, which has reduced to just 23 now. Almost a similar condition is of the Rajasthan Waqf Board, which has property worth billions but the financial condition of the board is very poor due to illegal encroachments everywhere."

Throwing light in detail on the problem of desecration of mosques under the Department of Archaeology, the President of the Jamiat Ulema-i-Hind said with great sadness in his speech:

"Today, the most painful condition is the mosques, which are under the Department of Archaeology. There are almost two hundred mosques in Delhi, which have become a symbol of desolation and destruction of Muslims today, not for the worship of Allah, but for tourism have been made special for them, because of which their sanctity is being trampled. Young boys are challenging the wrath of God by making these mosques a den of obscenity. In front of the zoo, the Khair- Al-Mazil Mosque is a sign of the greatness of Muslims and invites us to ponder. The heart-breaking condition of the grand mosque inside the old fort is in front of you. What is happening in the mosques of Lodhi Garden, it is not hidden from you? It is not that the government is not aware of the majesty and sanctity of the mosque. Despite this, a dance and music gathering is being arranged for the shooting of a film in a mosque, while young couples are celebrating colour rallies somewhere. Moth Masjid in South Extension is very spacious and luxurious, which is under the Delhi Waqf Board. The High Court had also issued an order to offer prayers in this

mosque almost 20 years ago, but even today it has not been opened and the imam has not been appointed and the prayers have not been arranged, what can be said about it except the indifference of the waqf board and the misery of the Muslims. After all, how long will we remain victims of such negligence in relation to waqf property? It is necessary that we come forward to protect the sanctity of these mosques and prepare a solid plan to settle them. Jamiat Ulema-i-Hind has always been concerned about the archaeological mosques in Delhi and is now preparing to launch a formal movement with a new strategy, because sanctity of mosques is our religious duty, which is proved by Quran and Hadith. The Messenger of Allah (peace and blessings of Allah be upon him) has described the desecration of the mosque as a prelude to the destruction of the world and heavenly calamity."

Before proceeding further, it will not be improper to give comparative review of the Waqf Amendment Bill. Prime Minister's High Level Committee on Social, Economic and Educational Situation of Muslims headed by Justice Rajinder Sachchar gave its report on 17 November 2006 to the Prime Minister. This committee is popularly known as the Sachchar Committee. It made several recommendations regarding the improvement of endowment. Similarly, the Joint Parliamentary Committee on Waqf appointed in 2006 (JPC) has also made important recommendations, which submitted its report in February. It was presented in 2008. Based on the recommendations of the Yadar Hai Sachar Committee (1) the Union Ministry of Minority Affairs, (2) other concerned ministries and (3) their joint committees, the central note were prepared.

The following facts emerge from the proposals given by the Ministry of Minority Affairs in the Waqf Amendment Bill 2011 and its comparative analysis:

- (a) Waqf Amendment Bill 2011 includes some good amendments like:
 - (1) The cost of Waqf survey shall be borne by the State Government(s).

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- (2) In states where there are no Waqf Boards, Waqf Boards shall be established within one year.
 - (3) No Minister shall be a member of the Waqf Board.
 - (4) Rigorous imprisonment for those encroaching on waqf property.
 - (5) The Waqf Tribunal shall consist of three members.
 - (b)** Despite this arrangement, several important proposals of the Sachchar Committee and the Joint Parliamentary Committee were either not included in the Bill or were partially included. See the following points:
 - (1) The Joint Parliamentary Committee (JPC) had recommended making Waqf Survey mandatory but the Bill has made it optional (discretionary).
 - (2) The JPC proposal to include all post-independence cases in the survey on endowments has been abandoned.
 - (3) The JPC's recommendation that the notification of the Waqf Survey Commissioner be considered as a precedent (mutation) for determination of record and ownership was ignored.
 - (4) The Sachchar Committee's recommendation that the President of the Central Waqf (instead of the ex-officio Minister concerned, as he is engrossed in other engagements) should be an independent person has also not been included in the Bill.
 - (5) The Sachchar Committee had recommended that the post of Secretary of the Central Waqf Council should be equivalent to that of Joint Secretary to the Government of India so that meaningful and effective communication and dialogue with the government officials could take place. There is no qualification for this post at the head, although the rank of Chief Executive Officer (CEO) of the State Waqf Board is fixed (considered to be considerably junior in staff to the Secretary of the Central Waqf Council). But even this very important recommendation has not found a place in the bill.
 - (6) A Muslim member of the State Bar Council is proposed to be a member of the State Waqf Board. In the absence of a Muslim member in the Bar Council, the Government may nominate any person of the State having knowledge and experience in law,

