

ACT EARLY, DECISIVELY: THE HINDU EDITORIAL ON THE BID TO CHANGE NATURE OF PLACES OF WORSHIP

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It is a matter of great concern that laws are being used to rake up religious controversies to give a fig-leaf of legitimacy to a communal onslaught on the country's secular character. Obviously emboldened by the Supreme Court verdict [handing over a disputed site in Ayodhya to Hindu claimants](#), determined and malicious efforts are being made by communal elements to capture sites in Varanasi and Mathura where [the Gyanvapi mosque](#) and [Shahi Idgah Masjid](#) are located. The idea that key places of worship among Muslims have been built after demolishing Hindu temples is beginning to take hold among sections of Indian society, with the active encouragement of politically affiliated religious groups. It was to prevent such attempts to change the character of places of worship in the name of correcting perceived historical wrongs that Parliament enacted the [Places of Worship \(Special Provisions\) Act, 1991](#). It sought to freeze the status of places of worship as on August 15, 1947, so that existing suits and proceedings abate and new claims are not entertained. Yet, in flagrant violation of the law, courts are repeatedly allowing proceedings to be initiated. In Gyanvapi, not only has a civil judge entertained a suit but has also [ordered a commission to videograph the mosque](#) to ascertain its religious character. The Supreme Court has not been strong enough. Instead of putting an immediate halt to such proceedings aimed at creating a groundswell of opinion in favour of converting such sites into temples, it has only [ordered some elementary measures to protect Muslim worshippers](#) and their place of worship.

Anyone familiar with the history of [the Ayodhya dispute](#), which led to the [Babri Masjid's demolition](#), riots and bombings, will understand that all such attempts to change the character of places of worship have a motive of using religion for political ends and marginalising minorities. Yet, even the Supreme Court feels some inexplicable need to let procedural aspects of civil law to be gone through in such litigation. It has [transferred the Gyanvapi suit to the District Judge](#) and asked for priority to be given to the petition to reject the plaint — which will involve the question whether the suit is barred by the Places of Worship Act. As long as even one application is pending somewhere, revanchist groups will continue the relentless onslaught on minority places of worship. In Mathura, the District Court has overturned a lower court's order and ruled that the Act will not bar a suit aimed at removing a Masjid in the name of the site being the birthplace of Lord Krishna. The political atmosphere is conducive for such efforts, whose proponents will expect state backing. It is up to the courts to act early and act decisively to uphold the spirit of the Places of Worship Act and preserve communal peace.

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