



State Regulations and Religious Endowments (*Awqaf*): Evaluating the Impact of the Waqf Amendment Bill 2025 on Minority Rights

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Abstract

The management of religious endowments, or *Awqaf*, has long been a sensitive intersection of state authority and minority rights in India. The Waqf Amendment Bill 2025 represents a significant legislative shift, introducing fundamental changes to how Waqf properties are identified, registered, and administered. This research evaluates the socio-legal implications of the Bill, focusing on the expanded role of the state in supervising religious assets and the potential dilution of the "Waqf by User" concept. By analyzing the proposed inclusion of non-Muslim members in Waqf Boards and the centralization of power within District Collectors, this study assesses whether the Bill balances administrative transparency or infringes upon the constitutional guarantees provided under Articles 25 and 26. The paper argues that while modernization and the prevention of encroachment are necessary, the removal of the finality of Tribunal decisions may lead to prolonged litigation and insecurity within minority institutions. Ultimately, the impact of the Bill is evaluated against the principle of "principled distance" in secularism, questioning if the state's regulatory reach compromises the autonomy of religious endowments and the broader landscape of minority rights in 2026.

Keywords: Waqf Amendment Bill 2025, Minority Rights, Religious Endowments (*Awqaf*), Constitutional Autonomy, Article 26

Introduction

The institution of *Waqf* (pl. *Awqaf*) occupies a central position within the Islamic socio-legal tradition, functioning as a perpetual religious endowment dedicated to the service of God for the benefit of humanity (Toru, 2023). Historically, *Waqf* has served as the backbone of Islamic civil society, providing the necessary financial infrastructure for mosques, madrasas, healthcare, and poverty alleviation. In the Indian context, the administration of these properties is not merely a matter of real estate management but is deeply intertwined with the constitutional guarantees provided to religious minorities (Gandhi, 2025). Under Articles 25 and 26 of the Constitution of India, religious denominations are granted the right to manage