and in this case there is no condition for him to be a Muslim. Therefore, it is necessary to amend the bill that the said member should be a Muslim.

- (7) The position of Official Member of Provincial Waqf Board is held to be equivalent to that of Deputy Secretary to the State Government, which is a very low rank for this work. He should be of the rank of Principal Secretary to the State Government. In the absence of a Muslim officer of this rank, the most senior Muslim officer in the state should be appointed as a member.
- (8) Representation of Muslim organizations in State Waqf Boards has been abolished, while it needs to be maintained.
- (9) Constituencies are not defined for the representation of MP, MLAs, lawyers and trustees.
- (10) The rank of the CEO of the State Waqf Board has been kept lower than that recommended by the JPC.
- (11) The Couture Committee noted in its research that due to the paucity of Muslim officers, the CEOs of Waqf Boards are usually untrained, low-level retired officers or sometimes non-officers of the state government. They do not have any special position in the staff. Or a government officer is made CEO with an additional charge, so the committee strongly recommended the creation of a new cadre (which may be called the Indian Waqf Service). This recommendation is fully in line with the outline of the Constitution of India. But this highly effective recommendation was not heeded at any higher level in the Government of India. A short and thoughtless negative note was put on it by a Deputy Secretary of the Ministry of Minority Affairs and without examining the Sachar Committee's arguments in this regard; the Deputy Secretary's negative note was upheld. Therefore, there is an urgent need to re-open and reconsider the matter and give serious consideration to the committee's recommendations from the Prime Minister's level.
- (12) The JPC proposal to form a National Waqf Properties Board and a National Board to promote education among Muslims has also been ignored.
- (13) State Government control over leasing of waqf properties by

waqf boards has been unnecessarily tightened. The bill states that every action for leasing for more than one year will be reported to the state government which will give its decision within 45 days. This is an unnecessary interference in the autonomy of the Waqf Board and unjustified centralization in the day-to-day affairs of the Waqf.

- (14) The definition of "Encroacher" proposed by the Sachchar Committee has been rendered lifeless.
- (15) To deal with the problems of mass encroachments on waqf properties, the JPC and then the Committee (i) giving magisterial powers to the CEO of the Waqf Board, (ii) protecting waqf properties as government property (iii) Empowering the CEO to vacate the property (iv) Punishing encroachers (v) Penalizing government officials in case of non-removal of encroachments, Inclusion of waqf tenants in the definition of 'Person interested' had expressed the need to define the definition of dedicated premises, but none of these are included in this amendment bill.
- (16) The Sachchar Committee recommended exemption of waqf properties from state rent control laws under the Waqf Act. The inter-ministerial committee had also said that this should happen. The JPC also reiterated this point. Yet this proposal was not considered worthy of credence.
- (17) The JPC had recommended a period of one year for the Waqf Tribunal to dispose of a case. It was omitted in the bill.
- (18) The Sacchhar Committee had emphasized the need for the chairman and members of the Waqf Tribunal to be full-time and free from any other additional responsibility, but this has also been left out of the bill.
- (19) Sachchar Committee and JPC's proposal to bring waqf properties under the Public Premises (Eviction of Unauthorized Occupants) Act has been ignored.
- (20) The JPC had recommended that provisions regarding waqf properties be laid down in the Acquisition Act. This recommendation also did not find place in the bill.
- (21) The JPC recommended appropriate amendments to the Waqf

Act to place the Waqf Act and its related rules and orders above the State Revenue Acts and all other orders, but this was also not taken up.

