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Waqf (Amendment) Act, 2025

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In April 2025, Parliament changed India’s main law on waqf property and gave it a new name. In September 2025, the Supreme Court paused some parts of that change. **An interim order is not a final verdict.** This lesson explains the Act step by step and shows where the case stands as of October 2026.



The Supreme Court of India building, New Delhi. Photo: Legaleagle86, CC BY-SA 3.0, via Wikimedia Commons (File page).

At a glance

Four dates to fix in your head

01
5 Apr 2025

The President gave assent to the Act.

02
8 Apr 2025

The amended law came into force.

03
15 Sep 2025

Supreme Court interim order. The whole Act was not stayed.

04
Oct 2026

The constitutional challenge was still pending.

WaqfProperty given permanently for pious, religious or charitable use under Muslim law.
Waqf by user Property treated as waqf because it was used that way for a long time.
UMEEDUnified Waqf Management, Empowerment, Efficiency and Development.
Interim orderA temporary order made before the final decision.

1 Did the 2025 Act replace the Waqf Act, 1995?

No. The Waqf (Amendment) Act, 2025 **amended** the Waqf Act, 1995. It did not create a new principal law.

The amendment did change the name of the old law. It is now the **Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995**. The year in the new name is still 1995.

The short form is **UMEED**. It stands for those same five words. When you explain the name, use the full expansion.

Think of renovating a house. You repaint it, change some rooms and put up a new name board. The house is still the same house, built on the same plot.

Two dates matter here. The President gave assent on **5 April 2025**. The provisions came into force on **8 April 2025**.

Many students think these are the same day. They are not. Assent means the President has signed the Bill into law. Commencement means the rules actually start to apply.

Exam setters like this gap. If a question asks when the law “came into force”, the answer is 8 April, not 5 April.

2 What is a waqf, and who are the waqif and the mutawalli?

A **waqf** is property that is given away for good. The property can be movable or immovable. It must serve a purpose that Muslim law treats as pious, religious or charitable.

The word “permanently” is the key. Once property becomes a waqf, the donor cannot take it back. It stays dedicated.

Two roles follow from this. The **waqif** is the person who creates the waqf. The **mutawalli** is the person who manages or administers it.

Here is a familiar example. Suppose a family gives a plot of land so that a school can run on it forever. The family is the giver. The school's manager looks after the land. A waqf works on the same idea.

A family waqf has its own name. It is commonly called **waqf-alal-aulad**. In it, the benefit goes first to the founder's family.

A common confusion is to treat a waqf as a gift to a person. It is not. The property is dedicated to a purpose, and the manager only looks after it.

Keep these three words straight. Waqf is the property. Waqif is the giver. Mutawalli is the manager.

> **Quick check 1.** A mutawalli is the person who creates a waqf. *(True or False?)* See answer ↓

3 What is “waqf by user”, and did the amendment end it?

Waqf by user means a property is treated as waqf because it has long been used for religious or charitable purposes. There may be no written deed. The long use itself is the proof.

The Wakf Act, 1954 expressly recognised this category. The Supreme Court discussed it in its September 2025 judgment.

Think of a village path that everyone has used for a century. No paper may exist, yet the use is clear. Waqf by user follows the same logic for a prayer ground or a burial place.

The 2025 amendment removed this route for creating **new** waqfs. After the amendment, long use alone cannot make a new waqf.

But existing properties were not wiped out. The saving clause covers existing waqf-by-user properties that are registered **on or before commencement**. There are exceptions for disputed property and for government property.

So the claim that “all waqf-by-user properties lost protection” is wrong. The amendment closed the door for the future. It kept the specified registered properties safe.

> **Quick check 2.** The amendment automatically abolished every existing waqf-by-user property. *(True or False?)* See answer ↓

4 How did the Bill become law?

The Bill moved through Parliament in a few clear steps. Learn them as a dated list.

Date	Milestone
8 August 2024	The amendment Bill was introduced in Lok Sabha.
27 January 2025	The Joint Parliamentary Committee finished clause-by-clause study at its 37th sitting.
3 April 2025	Lok Sabha passed the Bill.
4 April 2025	Rajya Sabha passed the Bill.
5 April 2025	The President gave assent.
8 April 2025	The amended framework came into force.

