

16. COMMITTEE SECTION (JPC on WAKF)

16.1 Main Functions of the Committee: The Committee Section (JPC on Wakf) provides Secretarial assistance to the Joint Parliamentary Committee on Wakf, which consists of 30 Members of both the Houses of Parliament (10 from Rajya Sabha and 20 from Lok Sabha). The Committee Section performs its functions in close coordination with the Ministry of Minority Affairs and helps the Committee in matters relating to the Wakf.

The Committee is governed by the rules as contained in the Rules of Procedure and Conduct of Business in the Council of States relating to Select Committees.

16.2 Constitution of the Committee: The Joint Parliamentary Committee on Wakf was constituted on the 2nd January, 2006, by the Chairman, Rajya Sabha in consultation with the Speaker, Lok Sabha with the following terms of reference:-

- i) to ascertain the status of implementation of the Wakf Act, 1995 by various State Governments;
- ii) to suggest such amendments to the Wakf Act, 1995, as may be considered necessary, so as to achieve its objectives including retrieval of the Wakf properties encroached upon;
- iii) to examine the functioning of the Central Wakf Council and suggest suitable measures for its effective functioning; and
- iv) to look into the working of the State Wakf Boards and recommend suitable measures for their proper and smooth functioning.

The Committee was constituted for a term of one year. As the Committee could not complete the work assigned to it within that period, the Committee sought extension of one more year and the Chairman, Rajya Sabha accordingly granted extension up to the 31st December, 2007 and later up to the 31st March, 2008, 30th June, 2008, 31st December, 2008 and again up to the end of the term of 14th Lok Sabha.

16.3 Meetings: The Committee held in all 14 meetings during the year. The details of the meetings of the Committee are as follows: -

Date	Main Items of Agenda	Evidence, If Any Taken	Time devoted Hrs. mts.
31.01.08	Oral evidence on the working of the State Wakf Boards of Assam and Karnataka and implementation of the Wakf Act, 1995 in those States.	Additional Chief Secretary and Joint Secretary, Government of Assam, Department of Minorities Welfare and Development. Secretary, Department of	02.15

		Minorities Welfare, Government of Karnataka.	
01.02.08	Oral evidence on the working of State Wakf Board of Uttarakhand and implementation of the Wakf Act, 1995 in the State.	Principal Secretary, Department of Social Welfare, Government of Uttarakhand and representatives of Uttarakhand Wakf Board.	00.50
15.02.08	To consider the following reports:- (a) Implementation of Wakf Act, 1995 in West Bengal and working of Board of Wakfs, West Bengal. (b) Implementation of Wakf Act, 1995 in Rajasthan and working of Rajasthan Board of Muslim Wakf. (c) Amendments to the Wakf Act, 1995. (d) Implementation of Wakf Act, 1995 in Assam and working of Assam Board of Wakfs. (e) Implementation of Wakf Act, 1995 in U.T. Chandigarh and working of Chandigarh Wakf Board.	-- -- -- --	01.00
27.02.08	To consider and adopt the following reports:- (a) Implementation of Wakf Act, 1995 in West Bengal and working of Board of Wakfs, West Bengal. (b) Implementation of Wakf Act, 1995 in Rajasthan and working of Rajasthan Board of Muslim Wakfs. (c) Amendments to the Wakf Act, 1995. (d) Implementation of Wakf Act, 1995 in Assam and working of Assam Board of Wakfs. (e) Implementation of Wakf Act, 1995 in U.T. Chandigarh and working of Chandigarh Wakf Board.	-- -- --	01.00

19.02.08	Oral evidence on the working of Shia and Sunni Wakf Boards of Bihar and implementation of Wakf Act, 1995 in the State.	Secretary, Minority Welfare Department, Government of Bihar.	01.04
28.03.08	Oral evidence of the representatives of All India Muslim Personal Law Board on improving the working of the State Wakf Boards, Central Wakf Council and on the Wakf Act, 1995.	Shri Yusuf Hatim Muchchala, Senior Advocate, Mumbai High Court. Shri Shiekh Abdul Sattar, Secretary, AIMPLB. Prof. Riyaz Umar, Treasurer, AIMPLB. Maulana Syed Nizamuddin, General Secretary, ALMPLB. Shri Jafer, Vice President, Jamait-e-Islami. Shri Bahar-U-Barqi, Advocate, Supreme Court.	01.45
21.05.08	To decide the future programme of the Committee.	---	01.15
05.06.08	Oral evidence of Representatives of Central Wakf Council and representatives of Ministry of Minority Affairs on the functioning of the Central Wakf Council.	Nine Members of Central Wakf Council, Secretary of Central Wakf Council, Secretary, Joint Secretary and Deputy Secretary Ministry of Minority Affairs.	02.15
06.06.08	Oral evidence on the working of Haryana Wakf Board and implementation of Wakf Act, 1995 in the State.	Special Secretary, Home Department, Government of Haryana and Representative of Haryana Wakf Board.	01.30
19.06.08	Oral evidence on the working of Delhi Wakf Board and implementation of Wakf Act, 1995 in the State.	DC and Secretary (Revenue), Government of NCT of Delhi and Representatives of Delhi Wakf Board.	01.35
24.06.08	Oral evidence on the working of Maharashtra State Board of Wakfs and Punjab Wakf Board and implementation of Wakf Act, 1995 in those States.	Principal Secretary, Department of Minority Development, Government of	03.12