The Joint Parliamentary Committee, while submitting its report in February 2008, said that "(JPC) hopes that the government will accept the recommendations made in its report in word and spirit (as it was)." On the other hand, while introducing the Waqf Amendment Bill on April 16, 2011, the Minister for Minority Affairs did not tell the Parliament that which suggestions made by the Sachchar Committee and the JPC were not included in the Bill and why. Similarly, he did not mention what provisions have been made in the bill which was not suggested by either the Sachchar Committee or the JPC.

This amendment bill would have been passed with these serious flaws and glaring errors which have taken away the true spirit of Waqf. But with the timely intervention of Jamiat Ulema-i- Hind and other national organizations, this did not become law. It is very significant that the government has cleverly chosen a time when almost all Muslim members are not present in the House for Friday prayers to present it in the Lower House of Parliament or the Lok Sabha. According to the parliamentary procedure, the draft of any bill is distributed to the members of parliament a few days in advance so that they can study it and raise objections on it in the House, but the government did not do anything like that and at the time of Friday prayers. It was presented in the Lok Sabha and passed. When all the Muslim community protested against it, it was not presented in the upper house (Rajya Saja) and was referred to a select committee of the Rajya Sabha under the chairmanship of Prof. Saifuddin Suz to correct its flaws. which has drafted the bill, but it incorporates only a few recommendations of the Sachchar Committee and the JPC. Whereas all 20 recommendations should be part of the Waqf improvement. The draft is now awaiting approval in the Rajya Sabha.

Like other conferences of Jamiat Ulema-i-Hind, the conference of All India Protection of Endowments was a great success and had far-reaching effects. The central government had to announce that it had abandoned the intention of a dedicated development agency.

Rajya Sabha Deputy Chairman and Member of Parliament Shri K Rahman Khan addressing the conference said:

"The Waqf Development Agency will not be established, but the Waqf Development Corporation will be established, which will be completely independent. As far as the protection of awqaf is concerned, the protection of awqaf is the first duty of every Muslim; and relying only on the government, will do nothing."

K Rehman Khan said that the supervision of endowment should be done by every Muslim as his responsibility, because what will the government do where the custodians are occupying themselves. It will be a big mistake to think that the government will protect our awqaf. He said that the Waqf Act needs to be amended and the Waqf Act, 2010, is now with the Select Committee for amendment. For this, we all should submit suggestions with consensus. He said that there is more passion among Muslims regarding endowments; information is less, so information should be increased. He said that if the management of waqf is done correctly and it is used properly, Muslims can shape their own future. He appealed to the Muslims that more than 60% of Waqf land in the country has been occupied. In such a situation, try to save the 40% of the property and use it properly, which is left.

Former Bihar Awqaf Minister Shakeel Ahmed Khan said that the current Waqf Bill will not help in the protection of Awqaf. He demanded that just as a joint draft committee has been formed to prepare the Lokpal Bill, similarly a joint draft committee should be formed for making the Waqf law, which includes Shariat experts as well as legal experts. I am Criticizing the Minister of Minority Affairs without naming him; he said that the proposal to use the endowment income for other minorities is not acceptable at any cost. He said that Muslims will be harmed by such things.

Haji Salamattullah, a member of the working committee of the Jamiat, demanded to revise the waqf law and to remove illegal encroachments on the waqf properties and to open the mosques of the Department of Archeology for worshipers.

Lal Jan Pasha Ex-Chairman All India Waqf Board, Mr. Maulana

Fazl Rahim Mujaddi, Representative Hazrat Maulana Rabi Hosni Nadvi President All India Muslim Personal Law Board, Maulana Rafiq Ahmad Qasmi Secretary Jamaat-e-Islami Hind, Mr. Ilyas Malik General Secretary Muslim Majlis Consultancy, Mr. Shakeel Ahmed Khan Advocate Patana High Court, Former Chairman Waqf Board and Former Law Minister Bihar, Hafiz Rasheed Ahmed Advocate Guwahati High Court Former Chairman Waqf Board Assam, Maulana Mufti Yusuf Sahib Professor of Hadith Darul Uloom Deoband, Anees Suhrawardy Advocate Supreme Court. Expressed his views and strongly supported the demand of President Jamiat Ulema-i-Hind Maulana Arshad Madani that Waqf Development Agency is not approved for Muslims at any cost and congratulated Jamiat Ulema-i-Hind for calling this important representative meeting.

