

GOVERNMENT OF INDIA  
MINISTRY OF MINORITY AFFAIRS  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO. 770**  
ANSWERED ON 29.07.2024

**PAUCITY OF GRAVEYARDS LAND**

770. DR. FAUZIA KHAN

Will the Minister of MINORITY AFFAIRS be pleased to state :-

- (a) whether Government is addressing the issue of the scarcity of graveyards land for minority communities;
- (b) if so, the details thereof;
- (c) whether Government is taking action to prevent encroachment on existing minority graveyard lands; and
- (d) if so, the details thereof and if not, the reasons therefor?

**ANSWER**

THE MINISTER OF MINORITY AFFAIRS

(SHRI KIREN RIJJU)

(a) to (d) The Government is concerned about the availability of graveyard land for minority communities. Although, this issue falls under the jurisdiction of local bodies/ authorities, it is also dealt by State Waqf Boards (SWB) and National Commission for Minorities (NCM). The NCM engages with relevant authorities and State Governments on this matter. An illustrative list of petitions received by NCM in the last three years is annexed.

As per Sections 54 and 55 of the Waqf Act, 1995, Chief Executive officer of SWBs concerned are also authorized for taking legal action against unauthorized occupation and encroachment of Waqf properties including graveyards of Muslim community.

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**Rajya Sabha admitted Unstarred Question No. 770 for answer on 29.07.2024**

**Details of Petitions related to allotment of land for Qabristan/Graveyard received in National Commission for Minorities during the years 2021-22, 2022-23 and 2023-24**

S. No.	File Number	Name of the Petitioner (S/Shri/Smt.)	Subject	Action Taken
<b>2021-22</b>				
1.	C/TN/101/00027/2021	Raja MariyaDiraviyam, Karur, Tamil Nadu	Petition dated 07.11.2020 regarding allotment of land for Christian Community for cemetery.	Sent to the Chief Secretary, Tamil Nadu for necessary action on 10.01.2022
2.	C/HR/104/00020/2021	Ashish and others, Kaithal, Haryana.	Petition dated 22.05.2021 regarding allotment of land for Christian Cemetery.	Sent to District Magistrate, Kaithal, Haryana for necessary action on 23.09.2021
3.	C/KL/101/00007/2022	Pastors of Pentecostal Church, Kannur, Kerala.	Petition dated 17.01.2022 regarding allotting plots for public cemetery	Sent to District Magistrate, Kannur, Kerala for necessary action on 12.09.2022.
4.	M/JH/101/00018/2022	Mohammad Iqbal	Petition dated 23.03.2022 regarding allotment of land for graveyard.	Sent to Deputy Commissioner, Jamtara, Jharkhand for necessary action on 12.04.2022
<b>2022-23</b>				
5.	M/HR/101/00055/2022	Babu and others	Petition dated nil, received on 08.09.2022 regarding allotment of land for the graveyard in Taprana village.	Sent to District Magistrate, Karnal, Haryana for necessary action on 06.10.2022
6.	M/HP/101/00006/2022	Anupam Saini	Petition dated 08.09.2022 regarding allotment of	Sent to the Chief Secretary, Govt. of Himachal Pradesh for necessary action on 19.09.2022

			land for graveyard in Devinagar Tehsil, Ponta Sahib.	
<b>2023-24</b>				
7.	C/HP/101/00007/2023	Rev Mehar Samuel Bhardwaj, President Himachal Christian Association, Dharamshala.	Petition dated 18.08.2023 regarding allotment of land for construction of community hall and graveyard.	Sent to Deputy Commissioner, Kangra, Himachal Pradesh for necessary action on 20.10.2023
8.	C/TN/107/00044/2023	V Sahila	Petition dated 06.12.2023 regarding allotment of land for graveyard for Christian Community	Sent to the Chief Secretary, Govt. of Tamil Nadu, for necessary action on 22.12.2023
9.	S/UP/110/00586/2023	Gurpeet Singh	Petition dated 12.08.2023 regarding allotment of land for Christian Cemetery in District Bareilly,	Sent to the District Magistrate, Bareilly in this matter on 28.08.2023.

