

To,

1. Hon. Prime Minister, Govt. of India
2. Hon. Home Minister, Govt. of India
3. Hon. Minister of Law & Justice, Govt. of India

**Subject : Petition requesting you to immediately repeal the draconian and unconstitutional The Waqf Act, 1995**

Recently the entire nation was woken up to a shocking news that an entirely Hindu village in Tiruchendurai, Tamil Nadu, which includes an over 1500 year old Hindu temple, has been declared as Waqf property. This left the Hindus perplexed as to how a religion that came to this land in the 10th century can lay claim to land and a temple that predates even that religion! The Waqf Act is responsible for this travesty.

We would like to draw your attention to the draconian aspects of The Waqf Act -

1. Waqf is a property endowment by a believer to be held by a trust for religious or charitable purposes. Going by the actual meaning of the word Waqf, the property is detained in the service of Allah. So, the property and its usage are thereby governed by Islamic law.
2. However, the Waqf Act also mandates that the Government undertake a survey of all Waqf properties every 10 years. Who pays for the survey? The Taxpayer! Why should the tax payer (which is the majority community) pay for this?
3. The Waqf Act has the draconian provision wherein the Waqf board can take over any property without any intimation to the person who holds/resides on the land, which is what has happened in Tiruchendurai. The only recourse for the aggrieved person is to approach the Waqf tribunal.
4. The Waqf tribunal, as per section 83 of the act, is governed by Sharia law. How can a non-Muslim be forced to approach a tribunal governed by Islamic law to seek deliverance?
5. Section 85, is even worse. The civil courts have no jurisdiction over such disputes! It is pertinent to note that no other minority (Sikhs, Jains, Parsees..) has been granted such absolute powers!
6. The Waqf Act is not subject to the statute of limitations, which contravenes the Limitation Act of 1963. So one fine day, any Waqf Board can lay claim to any property.

7. This brings us to our final point. The Act bestows absolute powers on the Waqf board to lay claim on any property. This is why today, the Waqf properties are estimated to cover about 6 LAKH ACRES across the nation; and the third largest land owner! This is nothing but clandestine takeover of the nation's resources, unfortunately protected by our own laws!

Hon'ble PM Shri. Narendra Modi ji recently said that we have to get rid of the colonial mindset. This colonial mindset is not limited to the British. As long as this Mughal era act exists, we wont be able to shed the colonial mindset. This is clear from the following two examples -

1. Former PM Manmohan Singh, had said that the minorities (read Muslims) have the first right on the resources of India.
2. The INC took this statement to heart and transferred 123 prime properties in Delhi to the Waqf board.

This goes against the secular credentials of this nation!

Indians believe that all Indians are equal before law. But what is unknown that some are more equal than the others! This is amply clear from the provisions and usage of the Waqf Act.

We demand equality. We demand justice. We demand that

1. The Waqf Act be repealed immediately.
2. All the properties held by the Waqf Boards across the country be taken over by the Government. Followed by,
3. High level committees be set up at the National and State levels to probe every such property so that it can be returned to their rightful heirs.

Yours Sincerely,