At the end of the conference, Maulana Syed Asjad Madani recited the text of the proposal and took its approval from the conference, after which the audience raised their hands and fully supported the proposal, which demands that:

- (1) Before giving the final shape to the Waqf Amendment Bill 2010, Muslim organizations should be taken into confidence in this regard so that it can be made effective and useful in favour of maximum endowment while observing the Shariah rules of Waqf.
- (2) The plan to bring the Awqaf under the management of the Minority Finance Corporation should be abandoned as the plan is not acceptable under any circumstances.
- (3) The Ministry of Minority Affairs should be ordered not to hastily take steps that would justify the destruction of waqf properties.
- (4) This meeting supports the proposal submitted by the Central Waqf Council for the establishment of a committee under the Committee Act named National Waqf Development Corporation, in which the government shares will be 51 percent on the condition of return and the Waqf Board, the Central Waqf Council and allied institutions will hold 49 percent of the shares, the bulk of whose profits will be spent on the welfare of

Muslims.

- (5) In view of the religious sanctity of mosques, five-day prayers should be allowed in all mosques and instructions should be issued to the Department of Archaeology to take possible steps to ensure the performance of five-day prayers.
- (6) This meeting also appeals to the Muslims to realize their Shari'ah responsibility to continue the continuous charity of Waqf and to pay special attention to the protection of Waqf. In particular, the trustees should consider it obligatory upon themselves to obey the Shari'a rules related to endowment by obeying the Shari'ah instructions in the chain of awqaf, so as to achieve success in this world and the hereafter.
- (7) A united board of Haryana, Punjab, Himachal Pradesh and Chandigarh which was a better, active and exemplary board in the whole country, development and welfare work of Muslims was being carried out by the board, the NDA government following its anti-Muslim policy, divided the board into four parts, after which the Waqf board became practically useless for Muslims. The Waqf Board of Himachal Pradesh and Punjab has become an arena of politics, the Punjab Waqf Board has reached a loss despite the income of crores, the Waqf Board of Himachal Pradesh and Punjab and the Chandigarh Waqf Board have no sources of income, however. The Haryana Waqf Board is somewhat on its feet. Therefore, for the protection of waqf properties and their proper use, the government, by providing proof of minority sympathy, should dissolve the waqf board of these four provinces and forms a united board like in the past, so that this board, like its past, becomes a strong and active board, and the endowment income can be spent on the welfare of Muslims.

This conference received great coverage in the media. Apart from Urdu, it got a special place in newspapers, Hindi and English electronic media and regional languages newspapers. Nation's multi-circulation daily Rashtriya Sahara headlined: Waqf Development Agency not accepted at any price: Maulana Arshad Madani; its sub-headline was Ensure protection of remaining 40%

of Muslim endowment properties: K Rehman Khan Deputy Chairman Rajya Sabha. Mumbai's multi-circulation daily Urdu Times carried a similar headline urging the Ministry of Minority Affairs to stop its obstinacy. No such action should be taken which paves the legal way for destruction of waqf property: Maulana Arshad Madani. In fact, every big and small Urdu newspaper published the news of conference in a large scale and in a prominent way.

The Hon'ble President also sent a letter to the Prime Minister containing the resolutions passed in the Conference, which referred to the recommendations of the Sachar Committee and the JPC:

Respected Mr. Dr. Manmohan Singh

Prime Minister of India, Delhi

Best compliments!

Before this, the resolutions of a conference of All India Protection of Awqaf organized by Jamiat Ulema-i-Hind related to Awqaf held on 22 May 2011 have been sent to you. Also, during the meeting on 13th June 2011, some requests were made orally regarding the Waqf Amendment Bill, 2010. Through this petition, I would like to draw attention to one of the shortcomings of the Waqf Amendment Bill, 2010, which is that, the income of those endowments that have been broken should be spent on the welfare of the community. Community should be replaced by Muslim Community of India. Otherwise, every section of India and every sect below the community will become a claimant to benefit from the endowment.

