

1. What are the key issues in the challenge to the new Waqf law**Why now?**

The Supreme Court recently deferred its interim decision on the pleas challenging the Waqf Act, 2025 to May 5. This came after the Centre sought time to file an affidavit defending the law, but assured the court it will not, till the next hearing, appoint non-Muslims to Waqf boards or change the character or status of any Waqf.

WHAT'S WAQF?

A waqf is established when an individual voluntarily dedicates property for religious, charitable or pious purposes in accordance with Islamic law. This dedication permanently transfers ownership from the individual to God, making the property inalienable and managed by an appointed supervisor (mutawalli). Waqf properties include mosques, prayer grounds, shrines, Sufi centres, graveyards, educational institutions and shelter homes. Waqf boards—statutory bodies under the Waqf Act—administer these properties at the state level. The Central Waqf Council, established in 1964, provides national oversight

872,000**No. of properties**

Waqf boards manage, covering over 9.4 lakh acres

59,000**properties face encroachment**

by private individuals, businesses and even government entities

30**waqf boards functioning across the country****₹12,000 cr.****Annual revenue**

waqf properties could potentially generate. Actual collection is around Rs 200 crore (Sachar Committee Report, 2006)

The challenge

One April 16, a three-judge Bench led by Chief Justice of India Sanjiv Khanna, gave an early hearing to a batch of petitions challenging the validity of the contentious new law.

Senior Advocate Kapil Sibal, who led the arguments for the petitioners, essentially framed the law as violative of Article 26 of the Constitution, with the Parliament having interfered on "the essential and integral parts of the faith." Article 26, a fundamental right under Part 3 of the Constitution, guarantees the freedom to manage the religious affairs of the citizens, and is subject to only three restrictions — public order, morality, and health.

Some key issues

The petitioners flagged a number of issues with the 2025 law. These include the following.

1. Doing away with concept of “Waqf by use”: “Waqf by use” simply means that land used for Muslim religious or charitable purposes for a long time can be deemed to be a Waqf even if it is not registered as such.

The 2025 law does away with the concept of Waqf by use (which it refers to as “Waqf-by-user”) for future dedications, and restricts it only to properties that are already registered as Waqf. It further states that where there is a dispute, or if a property is allegedly government-owned, that land in question will not be treated as Waqf-by-use.

The government’s argument is that land is often encroached upon in the name of Waqf, making it necessary to do away with the legal mechanism for this to happen. However, the move raises questions over the status of several Waqf-by-use properties, which have long contained mosques or graveyards but not been registered as Waqfs.

The petitioners argued that by its nature, Waqf-by-use lands are difficult to register. CJI Khanna seemed to echo this sentiment, asking the Centre how can someone register a land that has been used as Waqf for, say, 300 years.

The petitioners also stated that Waqf by use as a concept has long been recognised by courts, something that was acknowledged in the apex court’s landmark 2019 Ayodhya judgement.

2. Powers of district collector: The SC also mentioned it is considering staying another provision involving powers of the district collector, which could have a bearing on Waqf-by-use lands.

Under the 2025 law, if the district collector identifies land, currently in use as a Waqf, as government land, then it ceases to be Waqf land till a court decides the dispute. This power, which flows from a crucial proviso to Section 3(c) of the Act, could alter the status of Waqf land even before a court has decided its status.

Although this provision has not been stayed yet, recent order notes the Centre’s statement that “the character or status” of any Waqf will not be changed.

3. Inclusion of non-Muslims in Waqf boards: The petitioners argued that the 2025 law, which allows non-Muslims to be part of Waqf boards and the Waqf council, is violative of Articles 26(b), 26(c), and 26(d) of the Constitution which guarantee a community’s right to “manage its own affairs in matters of religion”, “own and acquire movable and immovable property”, and “administer such property in accordance with law”, respectively.

While the Centre argued that allowing non-Muslims will not affect the veto rights of the community when it comes to dealing with Waqfs, the petitioners said that “even one [non-Muslim] is too many.”

The Bench questioned the Centre on the issue, asking Solicitor General Tushar Mehta to name one instance in which Parliament allowed members of another faith into boards managing the religious affairs of a community.

4. Applicability of Limitations Act: Sibal also challenged a provision in the 2025 law that allows the applicability of the Limitation Act with respect to Waqf properties. The Limitation Act essentially bars parties from making a legal claim, say, against encroachment, after a specific period of time has lapsed.