		Maharashtra and Representatives of Maharashtra State Board of Wakfs. Principal Secretary, Department of Home Affairs and Justice, Government of Punjab and Representatives of Punjab Wakf Board.	
22.08.08	Oral evidence on the working of the Gujarat State Wakf Board and implementation of Wakf Act, 1995 in the State. Oral evidence on the action taken by the Ministry of Minority Affairs, Government of India on the recommendations of the Committee made in its Third Report particularly relating to Central Wakf Council. Oral evidence of Charity Commissioner, Government of Maharashtra regarding the Sale of Property by Currimbhoy Ebrahim Khoja Orphanage Trust.	Secretary, Legal Department, Government of Gujarat and representatives of Gujarat State Wakf Board. Secretary, Ministry of Minority Affairs. Secretary, Central Wakf Council and other Officials of the Ministry. Charity Commissioner, Government of Maharashtra.	02.40
20.10.08	To consider and adopt the draft Ninth Report of the Committee.	--	01.30
06.11.08	To discuss the future programme of the Committee.	--	00.50

16.4 Meetings of the Chairman: The Chairman, Joint Parliamentary Committee on Wakf after being authorized by the Committee held discussions with the representatives of State Governments and Wakf Boards of Bihar (13.08.2008), Assam (14.08.2008), Orissa and Chhattisgarh (18.08.2008), Jharkhand (19.08.2008), Madhya Pradesh and Uttar Pradesh (27.08.2008), Karnataka (29.07.2008) and Chandigarh (20.09.2008) on the implementation of the Wakf Act, 1995 and the functioning of Wakf Boards in the respective States.

16.5 Reports presented by the Committee: The following Reports were presented by the Committee to the Parliament during the year.

Sl. No.	Title of the Report	Presented to Rajya Sabha	Laid in the Lok Sabha
1.	First Report of Joint Parliamentary Committee on Wakf on implementation of Wakf Act, 1995 in West Bengal and working of Board of Wakfs, West Bengal.	04.03.2008	04.03.2008
2.	Second Report of Joint Parliamentary Committee on Wakf on implementation of Wakf Act, 1995 in Rajasthan and working of Rajasthan Board of Muslim Wakfs.	04.03.2008	04.03.2008
3.	Third Report of Joint Parliamentary Committee on Wakf on Amendments to the Wakf Act, 1995.	04.03.2008	04.03.2008
4.	Fourth Report of Joint Parliamentary Committee on Wakf on implementation of Wakf Act, 1995 in Assam and working of Assam Board of Wakfs.	04.03.2008	04.03.2008
5.	Fifth Report of Joint Parliamentary Committee on Wakf on implementation of Wakf Act, 1995 in U.T. of Chandigarh and working of Chandigarh Wakf Board.	04.03.2008	04.03.2008
6.	*Sixth Report of Joint Parliamentary Committee on Wakf on implementation of Wakf Act, 1995 in Karnataka and working of Karnataka State Board of Wakfs.	21.10.2008	20.10.2008
7.	*Seventh Report of Joint Parliamentary Committee on Wakf on implementation of Wakf Act, 1995 in Tamil Nadu and working of Tamil Nadu State Wakf Board.	21.10.2008	20.10.2008
8.	*Eighth Report of Joint Parliamentary Committee on Wakf on implementation of Wakf Act, 1995 in Bihar and working of Bihar State Sunni and Shia Wakf Boards.	21.10.2008	20.10.2008
9.	Ninth Report of Joint Parliamentary Committee on Wakf.	23.10.2008	23.10.2008

* Presented to Hon'ble Chairman, Rajya Sabha on 29th March, 2008

16.6 Conference on Recommendations contained in Ninth Report of the Committee:

The JPC on Wakf at its meeting held on 06/11/2008 decided to organize a one day seminar on 20/12/2008 to sensitise the stake holders in Wakf administration and others about the implementation of the recommendations made by the Committee in its Ninth Report which was presented to the Parliament on 23/10/2008. Accordingly, a one day conference was organized by the Chairman, JPC on Wakf on the said date. The Conference was inaugurated by the Chairman, Rajya Sabha and valedictory address was delivered by the Speaker, Lok Sabha. . The Conference was attended by the

Union Minister for Minority Affairs, some State Minority Affairs/Wakf Ministers, some Members of Parliament, Secretaries in-charge of Wakf matters in the States, Chairman and Chief Executive Officers (CEO's) of the State Wakf Boards and others.