The recommendations of the Sachchar Committee and the recommendations of the Joint Parliamentary Committee also deserve special attention of His Excellency. Some of the recommendations of the Sachchar Committee are:

- (1) The Sachchar Committee had recommended that government interference in endowment should be stopped and the authority responsible for endowments should be given legitimate authority, but there is no mention of this in the Waqf Amendment Bill, 2010.
- (2) The Sachchar Committee had recommended that the Chairman of the Central Waqf Council (CWC) should be some other

prominent person instead of the minister so that the endowment works could be completed in time but this recommendation was rejected.

- (3) The Sachchar Committee had recommended that the Secretary of CWB should be at least an officer of the level of Joint Secretary to the Government of India, but this recommendation was also not mentioned in the Waqf Amendment Bill, 2010.
- (4) The Sachchar Committee said that since the proportion of Muslim officers in the country is only 2.5%, Indian Waqf Service should be started for the posts of CEOs of Waqf Boards. The Sachchar Committee had also said that there should be a CE and a senior officer.
- (5) The Sachchar Committee recommended the establishment of an Indian Waqf Service but a senior officer in the Ministry of Minority Affairs rejected it by writing that it was not acceptable. After that, all the senior officers, ministers, council of ministers and even the prime minister stamped it and no one questioned why the proposal was not workable. This recommendation of the Sachchar Committee was not seriously considered and a useless and inadequate note written by a junior officer was accepted as law.
- (6) Similarly, the Sachchar Committee's recommendation to form a National Waqf Academy to provide periodic training to the staff of Waqf Boards was also ignored.
- (7) The Sachchar Committee had said that those educational institutions and hospitals fulfil the aims and objectives of the waqf and follow the Islamic Shari'ah should lease the property of the waqf for 30 years instead of 3 years, but the waqf In the Amendment Bill 2010, this aspect was deleted, i.e. the waqf property can be given to any institution whether it fulfils the aims and objectives of the waqf or not and whether it complies with the Islamic Shari'ah or not.
- (8) Sachchar committee had said that along with the interpretation of waqf, the interpretation of occupations on endowment also needs to be expanded, but this recommendation was also ignored.

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- (9) The Sachar Committee recommended amending the Waqf Act itself to exempt endowments from the Rent Control Act, which was later endorsed by the Inter-Ministerial Council but was also ignored.
 - (10) The sachchar Committee asked for the formation of a committee consisting of representative officers of the Central Waqf Council and ASI for the protection and promotion of waqf properties under the disposal of the Archaeological Department (ASI), so that the committee by meeting every three months can move things forward quickly. The proposal included that the properties under the ASI's disposal should be considered as to whether some of them were properties that could be returned to the Waqf Board. This proposal was also rejected.

Some of the recommendations of the Joint Parliamentary Committee are:

- (1) Joint Parliamentary Committee (JPC) had recommended that survey of waqf properties should be conducted compulsorily but the Ministry of Minority Affairs ignored this recommendation in the Waqf Amendment Bill 2010 and gave the power to the states.
- (2) Joint Parliamentary Committee had asked that the survey should be conducted on the basis of endowment existing since 15th August 1947 but this too was ignored.
- (3) Joint Parliamentary Committee had said that once the notification is issued after the survey, there is no need for its mutation as the process takes a lot of time. This recommendation was also rejected.
- (4) Joint Parliamentary Committee had said that the level of the CEO should be equal to that of the Director of the State so that it would be easier for him to take work from the officers sitting in the government, but the Ministry of Minority Affairs ignored this recommendation as well.
- (5) Joint parliamentary committee had asked for magisterial powers to be given to CEOs to vacate illegal encroachments, but rejected that too. Similarly, the recommendation to declare

- the endowment as a public premise to make the process of removal of illegal possession effective was also rejected.
- (6) Joint Parliamentary Committee proposed to punish those officers whose incompetence prevented possession of waqf properties, but this proposal was also not accepted.
 - (7) Joint Parliamentary Committee recommended amending the Waqf Act itself to exempt endowments from the Rent Control Act, which was later endorsed by the Inter-Ministerial Council but was also ignored.
 - (8) Joint Parliamentary Committee had said that the chairman and members of the Waqf Tribunal set up to deal with Waqf cases should be full-time and that the Tribunal should be given only one year to dispose of any case. It was also said that endowments should be kept above the revenue law, but this recommendation was also not heeded.