The reported votes were **288 to 232** in Lok Sabha. In Rajya Sabha they were **128 to 95**. The Joint Parliamentary Committee, or JPC, is a small panel of members from both Houses. It studies a Bill in detail before the vote.

The President also gave assent to a separate law. It is the **Mussalman Wakf (Repeal) Act, 2025**. It repealed an older law from 1923.

Do not mix the two. The Repeal Act removed the 1923 law. The Amendment Act changed the 1995 law.

A simple memory trick helps. Introduced in 2024. Passed and in force in April 2025. The three April steps run 3, 4, 5, and then comes the 8th.

5 Who can create a waqf under the amended law?

Parliament added new conditions for creating a waqf. They are mostly found in **Section 3A**.

First, the creator must lawfully own the property. The creator must also be competent to dedicate it. You cannot give away what is not yours.

Second, a family waqf cannot take away the inheritance rights of heirs. This includes the rights of women. It also cannot defeat other lawful claims.

Third, a new waqf needs a written **waqf deed**. A deed is a signed document that records the gift and its purpose.

The amendment also added a condition of five years of practising Islam. But this one needs care. The Supreme Court's order of 15 September 2025 stayed that condition. The stay lasts until States frame a way to check compliance.

So do not write that the five-year rule is a plain, working rule across India. As of October 2026, it was held back by the Court's order.

Picture a tenant who tries to dedicate a rented shop as waqf. The shop is not the tenant's property. The gift fails at the first test, which is lawful ownership.

> **Quick check 3.** A person can dedicate someone else's property as waqf. *(True or False?)* See answer ↓

6 How did boards, surveys, appeals and audits change?

Start with the bodies. The **Central Waqf Council** advises governments and Boards. **State Waqf Boards** supervise waqfs inside their own States.

The amendment provides for non-Muslim members in these bodies. It also provides for Muslim women's representation. Board rules also address representation of different Muslim communities.

Next, surveys. A survey lists which properties are waqf. Pending surveys moved from Survey Commissioners to Collectors. **Section 40** was omitted. It had let a Board decide whether a property was waqf.

Now appeals. The amended law provides a High Court appeal against Tribunal decisions. The time limit is **90 days**. The composition of the Tribunal also changed.

The **Limitation Act, 1963** now applies to proceedings about claims over waqf immovable property. That Act sets time limits for filing claims.

Finally, money. A waqf with net annual income above **₹1 lakh** needs an annual audit. The Centre can also direct an audit. It may use an auditor appointed by the Comptroller and Auditor-General or another officer it names.

Think of a school trust. Public money and public trust call for yearly accounts. The same idea sits behind the audit rule.

> **Quick check 4.** The amended law provides a High Court appeal against Tribunal decisions. *(True or False?)* See answer ↓

7 Which property rules caused disputes?

Three new sections touch land that could be claimed by others. Each one sets a limit on waqf claims.

Section 3C allows an inquiry into property that is claimed to be government land. A State-designated officer above Collector rank holds the inquiry. Critics asked whether an officer of the executive should

settle a title question. The Supreme Court's safeguards, covered in the next lesson item, shape how this section works.

Section 3D deals with protected monuments and protected areas. A waqf declaration is void if the property was already protected under the named heritage laws.

Section 3E bars waqf declarations over land that belongs to Scheduled Tribe members. It applies in Fifth or Sixth Schedule areas. These are areas given special protection by the Constitution.

The amended **Section 2** adds one more limit. It excludes qualifying charitable trusts created by Muslims for similar purposes. Such trusts are then outside this Act.

Here is a way to hold all four. Each rule asks, "Whose land is it really?" Government land, protected monuments, tribal land and separate trusts are all carved out.

The common thread is that a claim of waqf status is no longer enough on its own. The property must also pass these tests.

> **Think it through: why would a dispute about government land need more than an officer's inquiry?**
>
> An inquiry by a government officer decides a claim in which the government is itself a party. Courts and Tribunals are neutral. That is why the Supreme Court added safeguards.

