Disturbing Order

Why in news?

Recently, Varanasi civil court ordered Archaeological Survey of India to conduct a survey to ascertain whether the Gyanvapi mosque was built over a demolished Hindu temple.

Why was the order issued now?

- Earlier petitioners have filed a suit as representatives of Hindu faith to reclaim the land on which the mosque stands.
- Now they have succeeded in getting the court to commission an ASI survey to look for the evidence.
- This order has been issued despite the fact that the Allahabad High Court reserved its order and it is yet to pronounce the ruling.
- It is not clear why the civil judge did not wait for the ruling and went ahead with the directive to the ASI.
- The court also said that by an order in 1997 it decided that the suit was not barred by Places of Worship (Special Provisions) Act, 1991.

What does Places of Worship Act, 1991 say?

- The act says all pending suits concerning the status of places of worship will get abated and none can be instituted.
- It also froze the status of all places of worship, barring the then disputed site in Ayodhya, as on August 15, 1947.
- An exception to this act is- any place of worship that was an archaeological site or ancient monument covered by the Ancient Monuments and Archaeological Sites and Remains Act, 1958.

What will happen after this order?

- It will open the floodgates for another prolonged religious dispute.
- It will likely give a fillip to majoritarian forces that earlier carried on the Ram Janmabhoomi movement over a site in Ayodhya.
- These forces conspired to illegally demolish the Babri Masjid Mosque.
- Moreover this order in gross violation of the explicit legislative prohibition on any litigation over the status of places of worship.

What can we infer from this?

- Regardless of the merits of either side's case, attempts to revive disputes buried by law is a serious setback to the cause of secularism.
- It undermines harmony and peaceful coexistence.
- It is highly worrying that court admitted such contention over religious sites.
- It also poses new challenges to the wisdom of Parliament.

Source: The Hindu