(Maulana) Syed Arshad Madani

President Jamiat Ulema-i-Hind

Jamiat Ulema-i-Hind according to its modus operandi, after the Waqf Conference, did not remain silent. A representative delegation led by President Maulana Arshad Madani met Prime Minister Dr. Manmohan Singh at his residence. Moulana presented the demands, boldly, regarding the protection of the endowment and said that prayer should be allowed in the archaeological mosques. Also, the proposal of Waqf Development Agency should be rejected. The Prime Minister assured the delegation that prayer will be allowed in the archaeological mosques. The news of this meeting was prominently reported by almost all the newspapers. The headline of the daily Revolution was: "Prayer will be allowed in archaeological mosques: Prime Minister: Rashtriya Sahara's headline: Waqf properties will be owned only by Muslims." Similarly, the picture of conversation between the honourable president and the prime minister was in all newspapers.

A few days later, Hazrat President, in a newspaper statement, highlighted the current shameful situation of Muslim awqaf on the basis of government and non-government seizures of endowment

assets. He said:

"The present shameful situation of the destruction of Muslim endowments based on government and non-government usurpation of waqf assets scattered in different states of the country and the cold-hearted and biased policy of the central and state governments is unacceptable to Jamiat Ulema-i-Hind, because the construction and development of awqaf can play a fundamental role in ending the educational and economic misery of millions of oppressed and destitute Muslims in India, in which the biggest obstacle is the policy of non-cooperation with the central and state governments."

Maulana Syed Arshad Madani, president of Jamiat Ulema-i-Hind, expressed the above views in a statement . He further said that Joint Parliamentary. The recommendations of the Committee's report include our basic demand and we have always demanded that Waqf properties across India should be exempted from the Rent Control Act so that waqf institutions can reasonably increase the rent of waqf properties based on the market value. Similarly, the waqf properties which are encroached upon by the departments of the central and state governments, which have been identified in the report of the Joint Parliamentary Committee, should either be referred to the State Waqf Board without delay or these properties should be paid rent to Waqf Institutions as per the market value.

President Jamiat Ulema-i-Hind in his statement challenged the UPA government's policy regarding waqf and expressed deep regret and concern that despite the existence of waqf assets worth trillions and billions of rupees by our predecessors, the state waqf board governments are forced to carry a beggar's bowl in front of the house to save the state-owned institutions from destruction by begging for grants. While in these same states, Muslims are constantly facing economic destruction and destruction due to aggressive government and non-government seizures of waqf assets worth billions of rupees.

President Jamiat Ulem-i-a Hind Maulana Arshad Madani challenged the bureaucracy of the Department of Archaeology and

questioned in his statement that the annual income of crores of rupees from the Waqf land adjacent to the more than 350 waqf properties owned by the Department of Archaeology, the Department of Archaeology is not paying the waqf tax to any state waqf board, while the Shariah status of these three hundred and fifty waqf properties is very clear that they are not the property of the government but they are waqfs. And just as a general trustee is required to pay waqf tax on the income of waqf institutions, the Department of Archaeology is also required to pay waqf tax to the state waqf board every year.

Maulana Arshad Madani has made it clear in his statement that the report of Waqf Joint Parliamentary Committee has also described this fraud of archaeology with great clarity. Maulana calling the ban on prayers a clear violation of the secular constitution of India, it has demanded that the ban on adhan and prayers in all such mosques be removed without delay.