8 Did the Supreme Court suspend the whole Act?

No. On **15 September 2025**, the Supreme Court refused to stay the entire Act. The case is *In Re: The Waqf Amendment Act, 2025 (1)*, W.P. (C) No. 276/2025, reported as 2025 INSC 1116.

The ruling dealt with **interim relief**, meaning temporary protection while the case goes on. The Court described its view as prima facie, which means “at first look”. It did not decide whether the Act is constitutional.

The Court did add safeguards. Read them one by one.

- It stayed the proviso to Section 3C(2) and Sections 3C(3) and 3C(4). These dealt with how a property is treated during the inquiry, and with changes to records afterwards.
- It protected possession and records until a Tribunal decides title, subject to High Court orders. It also barred third-party rights during the specified dispute period.
- It capped non-Muslim members at **four of 22** in the Council and **three of 11** in a Board.
- It directed that efforts be made, as far as possible, to appoint a Muslim as Board Chief Executive Officer.

Think of a referee who stops one dangerous move but lets the match continue. The Court paused the sharpest parts. It left the rest of the Act to operate.

> **Quick check 5.** The September 2025 ruling finally upheld every provision of the Act. *(True or False?)* See answer ↓

9 Which constitutional provisions frame the debate?

The debate rests on a few Articles. Each one pulls in a different direction.

Article 14 guarantees equality before law and equal protection of the laws. Challengers use it to ask whether the rules treat groups fairly.

Article 25 protects freedom of conscience and the right to practise religion. It is subject to the limits it states. **Article 25(2)(a)** lets the State regulate secular activities linked to religion, such as money and property.

Article 26 protects the rights of religious denominations over their religious affairs and institutions. **Article 26(d)** allows them to administer property, but in accordance with law. For more, see Article 26: Freedom to Manage Religious Affairs.

Article 300A says no person can be deprived of property without authority of law. See Right to Property: Article 300A.

The core question is where religion ends and administration begins. The State may regulate accounts and records. It must still respect a community's control over its religious affairs.

A good answer in a Mains paper names both sides. It cites Articles 25(2)(a) and 26(d) for the State. It cites Article 26 and Article 300A for the community.

Think it through: how could a law improve accounts and records yet protect religious freedom?

It can regulate secular matters such as audits and registers. It can leave worship, belief and religious practice alone. The hard part is drawing that line fairly.

10 How did the UMEED portal work in practice?

The Ministry launched the **UMEED Central Portal** on **6 June 2025**. It is a website for uploading, checking and tracking waqf property details.

The **UMEED Rules** were notified on 3 July 2025. They cover the portal, registration, accounts, audit reports and Board proceedings.

Then came the question of time. On **1 December 2025**, the Supreme Court sent applicants who wanted more upload time to the Tribunal. It did not give a blanket extension to everyone.

In a reply dated **11 February 2026**, the Ministry said it counted six months from the portal launch. The working window ended on **6 December 2025**. It also reported that access had reopened for **17 State and Union Territory Boards** after extension orders.

Those are February 2026 facts. They do not prove a nationwide deadline in October 2026.

Now the numbers. As of **17 March 2026**, West Bengal had started **85,110** property entries. Of these, **18,497** were approved and **3,509** were rejected during checking.

Notice how the figures differ. Starting an entry is like posting an exam form. Approval is like getting the hall ticket. One does not follow automatically from the other.

> **Quick check 6.** Starting a portal entry means the property has been approved. *(True or False?)* See answer ↓

11 What happened in the Munambam and Tamil Nadu disputes?

Two state-level cases show how the law met real land and real boards.

The first is **Munambam** in Kerala. On **10 October 2025**, the Kerala High Court upheld the inquiry commission set up for the dispute.

That is only half the story. On **12 December 2025**, the Supreme Court stayed the High Court's finding that the Munambam land was not waqf. It ordered **status quo**, which means things stay as they are. The inquiry was allowed to continue.

So the October finding did not settle the matter. The Supreme Court's stay left the question of title open.

The second case is from Tamil Nadu. On **19 February 2026**, the Supreme Court stayed a Madras High Court order. That order had left the Tamil Nadu Waqf Board defunct. The Court also asked the State for its plan to fill the vacancies.

A Board without members cannot work. The stay let the Board's work continue while the plan was prepared.