**Details of Petitions related to encroachment of Qabristan/Graveyard received in National Commission for Minorities during the years 2021-22, 2022-23 and 2023-24**

S. No.	File Number	Name of the Petitioner (S/Shri/ Smt.)	Subject	Action Taken
<b>2021-22</b>				
1.	M/UP/110/00322/2021	Abdul Rahim	Petition dated 17.07.2021 regarding illegal encroachment on Qabristan Land by bhu-mafia.	A report was sought from District Magistrate, Azamgarh and Superintendent of Police, Azamgarh on 10.08.2021. In the report received from District authority, it was informed that the land belong to graveyard. However, proper demarcation of the land would be possible after harvesting. A copy of the report was sent to the petitioner for rejoinder, if any, on 03.12.2021.
2.	M/UP/108/00413/2021	Vimlesh and others	Petition dated 10.08.2021 regarding encroachment of graveyard and wakf land by goons.	A report was sought from District Magistrate and Superintendent of Police Aligarh on 27.08.2021. In the report, it was informed that land in question pertained to Aligarh Development Authority and not to the graveyard. A copy of the report was sent to the petitioner for rejoinder if any, on 06.01.2023.
3.	C/TL/110/00076/2021	E.K. Timothy	Petition dated 27.08.2021 regarding request for the protection of Church and Christian graveyard.	A report was sought from the Collector and District Magistrate, Mehbubnagar on 02.12.2021. The reply was received from District Collector, Mehbubnagar stating that while raising the compound wall the owner of the neighboring lands excluded the said land of the Church and graveyard. A copy of the report was sent to the petitioner for rejoinder, if any, on 09.06.2023.
4.	M/UP/110/00707/2021	Jafar Ahmad	Petition dated 08.09.2021 regarding encroachment on graveyard land.	A report was called from District Magistrate, Sultanpur on 16.11.2022. In the reply, the DM has informed that no encroachment was found on the land of graveyard as per

				revenue records. A copy of the report was sent to the petitioner for rejoinder, if any, on 10.02.2023.
5.	M/PB/110/00032/2021	Anwar Ali	Petition dated 14.09.2021 regarding construction over graveyard illegally and forcibly by Mukesh Kumar.	A report was sought from Deputy Commissioner, Ludhiana on 06.10.2021. In the reply, the Deputy commissioner has said that land pertained to Waqf Board Punjab and the same was given to Shri Mukesh on lease by the Waqf Board. Out of the above area measuring 6 kanal has been earmarked for graveyard which is lying vacant. A copy of the report was forwarded to the Petitioner.
6.	M/UP/110/00548/2021	Usha Yadav	Petition dated 15.09.2021 regarding illegal encroachment of the Qabristan land.	Sent to District Magistrate, Etawah, UP for necessary action on 09.12.2021
7.	M/UP/110/00541/2021	Jahid Hussain	Petition dated nil received on 24.09.2021 regarding illegal encroachment of the graveyard land.	Sent to District Magistrate, Mainpuri, UP for necessary action on 03.12.2021.
8.	M/UP/110/00580/2021	Eijaz Ahmad	Petition dated 29.09.2021 regarding illegal encroachment of graveyard land.	A report was sought from the Senior Superintendent of Police, Balrampur, UP on 14.12.2021. In the reply, received from SP, Balrampur it was informed that matter is sub-judice and there is no encroachment on the pathway leading to Mazar Sharif. A copy of the report was forwarded to the petitioner for rejoinder, if any, on 06.06.2022.
9.	M/UP/110/00136/2022	Abdul	Petition dated 25.02.2022 regarding encroachment on graveyard.	A report was sought from the District Magistrate, Bulandshahr, UP on 01.04.2022. In the report, DM informed that the encroachment was removed. A copy of the report was sent to the petitioner for rejoinder, if any, on 30.06.2022.
<b>2022-23</b>				
10.	M/TR/111/00001/2022	Bilal Miah	Petition dated 21.04.2022 regarding construction of Temple on Qabristan land by	A report was sought from the Chief Secretary Tripura on 10.05.2022. In the reply, the