Maulana Arshad Madani gave an example of the sad situation of destruction of waqf assets and referred to Hazrat Hussain Shah Wali Dargah of Hyderabad, of which six hundred acres of valuable waqf land was leased to private companies at a very low price and 1000 acres of land has been sold with the connivance of political leaders of the state. Jamiat Ulema-i-Hind has prepared to knock on the door of the Supreme Court against this official looting of waqf assets. Similarly, he referred to crores of rupees worth of waqf properties in Karnataka and Mumbai which were leased out on nominal rate with the connivance of the bureaucrats of these three states, which could generate enough annual income for the state waqf board to be used by the state and the waqf boards of these states could be economically self-sufficient.

President Jamiat Ulema-i-Hind has also strongly criticized the biased policy of the Government of India that various states across the country by declaring the most valuable land as Greenland, the ways of its construction and development have been closed forever, while magnificent buildings have been built on other lands in the same areas. Maulana Madani has asked the government that how long this unconstitutional playing with our waqf assets will continue?

The president of Jamiat Ulema-i-Hind in his statement expressed the shortcomings of the Waqf Amendment Act 2010 and said that there are thousands of waqf institutions in the country which are not registered with the state waqf boards. Waqf Amendment Act 2010 is depriving all these institutions of legal proceedings which are definitely unbearable. Jamiat Ulema-i-Hind has pointed out many flaws in the Waqf Amendment Act and wants to make it clear that any Waqf institution is registered with the State Waqf Board or not, protections should be provided to institutions registered with the Waqf Board.

Maulana Arshad Madani in his statement has demanded from the Honorable Prime Minister Dr. Manmohan Singh that the issue of amending the Waqf Laws is directly related to the laws of Islam, so until the present Waqf Amendment Act is not trusted by Islamic scholars and muftis. Until such time it is done, it should not be presented in any haste in the Parliament and if it is done, Jamiat Ulema-i-Hind will oppose any such nefarious attempt at the national level.

At the end of his statement, Maulana Arshad Madani has also expressed the determination and courage that the existing waqf assets in India are the trust of our ancestors, and the history of Jamiat Ulema-i-Hind is a witness that from its founding day till today, at every critical juncture, we have recognized the protection of endowments as our motto and in the future we will raise our voice from the public level to the parliament for the protection of Muslim endowments, and if necessary we will also knock on the door of the Supreme Court, and have prepared ourselves for because we cannot sit as silent spectators to the on-going destruction of the assets of our forefathers at the official and non-official levels.

Therefore, the rulers should take practical steps to ensure the implementation of the recommendations of the Waqf Joint Parliamentary Committee as soon as possible and remove the anxiety of the Muslims."

The leadership of Jamiat Ulema-i-Hind did not stop there. Honourable President continued long correspondence with Union Minister for Minority Affairs Salman Khurshid. In a long letter dated

September 8, written in English, the Honourable President reviewed the recommendations of the Sachar Committee before the Minister and expressed his opinion on the excuse of the Minority Ministry. In response to this, Minority Affairs Minister Salman Khurshid sent a reply letter in which he assured that the demands of Jamiat Ulema Hind regarding the Waqf Bill will be taken care of. He also admitted that there is no room for disagreement with the shortcomings of the bill which have been pointed out by Jamiat Ulema Hind. In this regard, the president of Jamiat Ulema-e-Hind had asked for a Fatwa, see the copy of the fatwa.

1151

B

Fatwa regarding the waqf ownership

Answers to the following questions are required from religious scholars according to Shariah. It is hoped that they will grant the answer. Almighty will give the reward.

- (1) Can a Hindu polytheist make waqf to Allah?
- (2) Can a polytheist make a gift to a waqf in advance? If he can give, then his *fif* will become a part of waqf property?
- (3) Can a non-Muslim make a waqf for sons (Aulad)?
- (4) Can the income of waqf be given both Muslim and non-Muslim?
- (5) Is a waqf hospital or school allowed to provide services to non-Muslims as well?
- (6) Under what circumstances waqf property can be sold or exchanged?

