Places of Worship (Special Provisions) Act, 1991

What is the issue?

Courts must act decisively to end the legal onslaught to change nature of places of worship.

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How the judicial and political atmosphere affect the country's secular character?

- 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.
- In the name of correcting perceived historical wrongs attempts are being made to change the character of places of worship.
- To prevent such attempts Parliament has enacted the Places of Worship (Special Provisions) Act, 1991 so that existing suits and proceedings abate and new claims are not entertained.
- However the Supreme Court issued a verdict handing over a disputed site in Ayodhya to Hindu claimants.
- This has emboldened some communal elements to make efforts to capture sites in Varanasi and Mathura where the Gyanvapi mosque and Shahi Idgah Masjid are located.
- Also the courts has repeatedly allowed proceedings to be initiated.
- In Gyanvapi case a civil judge has not only entertained a suit but has also ordered a commission to videograph the mosque to ascertain its religious character.
- Even the Supreme Court feels that there is 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.
- 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.

What will be the implications?

- As long as applications are pending somewhere, revanchist groups will continue the relentless onslaught on minority places of worship.
- 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.

Reference

1. https://www.thehindu.com/opinion/editorial/act-early-decisively-the-hindu-editorial-on-the-bid-to-change-nature-of-places-of-worship/article65440210.ece



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