



KARNATAKA STATE BOARD OF AUQAF

(Established by the Government of Karnataka)



No. KSBA/ADM/2/2020-21

Date:- 16.07.2020

Sub :- Decent burial of dead bodies of Muslims, died due to COVID-19 pandemic Reg:-

Ref:- 1. COVID-19 Guidelines on dead body Management issued by Ministry of Health and Family Welfare, Government of India.
2. This office Order No. KSBA/ADM/2/EST/2020-21 Dt. 06.07.2020.

-x-x-x-x-x-x-x-x-x-

Preamble:-

This office vide Ref (2) above, has issued circular detailing the Standard Operation Procedure for burying the dead bodies of Muslims died due to COVID-19, and the District Waqf Officer of each District in the state is appointed as Nodal Officer to co-ordinate.

It is observed that, number of deaths are being occurred in various Districts of Karnataka, due to COVID-19 pandemic and it is reported that, some of the Management Committees of Khabarastan, are not co-operating to bury the dead bodies of COVID-19 pandemic.

“A decent burial is a right of the dead person” as per the law of the land and the Islamic jurisprudence. It is needless to emphasize the importance of burial of Muslim dead bodies in Shariah. The dead body of a Muslim is treated with utmost respect by the Ummah, joining in the funeral(Tadfeen), participating in the Namaz-e-Janaza and the burial are considered as Farz-e-Kifaya in Muslim law. According to the tradition of Islam the person who participate in the funeral is entitled for Mountain sized reward (Sawaab).

The Board, in its earlier circular has also cautioned the Management of Waqf Institutions and Khabarastan which are reluctant to allow the decent burial in the Khabarastan will be punished under the provisions of Indian Penal Code and the punitive provisions of the Waqf Act 1995 as well. The District Magistrates and the Superintendent of Police in the Districts have been requested to prosecute the erring Management Committees who are responsible for non co-operation in this regard.

Hence, the following Order.

No. KSBA/ADM/2/2020-21, Dated:- 16.07.2020

In view of the above, and in exercise the powers conferred under Waqf Act 1995, it is hereby ordered that, the Management Committees/Muthawallies/Administrators responsible for the management of Muslim Khabarastans in the state of Karnataka irrespective of

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Registered or Unregistered in the Waqf, shall not refuse the burial of Muslims died due to COVID-19 pandemic. They shall co-operate with all the Nodal Officers designated for this purpose regarding the decent burial. Non co-operation or refusal on the part of the Management will be construed as an insult committed to the deceased.

Any violation of the above Order will attract the punitive provision of Indian Penal Code and removal from the Management as per the provisions of the Waqf Act 1995.

The Waqf Officers, District Waqf Advisory Committees of the state, shall ensure the adherence of this Order, and circulate the same to all the Managements of Khabarastan Registered or Unregistered in the state. No further deliberation in this regard is solicited except compliance of the order in letter and spirit. Any dereliction in this regard will be viewed seriously.



(ISLAHUDDIN J GADYAL K.A.S.)

Chief Executive Officer,
Karnataka State Board of Auqaf.

To,
All the Management Committees/Muthawallies/Administrators of the Waqf Institutions of the state through the concerned District Waqf Officer.

Copy Submitted for kind information to:-

1. The P.S. to Chief Secretary to Government of Karnataka, Vidhana Soudha, Bengaluru.
2. The Director General and Inspector General of Police, Government of Karnataka, Bengaluru.
3. The Additional Chief Secretary, Health and Family Welfare, Bengaluru.
4. The Secretary to Government Minority Welfare, Waqf and Haj Department, Vikasa, Soudha, Bengaluru.
5. All Commissioners of Police in the state.
6. All Deputy Commissioners and Superintendent of Police in the state.
7. The P.S. to Hon'ble Minister for Animal Husbandry, Waqf and Haj Department, Bengaluru.
8. The Hon'ble Chairman, Karnataka State Board of Auqaf, Bengaluru.
9. The Director, Information and Publicity, Bengaluru with a request to publicize the Order in all the News Papers of Karnataka.

Copy to:-

1. The District Waqf Officers of the state, with the direction to intimate all the Management Committees/Muthawallies/Administrators of the Khabarastans in their jurisdiction through Whatsapp or with any available mode of communication with immediate effect and direct to adhere to this Order and report compliance.