

10– 08 – 2024

News: Container Port Performance Index (CPPI)

- India's port development program received a major boost as 9 ports from India were included in the Global Top 100 for the first time in the Container Port Performance Index (CPPI), 2023.

Container Port Performance Index (CPPI)

- Container Port Performance Index (CPPI) is a **global index developed by the World Bank and S&P Global Market Intelligence**. It measures and compares the performance of container ports around the world.
- The **index ranks 405 global container ports by efficiency, focusing on the duration of port stay for container vessels**.
- Its primary aim is to **identify areas for enhancement for the benefit of multiple stakeholders in the global trading system and supply chains, from ports to shipping lines, national governments, and consumers**.

Global Ranking

- In the CPPI 2023 rankings, Yangshan Port in China is first, followed by the Port of Salalah in Oman. The Port of Cartagena is third, and Tangier-Mediterranean is fourth.

India's Position

- Visakhapatnam Port jumped from 115 in 2022 to 19 in the 2023 rankings, becoming the first Indian port to reach the Global Top 20.
- Mundra Port also improved its position, rising from 48 last year to 27 in the current ranking.
- Seven other Indian ports, which secured ranks in the top 100, are Pipavav (41), Kamarajar (47), Cochin (63), Hazira (68), Krishnapatnam (71), Chennai (80) and Jawaharlal Nehru (96).

Sagarmala Project

- Sagarmala Project is a government of India initiative to develop a string of ports around India's coast.
- Objective of this scheme to promote "Port-led development along India's 7500km long coastline".

- **Union Ministry of Ports, Shipping and Waterways** has been selected as the nodal agency of this initiative.
- Around **95% of India's trading by volume and 70% by value is done through maritime transport.**
- **India's major ports handled highest ever cargo of 795 million tonne in FY23.**
- **State governments would set up State Sagarmala committees, headed by CM or minister in charge of ports.**
- **The Indian Government plays an important role in supporting the ports sector. It has allowed Foreign Direct Investment (FDI) of up to 100% under the automatic route for port and harbour construction and maintenance projects.**
- **Under the National Perspective Plan for Sagarmala, six new mega ports will be developed in the country.**

Major and Minor Ports

- According to Constitution of India, **maritime transport is to be administered by both the Central and the State governments.**
- While the **central government's Ministry of Ports, Shipping and Waterways administers the major ports, the minor and intermediate ports are administered by the relevant departments or ministries in the nine coastal states of Andhra**

Pradesh, Goa, Gujarat, Karnataka, Kerala, Maharashtra, Odisha, Tamil Nadu and West Bengal.

- Ports in India are classified as Major and Minor Ports according to the jurisdiction of the Central and State government as defined under the Indian Ports Act, 1908.
- All the 13 Major Ports are governed under the Major Port Trusts Act, 1963 and are owned and managed by the Central Government.
- Major Ports in India are: Chennai Port (Tamil Nadu), Cochin Port (Kerala), Deendayal Port (Gujarat), Jawaharlal Nehru Port (Maharashtra), Kamarajar Port (Tamil Nadu), Mormugao Port (Goa), Mumbai Port (Maharashtra), New Mangalore Port (Karnataka), Paradip Port (Odisha), Kolkata Port Trust (West Bengal), Syama Prasad Mookerjee Port (West Bengal), Visakhapatnam Port (Andhra Pradesh) and V.O Chidambaranar Port (Tamil Nadu).
- The ports are spread across Andaman and Nicobar Islands, Andhra Pradesh, Goa, Gujarat, Karnataka, Kerala, Maharashtra, Odisha, Puducherry, Tamil Nadu, and West Bengal.
- All the Minor Ports are governed under the Indian Port Act, 1908 and are owned and managed by the State Governments.

- Several of the 187 minor and intermediate ports have been identified by the respective governments to be developed, in a phased manner, a good proportion of them involving public–private partnership.

News: Waqf amendment bill, 2024

- Parliament is set to introduce the **Waqf (Amendment) Bill, 2024**, to amend the **Waqf Act, 1995**, with the goal of enhancing accountability and transparency in the functioning of Waqf boards.