16.7 Research Advisory Group to the Committee: The Chairman, JPC on Wakf with the permission of Hon'ble Chairman, Rajya Sabha, constituted a Research Advisory Group on 23/06/2008. The mandate of the Group was to generate technical papers to the JPC on Wakf relating to the implementation of the Wakf Act, 1995. The Chairman held two meetings with the Research Advisory Group.

16.8 Tours/Visits: The Committee undertook two study visits to different places. The Committee was accompanied by the officers of the Secretariat. The details of the tours are as follows:

Destination	Date	Organizations Visited	Purpose
Hyderabad	7 th to 9 th July, 2008	State Government of Andhra Pradesh and Andhra Pradesh State Wakf Board.	To examine the working of the States Wakf Board and implementation of Wakf Act, 1995 in the State.
Cochin	3 rd to 6 th November, 2008	State Government of Kerala and Kerala State Wakf Board.	To examine the working of the States Wakf Board and implementation of Wakf Act, 1995 in the State.

In addition to the above said visits, the Committee also undertook two local visits to Delhi on 16/09/2008 and Gurgaon & Faridabad on 29/09/2008 to make on-the-spot assessment of encroachments of Wakf properties.

16.9 Computerisation: The Section is fully computerized, and has been provided four Personal Computers. All the work relating to drafting of notices, minutes, reports, questionnaire, speech etc. was done on computers. The computers have been linked with LAN facility and have been provided with Internet facility. This Section tried to make maximum use of the facilities provided. Necessary training was imparted to the staff posted in this Section and all of them are computer savvy.

16.10 Inspection of the Section: The annual inspection of the Section, was held in February, 2008.

16.11 Training: During the year under review, none of the Officials of the Section attended any training programme conducted by the Training Unit.

16.12 Goals & Achievement: On the basis of its terms of reference, the following goals were set out during the year under review: -

- i) To ascertain the status of implementation of the Wakf Act, 1995 by various State Governments/UTs;
- ii) consideration of the amendments to the Wakf Act, 1995;
- iii) to examine the functioning of the Central Wakf Council; and
- iv) to look into the working of the State Wakf Boards.

As regards serial no. (i), information about the status of implementation of the Wakf Act, 1995 by different State Governments/UTs was regularly procured from the Ministry of Minority Affairs and a statement was being regularly prepared on that basis to show where the provisions of the Act were implemented and where the implementation was lacking.

As regards serial no. (ii), the Committee constituted a Sub-Committee to suggest amendments to the Wakf Act, 1995 on 8th June, 2007. The Sub-Committee considered the Memorandum prepared in this regard and finalized its report on Amendments and the same placed before the main Committee for adoption. The Committee adopted the Report on 27.02.2008.

As regards serial no. (iii) the Committee held discussions with Members of Central Wakf Council on 05.06.08 and Representatives of All India Muslim Personal Law Board on 28.03.2008.

As regards serial no. (iv), during the period, the Committee heard the oral evidence of the officials/representatives of the State Government of Assam, Karnataka, Uttarakhand, Bihar, Haryana, Delhi, Maharashtra, Punjab and Gujarat.

The Committee presented its 9th Report on 23.10.2008. This is a comprehensive Report covering all aspects mentioned at (i) to (iv) above.

16.13 Miscellaneous:- Besides rendering secretarial assistance to the Committee in the discharge of its functions, this Section also dealt with the following items: -

- i) Handling correspondence with the concerned Ministry and State Governments/State Wakf Boards on matters taken up by the Committee;
- ii) Furnishing information on matters relating to the Committee to different Sections/Branches of Rajya Sabha/Lok Sabha Secretariats and the agencies outside;
- iii) Processing of refreshments bills; and
- iv) Booking of Committee Rooms, liaison with the concerned Sections *i.e.* Interpreters, Reporters, Watch and Ward, Electrical and Sound during the meetings of the Committee

16.14 Budget: The tenure of the Committee was extended initially for three months only by the Hon'ble Chairman. Hence, the Section did not project the financial requirements of the Committee.

The Section however maintained a register to note the expenditure.