			majority people.	Additional Secretary, Minorities Welfare Department informed that the said land pertains to the Tripura Waqf Board and has been indicated as Qabristan, however, a Kali Temple, a BLW office and a club namely Mayur Sangha had been existing on this land since long time. To resolve the issue, proposal for allotment of 3 plots in favour of Tripura Waqf Board is under process. A copy of the report was sent to the petitioner for rejoinder, if any, on 13.09.2022.
11.	M/UP/110/00338/2022	Sadik	Petition dated 01.06.2022 regarding encroachment of Qabristan land by SatpalBhati and others.	A report was sought from the District Magistrate on 26.07.2023. In the reply, DM informed that at present the entire area of the graveyard is complete and there is no encroachment. A copy of the report was sent to the petitioner for rejoinder, if any, on 19.10.2023.
12.	C/MH/110/00006/2023	Vinod Desouza	Petition dated 10.01.2023 regarding protection Jewish cemetery and St peters Church Cemetery.	Sent to B.M. Commissioner, Mumbai, Maharashtra for necessary action on 25.01.2023.
13.	M/UP/110/00163/2023	Syed Mashkoor Ali	Petition dated 01.02.2023 regarding immediate stopping of the illegal encroachment on Mathura Waqf Cemetery Khasra No 650 Mathura.	Sent to District Magistrate, Mathura, UP and Chairman, UP Sunni Waqf Board, for necessary action on 24.03.2023.
14.	M/UP/110/00270/2023	Jameel& others.	Petition dated 27.03.2023 regarding removal of illegal encroachment from Qabristan.	A report was sought from District Magistrate, Muzaffarnagar on 28.04.2023 followed by the reminders dated 10.08.2023 & 21.11.2023. Report is awaited.

2023-24				
15.	M/UP/110/00306/2023	Aslam Hussain	Petition dated 13.04.2023 regarding illegal construction and encroachment on the graveyard of Hazrat Khwaja Miruddin Meera Chishti.	Sent to District Magistrate, Badaun, UP for necessary action on 04.05.2023
16.	C/TN/101/00014/2023	Martin Xavier	Petition dated 01.04.2023 regarding encroachment of a common all community graveyard and a road at Survey No 449/1 Irungalur Panchayat Manachanallur Taluk a group of individuals in the name of Arunthathiyar community.	Sent to DM, Trichy, Tamil Nadu for necessary action on 13.06.2023
17.	M/UP/101/00034/2023	ABRAR ALI	Petition dated 21.01.2023 regarding illegal occupation of private cemetery by bullies.	A report was sought from the District Magistrate, Firozabad on 23.03.2023. In the reply, the DM informed that the opposite party has constructed a Katcha room on the land and the petitioner is also using the land that pertains to him by constructing the boundary wall. No graves were found on said land. The matter is also sub-judice. A copy of the report was sent to the petitioner for rejoinder if any on 20.06.2023.
18.	C/TN/110/00020/2023	S. Pathmanaban	Petition dated nil received on 05.07.2023 regarding encroachment in the graveyard and humiliation to the minority people.	A report was sought from the District Collector, Salem on 06.07.2023. In the report, the Commissioner of Police Salem informed that there is no caste issue in Pallipatti village as alleged by the petitioner. It is learned that the petitioner has sent the petition, because of the malice intention against the alleged person. A copy of the report was sent to the petitioner for rejoinder if any on 20.10.2023.
19.	M/HR/110/00049/2023	Gullu Chauhan and others	Petition dated nil received on 29.08.2023 regarding destroy of graves and trying to encroach Qabristan by Sunita and Randeep.	A Report was sought from District Magistrate, Panipat, Haryana on 02.11.2023 followed by the reminders dated 16.03.2024 & 02.07.2024. Report is awaited.

20.	M/UP/104/00700/2023	Yameen Khan	Petition dated 23.09.2023 regarding illegal encroachment on graveyard land	A report was sought from the District Magistrate, District - Mathura, UP on 06.11.2023 followed by reminder dated 07.03.2024. Report is awaited.
21.	M/UP/110/00840/2023	Siddiq	Petition dated 21.11.2023 regarding illegal occupation of the Muslim graveyard land by Nekiram	A report was sought from the District Magistrate, District - GautamBuddh Nagar, UP on 10.01.2024 followed by reminder dated 21.06.2024. Report is awaited.
22.	M/TL/108/00058/2023	Mohammed Abdul Mateen	Petition dated 15.06.2023 regarding encroachment Qabristan land	A report was sought from Chief Executive Officer, Telangana State Waqf Board on 11.07.2023. In the reply, the Inspector Auditor Waqf informed that due to overlapping the adjacent survey no. 1242 & 1247, the fixation of boundaries in respect of survey No. 1241 could not be finalized. Matter for finalization of issue was under process. A copy of the report was sent to the petitioner for rejoinder if any on 25.10.2023.
23.	M/UP/110/00076/2024	Saleem	Petition dated 14.02.2024 regarding taking legal action against illegal encroachment on the cemetery land.	A report was sought from the Chief Secretary, Govt. of Uttar Pradesh on 23.02.2024 followed by reminder dated 23.07.2024. Report is awaited.

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