The 1995 Waqf Act had specifically excluded the application of the Limitation Act which allowed Waqfs to act against encroachments on its properties without a specific time frame. The 2025 law removed that exception. To this, CJI Khanna said that the "Limitation Act has both its advantages and disadvantages".

Relevance: GS Prelims & Mains Paper II; Governance

Source: Indian Express

2. Adarsh Sanskrit village programme

Why in News?

 **The Hindu** 
@the_hindu 

The [#Uttarakhand](#) government has designated one village in each of its 13 districts as an 'Adarsh (ideal) Sanskrit village' to preserve and promote the ancient Indian language which is also the State's second language.



thehindu.com
In 13 Uttarakhand villages, Sanskrit to be used in daily life

3:30 am · 12 Feb 25 · 5,275 Views

The Uttarakhand cabinet recently approved the Adarsh Sanskrit village programme, which aims to teach the language to one village in each district of the hill state. The move is aimed at promoting Sanskrit, the second official language of the state, and comes on the heels of other similar schemes, such as financial incentives to girls and SC/ST students who opt for Sanskrit in schools.

How the scheme will be rolled out

On a pilot basis, one village from each district has been selected. Depending on the response, the scheme will be introduced at the block level.

Thirteen instructors, at Rs 20,000 per month, will be selected after a written test and an interview. The scheme, being funded by the Central Sanskrit University, Delhi, is expected to be rolled out in May. Following this, the 13 instructors will get a brief training at the Sanskrit Academy in Haridwar.

Moreover, a monthly financial incentive of Rs 250 has been launched for girls from 2023-24 and SC/ST children who learn Sanskrit from 2024-25.

Relevance: GS Prelims; Governance

Source: The Hindu

3. Andhra SC sub-categorisation ordinance gets Cabinet nod: How this will impact reservation in state

Why in News?

The Andhra Pradesh Cabinet approved the draft ordinance proposal made by the Social Welfare Department to implement sub-categorisation among Scheduled Castes in the state. Basically, this means that the state government wants to give 'reservation within reservation' to communities based on their backwardness.

What is this ordinance?

In the backdrop of the Supreme Court's verdict allowing states to sub-classify Scheduled Castes, the Telugu Desam Party-led NDA government in Andhra Pradesh on November 15, 2024 formed a commission to study SC sub-categorisation in the state.

After gathering public feedback across 13 districts (which are now divided into 26 districts), the one-man commission, led by retired IAS officer Rajeev Ranjan Mishra, submitted a comprehensive report on March 10 this year.

The report was adopted unanimously in the Legislative Council and Legislative Assembly and the ordinance has been drafted.

What is the purpose of SC sub-categorisation?

Leaders of SCs, and STs, and BCs say that it is important to provide reservations based on the numerical strength of the various sub-castes, rather than give a consolidated quota for all of them based on their overall population. The Madiga Reservation Porata Samithi (MRPS) chief Manda Krishna Madiga, who has been fighting for sub-categorisation in AP and Telangana, said reservations in education, government employment, local elected bodies, etc. should be provided based on the backwardness, social, and financial condition of each sub-caste.

The SC sub-caste of Madiga, which is further divided into several other sub-castes, claims that the other main SC sub-caste, the Mala community, corners all reservation benefits in the state.

What has the Rajeev Ranjan Mishra commission recommended?

The Commission recommended dividing the SCs in Andhra Pradesh into 59 SC sub-groups classified into three different categories.

Group 1 consists of the 'Most Backward', known as the Relli sub-group.

Group 2 consists of 18 castes of the Madiga sub-group, and has been classified as 'backward'.

Group 3 comprises 29 castes of the Mala Group classified as 'less backward'.

And how are the quotas distributed?

Group 1 – Most Backward (Relli sub-group) – 1.0% reservation

Group 2 – Backward (Madiga sub-groups) – 6.5% reservation

Group 3 – Relatively Less Backward (Mala sub-groups) – 7.5% reservation

For example, if 100 government jobs are available, 8 would go to the Mala community, 6 to Madigas, and 1 to Rellis. If 200 jobs are available, 15 would go to Malas, 13 to Madigas, and 2 to Rellis.

What will this sub-categorisation achieve?

It is aimed at the integrated and equitable progress of various sub-castes in the state, ensuring their inclusion in education, government jobs, politics, and civil society representation.

Relevance: GS Prelims & Mains Paper II; Governance

Source: Indian Express

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