(Maulana Arshad Madani)

Teacher of Hadith, Darul Uloom Deoband and
President of Jamiat Ulema-i-Hind
Madani Manzil, Deoband, Saharanpur, UP

1151

B

In the name of Allah, the most benevolent ever merciful

Answer and Allah grants strength

- (1) According to both Hindu polytheists and Muslims, it is a good and rewarding work, so a Hindu polytheist can dedicate it. His

waqf is authentic and valid.

- (2) The waqf object passes from the ownership of the donor to the ownership of Allah, so it is not permissible for anyone to dispose of it contrary to the intention of the donor in the current waqf, nor is it permissible to give it as a gift, neither it is permissible to sell.
- (3) When it is correct to make a waqf of a non-Muslim in a good cause, then the waqf -alal-aualad is also a good work, so he can also make the waqf alal-Aualad. This waqf will be valid.
- (4) If the donor has specified in his waqf deed that the income of the waqf is to be spent on Muslims, or the donor is a Muslim, but the waqf is not specified, then in both cases the income of the waqf will be spent only on the Muslims. Yes, if a waqf is for the benefit of the general public, for example, a well tap, a water pipe, etc., then both Muslims and non-Muslims can benefit from it.
- (5) If a Muslim endower has dedicated a hospital or school for Muslims only, it is not permissible to provide services to non-Muslims therein. And if that endowment is common to both Muslims and non-Muslims, then it is permissible to provide services for both.
- (6) In the Shari'ah of Islam, change in Waqf-e-Sahih (Formal endowment,) and Waqf-e-Taam is not correct. That is, it is not permissible to sell it, or to exchange it, or to dispose of it contrary to the intention of the dedicator. Unless the object is completely unusable or there is a strong fear of its loss, then with the advice of the scholars, it can be sold or exchanged and another similar property can be dedicated in its place. Only Allah knows.

Habibur Rahman

(Mufti Dar Uloom Deoband), 4 Sha'ban 1432 AH

The answer is correct. - **Waqar Ali**

The answer is correct. - **Mehmood Hasan Buland Shahri**

The answer is correct. - **Fakhrul Islam**

(May Allah forgive him all)

Jamiat Ulema-i-Hind has a long history of service and struggle for the protection of endowment properties which cannot be matched by any other party. In this regard, the entire history of the efforts of Jamiat Ulema-i-Hind is available in the form of a book titled "The Efforts of Jamiat Ulema -i-Hind for the Protection of Awqaf". Similarly, the organization published the Urdu translation of the Waqf Act 1955 in book form. The efforts of Jamiat Ulema-i-Hind had a great influence in amending the Muslim Waqf Act in 1923 during the British rule and making a new act after independence. Everyone is aware of the situation at that time that the Muslims were largely demoralized by the shock of the partition of India. At such a time, it was a matter of heart and soul of the leadership of the Jamiat Ulema-i-Hind to represent the government. So in 1954, the new Waqf Act was passed. However, she was not satisfied with this; she constantly tried to make this act more useful and effective in favour of waqf property, organized conferences, continued representation in the houses of power and used her moral and political influence. As a result of which the Act was further amended in 1995 and the previous loopholes in it were removed. Now he is actively working on this newly amended proposed Waqf Act. The leadership of Jamiat Ulema-i-Hind has always taken care of the spirit of national unity and solidarity in the national issues, so even in the issue of endowment; it has not shown any narrow-mindedness in participating national parties and institutions in its struggle. However, we have a strong hope from God that the properties dedicated to him in this country will not only be protected, but also their proper use will be implemented.





"Waqf has always been respected in religious terms, it is one of the remnants virtues of the donor, through which the needy are eternally benefited and the donor is always rewarded. Nowadays, considering the economic problems and needs of Muslims, the importance of endowment increases a lot. The financial needs of mosques and other places of worship, monasteries, cemeteries and religious and spiritual schools, educational scholarships, care of orphans and widows and other similar important religious and social needs can be fulfilled through them. But it is a pity that the revolution era has eliminated them."

Excerpt, Presiding lecture,
Seventeenth General Meeting, April 1951, Hyderabad.
Shaikh-ul-Islam Hazrat Maulana Husain Ahmed Madani