Waqf Act (Amendment Bill), 2024

- **Waqf (Amendment) Bill, 2024** seeks to **remove certain provisions of the Waqf act, 1995** to reduce the **Waqf Boards' unchecked power**, which currently lets them declare any property as Waqf without necessary checks.

Key Amendments in Waqf Act (Amendment Bill), 2024

Transparency

- The **Bill outlines around 40 amendments** to the current **Waqf Act**, including that **Waqf Boards will be required to undergo mandatory verification** for all property claims, ensuring transparency.

Gender Diversity

- Sections 9 and 14 of the Waqf Act, 1995 will be amended to modify the composition and functioning of the Waqf Board, including the addition of women representatives.

Revised Verification Procedures

- New verification procedures will be introduced for Waqf properties to address disputes and prevent misuse, with district magistrates potentially overseeing these properties.

Limited Power

- The amendments respond to concerns about the Waqf Boards' unchecked powers, which have led to extensive land being claimed as Waqf, causing disputes and misuse claims.
- For example, in September 2022, the Tamil Nadu Waqf Board claimed the entire Thiruchendurai village, which is predominantly Hindu.

Criticisms against the proposed amendments

Reduced Powers

- The bill aims to limit the authority of Waqf Boards, affecting their ability to manage Waqf properties.

Minority Rights Concerns

- Critics worry it might harm the interests of Muslim communities that use these properties for religious and charitable purposes.

Increased Government Control

- The involvement of district magistrates and more oversight could lead to excessive bureaucratic interference.

Hampers Freedom of Religion

- The involvement of district magistrates and other government officials in overseeing Waqf properties may be viewed as an encroachment on religious autonomy.

Potential Disputes

- New verification processes like involvement of district magistrates might create more disputes and complications.

Waqf Act, 1955

- The Waqf act was first passed by Parliament in 1954.
- It was later repealed, and a new Waqf Act was passed in 1995, which gave more powers to Waqf Boards.
- In 2013, the Act was further amended to grant the Waqf Board extensive powers to designate property as 'Waqf Property'.

Waqf

- Waqf is the permanent dedication of movable or immovable properties for religious, pious or charitable purposes as recognised by Muslim law.
- It implies the endowment of property, whether movable or immovable, tangible or intangible, to God by a Muslim, under the premise that the transfer will benefit the needy.
- The proceeds from a Waqf typically fund educational institutions, graveyards, mosques and shelter homes.
- Waqfs in India are regulated by the Waqf act, 1995.

Management of Waqf

- A survey commissioner lists all properties declared as Waqf by conducting local investigations, summoning witnesses, and requisitioning public documents.
- The Waqf is managed by a mutawali, who acts as a supervisor.
- Unlike trusts established under the Indian Trusts Act, 1882, which can serve broader purposes and be dissolved by the board, Waqfs are specifically for religious and charitable uses and are intended to be perpetual.
- Waqfs can be either public, serving charitable ends, or private, benefiting the property owner's direct descendants.
- To create a Waqf, one must be of sound mind and hold valid ownership of the property. Interestingly, the creator of a Waqf, known as the Waqif, does not have to be a Muslim, as long as they profess belief in Islamic principles.

Waqf Board

- A Waqf board is a legal entity capable of acquiring, holding and transferring property. It can sue and be sued in court.
- It administers Waqf properties, recovers lost properties and sanctions the transfer of immovable Waqf properties through sale, gift, mortgage, exchange,

or lease, with at least two-thirds of the board members voting in favour of the transaction.

- The Central Waqf Council (CWC), established in 1964, oversees and advises state level Waqf Boards across India.

Waqf Properties

- The Waqf board is said to be the third-largest landholder in India after the Railways and the Defence department.
- Currently, there are 8, 72,292 registered Waqf properties spread across 8 lakh acres. These properties generate Rs 200 crore in revenue.
- Once a property is designated as a Waqf, it becomes non-transferable and is detained perpetually as a charitable act toward God, essentially transferring ownership to God.