

Overview of the Waqf Amendment Act, 2025

Mihika Kanani · 17 Jun 2026

The Waqf (Amendment) Act, 2025, represents a landmark legislative reform aimed at modernizing the management, governance, and protection of Waqf properties in India. Read more here!

Introduction

Waqf properties, which are charitable endowments typically dedicated to religious or philanthropic purposes by Muslims, constitute a significant part of India's cultural and religious heritage. However, the management of these properties has historically been fraught with challenges such as mismanagement, encroachment, legal disputes, and lack of transparency. The Waqf Amendment Act, 2025, also known as the UMEED Act (Unified Management Empowerment Efficiency and Development), seeks to overhaul the regulatory framework governing Waqf properties to ensure better governance, protection, and utilization of these assets.

The Act aims to balance the need for modernization and government oversight with the protection of religious rights and community interests. However, it has also faced criticism from various quarters, including religious organizations, for perceived infringements on religious autonomy and constitutional rights.

This article provides a comprehensive overview of the highlights of the Waqf Amendment Act, 2025, examining its key provisions, objectives, controversies, and implications.

Key Highlights of the Waqf Amendment Act, 2025

1. Renaming and Rebranding: The UMEED Act

The Waqf Amendment Act, 2025, has been renamed as the UMEED Act, symbolizing its focus on Unified Management, Empowerment, Efficiency, and Development of Waqf properties. This rebranding reflects the government's intent to bring a more structured and accountable approach to Waqf administration.

2. Redefinition of Waqf Formation and Property Status

- **Abolition of 'Waqf by User':** One of the most significant changes is the removal of the 'Waqf by User' provision. Previously, properties could be declared Waqf based solely on their long-term use for religious purposes. The amendment abolishes this, meaning that only formally dedicated properties qualify as Waqf. However, properties registered as Waqf by user before the Act's commencement retain their status unless involved in disputes with the government.
- **Separation of Trusts from Waqf:** The Act clarifies that Muslim-created trusts governed by other laws will no longer be considered Waqf. This separation ensures that individuals retain full control over their trusts without them being subsumed under Waqf regulations.
- **Eligibility for Waqf Dedication:** Only practicing Muslims for at least five years are now eligible to dedicate property as Waqf, reinstating pre-2013 eligibility criteria.
- **Government Property and Waqf:** The Act introduces provisions to investigate government lands or properties claimed as Waqf. Any government property identified as Waqf will cease to be Waqf, with ownership disputes resolved by senior government officials, replacing the previous role of Waqf Boards in such determinations.

3. Enhanced Governance and Inclusivity

- **Inclusion of Non-Muslim Members:** The Act mandates the inclusion of non-Muslim representatives in the Central Waqf Council and State Waqf Boards. This move aims to promote inclusivity and diversity in Waqf governance but has been met with opposition from some Muslim organizations who view it as interference in religious affairs.
- **Women's Rights and Inheritance Protection:** The Act strengthens protections for women and children by ensuring they receive their rightful inheritance before any property is dedicated as Waqf. Special provisions safeguard widows, divorced women, and orphans, addressing historical concerns about inheritance rights in Waqf matters.
- **Separate Waqf Boards for Sects:** The Act allows the formation of separate Waqf Boards for Sunni, Shia, Bohra, and Agakhani sects if their properties or income exceed specified thresholds, recognizing the diversity within the Muslim community.

4. Streamlined Survey, Registration, and Record-Keeping

- **Empowering Revenue Officials:** The Act empowers state government collectors and senior officers to conduct surveys of Waqf properties, replacing the previous system where Waqf Boards had primary responsibility. This change aims to leverage existing state revenue machinery for more efficient and authoritative surveys.
- **Centralized Digital Registry:** Mutawallis (Waqf property managers) are required to register all Waqf property details on a centralized digital portal within six months, enhancing transparency and ease of access to records.