Keep three kinds of decision apart. A portal-entry decision is about records. A property-title decision is about who owns the land. A constitutional judgment is about whether the law is valid. Each one has

its own forum and its own timing.

> **Think it through: why explain a portal entry, a title decision and a constitutional ruling separately?**
>
> They answer different questions. Mixing them leads to wrong claims, such as saying a stay on one land case decides the whole Act.

12 What can safely be said as of October 2026?

Reporting dated **15 October 2026** described the constitutional challenge as still pending. It also recorded that petitioners were worried about changes in the status of properties.

Those worries were submissions made to the Court. They were not findings by the Court. Keep that difference clear in any answer.

So the safe position is this. The September 2025 ruling was an interim order. It paused specified parts and set safeguards. It was not a final constitutional endorsement of the Act.

It is also not a final rejection. The main question, whether the Act is valid, remains open as of October 2026.

For exams, three habits help. Give the date with each claim. Say “interim” when you mean the 15 September 2025 order. Never write “upheld” unless a final judgment says so.

That is the whole picture. The Act amended the 1995 law, the Court softened parts of it, and the main case goes on.

Related reading

All Indian Polity and Constitution Articles

Article 26: Freedom to Manage Religious Affairs

Uniform Civil Code: The Uttarakhand Model

Article 29: Minority Language and Culture Protection

Right to Property: Article 300A

MCQ on Waqf Amendment Act

Try 5 practice questions on this topic.

Practice MCQs

1. On 5 April 2025, what happened to the Waqf (Amendment) Bill, and what was the Waqf Act, 1995 renamed?

A. It was referred back to the Joint Parliamentary Committee

B. It was struck down by the Supreme Court before assent

C. It was withdrawn; no renaming occurred

D. It received Presidential assent and was renamed the UMEED Act

See answer ↓

2. What does the acronym UMEED stand for in the renamed Waqf Act's short title?

A. Universal Model for Enhanced Economic Democracy

B. United Ministry for Equitable Economic Development

C. Unified Waqf Management, Empowerment, Efficiency and Development

D. Union Ministry of Endowments, Estates and Development

See answer ↓

3. On 15 September 2025, how did the Supreme Court rule on challenges to the Waqf (Amendment) Act, 2025?

A. It stayed key contested provisions but not the Act as a whole

B. It declared the Act unconstitutional in full

C. It stayed the entire Act pending final hearing

D. It dismissed all 72 petitions outright

See answer ↓

4. Which provision of the Waqf (Amendment) Act allows properties long recognised as waqf through generations of religious use to be denotified?

A. The requirement for 5 years of demonstrable Islamic practice

B. The 'waqf by user' denotification provision

C. The inclusion of non-Muslim members on Waqf Boards

D. The creation of new Aghakhani and Bohra waqf definitions

See answer ↓

5. Under the amended Act, which two categories must the Central Waqf Council now compulsorily include?

A. Two NGO representatives and two academic experts

B. Two women members and two non-Muslim members

C. Two retired judges and two civil servants

D. Two state government nominees and two central ministers

See answer ↓

Answer Key

1. **D.** The President gave assent on 5 April 2025, and the Waqf Act 1995 was renamed the UMEED Act (Unified Waqf Management, Empowerment, Efficiency and Development Act). ↑ Q1
2. **C.** UMEED stands for Unified Waqf Management, Empowerment, Efficiency and Development — a name that also means 'expectations' in Urdu/Hindi. ↑ Q2
3. **A.** The Supreme Court stayed specific contested provisions in an interim order on 15 September 2025, while refusing to stay the Act itself. ↑ Q3
4. **B.** The contested 'waqf by user' provision allows denotification of properties long treated as waqf through deed, court recognition, or long-term religious use, rather than formal registration. ↑ Q4
5. **B.** The Central Waqf Council must now compulsorily include 2 women members and 2 non-Muslim members, among the Act's contested composition changes. ↑ Q5

Quick-check answers

1. **False.** ↑ 1
2. **False.** ↑ 2
3. **False.** ↑ 3
4. **False.** ↑ 4
5. **False.** ↑ 5
6. **False.** ↑ 6

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