

The Waqf (Amendment) Act, 2025, recently enacted in India, introduces significant changes to the governance of waqf properties—charitable endowments under Islamic law. While the government asserts that these amendments aim to enhance transparency and efficiency, critics argue that they may infringe upon the constitutional rights of the Muslim community. [Frontline+10Frontline+10Vajiram & Ravi+10AP News+1Vajiram & Ravi+1](#)

Key Provisions of the Waqf (Amendment) Act, 2025

1. Inclusion of Non-Muslim Members

The Act mandates the inclusion of non-Muslim members in both the Central Waqf Council and State Waqf Boards. This marks a departure from the previous structure, which comprised solely Muslim members. Proponents suggest this change promotes diversity and transparency, while opponents view it as an encroachment on religious autonomy. [The Siasat Daily+5LawBeat+5PRS Legislative Research+5](#)

2. Determination of Waqf Property

The authority to determine whether a property is waqf or government land now rests with the District Collector, replacing the Waqf Tribunal's exclusive jurisdiction. This shift raises concerns about potential misuse and the marginalization of waqf institutions. [The Siasat Daily+2Vajiram & Ravi+2The Supreme Rights+2Vajiram & Ravi+4The Supreme Rights+4Reuters+4](#)

3. Eligibility to Create Waqf

Only individuals who have practiced Islam for at least five years are now eligible to create a waqf. This reverses the 2013 amendment that allowed non-Muslims to establish waqf properties, thereby narrowing the scope of who can contribute to waqf endowments. [AP News+4Frontline+4LawBeat+4LawBeat+1Frontline+1](#)

4. Mandatory Waqf Deed (Waqfnama)

The Act requires a formal written deed, known as a waqfnama, for the establishment of waqf properties. Previously, waqf could be established through long-standing usage or oral

declarations. This change aims to standardize documentation but may affect properties lacking formal records. [The Siasat Daily](#)[Wikipedia](#)

5. Digital Registration and Auditing

A centralized digital portal for the registration and management of waqf properties is to be established. Additionally, the Comptroller and Auditor General of India will oversee audits, enhancing accountability and transparency. [Vajiram & Ravi](#)[The Siasat Daily](#)

Controversies and Criticisms

1. Alleged Infringement on Religious Rights

Opponents argue that the inclusion of non-Muslim members in waqf boards violates Article 26 of the Indian Constitution, which guarantees religious denominations the right to manage their own affairs. They contend that this undermines the autonomy of Muslim religious institutions. [The Siasat Daily](#)[+9The Supreme Rights](#)[+9PRS Legislative Research](#)[+9](#)

2. Potential for Government Overreach

By granting district authorities the power to determine waqf property status, critics fear increased governmental control over religious endowments, potentially leading to the appropriation of waqf assets. [Frontline](#)[+1Vajiram & Ravi](#)[+1](#)

3. Legal Challenges

Several political leaders and organizations have filed petitions in the Supreme Court, challenging the constitutional validity of the Act. They argue that the amendments infringe upon the rights of the Muslim community and disrupt the traditional management of waqf properties. [PRS Legislative Research](#)[+10AP News](#)[+10The Supreme Rights](#)[+10](#)

Government's Justification

The government maintains that the amendments aim to modernize waqf property management, enhance transparency, and prevent misuse. By introducing formal documentation and digital records, the Act seeks to safeguard waqf assets and ensure their proper utilization for charitable purposes. [Frontline+2AP News+2Wikipedia+2](#)

Conclusion

The Waqf (Amendment) Act, 2025, represents a significant shift in the management of waqf properties in India. While the government's intent is to bring about transparency and efficiency, the Act has sparked debates over religious autonomy and constitutional rights. The ongoing legal challenges and public discourse will play a crucial role in determining the future impact of these amendments on India's diverse religious landscape. [Maxias+3Wikipedia+3Vajiram & Ravi+3](#)