5. Judicial and Dispute Resolution Reforms

- **Waqf Tribunals:** The Act retains a three-member Waqf Tribunal structure comprising a district judge, a state government officer, and an expert in Muslim law and jurisprudence. This tribunal adjudicates disputes related to Waqf properties.
- **Appeal Mechanism:** Unlike the 1995 Act, which restricted appeals against tribunal decisions, the 2025 amendment allows appeals to the High Court within 90 days, providing a judicial check on tribunal rulings.
- **Final Authority on Property Disputes:** Senior government officials now have the final authority to determine whether disputed properties belong to Waqf or the government, replacing the previous role of Waqf Boards and tribunals in some cases.

6. Legal and Constitutional Safeguards

- **Application of Limitation Act, 1963:** To reduce prolonged litigation, the Limitation Act is now applicable to Waqf property disputes from the date of the amendment, encouraging timely resolution.
- **Protection of Tribal Lands:** The Act explicitly prohibits the establishment of Waqf on lands under Schedules V and VI of the Constitution, safeguarding the rights of tribal communities.
- **Removal of Section 40:** Section 40 of the 1995 Act, which allowed Waqf Boards to arbitrarily declare properties as Waqf, has been removed to prevent misuse and arbitrary claims.

7. Financial and Administrative Reforms

- **Audit and Oversight:** State governments are empowered to audit Waqf accounts at any time, enhancing financial accountability.

- **Penalties for Mismanagement:** The Act introduces stricter penalties for encroachment, illegal transfer, and mismanagement of Waqf properties.

Controversies and Criticisms

The Waqf Amendment Act, 2025, has faced significant opposition from various religious bodies. Their objections include:

- **Violation of Constitutional Rights:** The amendment is alleged to violate several constitutional provisions, including Articles 14 (equality before law), 15 (prohibition of discrimination), 21 (right to life), 25 and 26 (freedom of religion), 29 (protection of minorities), and 300-A (right to property).
- **Abolition of 'Waqf by User':** Critics argue that removing this provision threatens the existence of many religious places historically recognized as Waqf, potentially leading to loss of heritage and religious identity.
- **Inclusion of Non-Muslims in Waqf Boards:** The inclusion of non-Muslim members is seen as an intrusion into religious affairs and a violation of the autonomy guaranteed under Article 26 of the Constitution.
- **Centralized Government Control:** The enhanced role of government officials in property disputes and surveys is viewed as excessive interference, undermining the independence of Waqf institutions.

These concerns highlight the delicate balance between reform and religious autonomy, making the Act a subject of ongoing debate.

Significance and Implications

Despite controversies, the Waqf Amendment Act, 2025, marks a crucial step toward modernizing Waqf property management in India. Its significance includes:

- **Improved Transparency and Accountability:** By mandating digital records, audits, and clear dispute resolution mechanisms, the Act aims to curb corruption and mismanagement.
- **Streamlined Administration:** Leveraging state revenue officials and clarifying property status reduces bureaucratic delays and legal ambiguities.

- **Protection of Vulnerable Groups:** Safeguarding women's inheritance rights and tribal lands reflects a commitment to social justice.
- **Inclusivity and Diversity:** Including non-Muslim members and recognizing sectarian diversity promotes broader representation.
- **Legal Clarity:** Removing arbitrary powers and introducing appeal rights strengthens the rule of law in Waqf governance.

Conclusion

The Waqf (Amendment) Act, 2025, is a comprehensive legislative reform designed to address the multifaceted challenges facing Waqf property management in India. By redefining Waqf formation, enhancing governance structures, protecting vulnerable groups, and introducing judicial reforms, the Act seeks to create a more transparent, efficient, and accountable system.

However, the Act's ambitious reforms have also sparked significant debate regarding religious autonomy, constitutional rights, and the role of government oversight. Balancing these competing interests will be critical to the successful implementation of the Act and the preservation of India's rich Waqf heritage.

As the Act comes into force, its impact will unfold in the years ahead, shaping the future of Waqf properties and their role in India's social and religious landscape.

Read More: Waqf (Amendment) Bill, 2024