

Government control of Hindu temples

"Government control of Hindu temples should end and Hindus themselves should be allowed to manage them."-

Swami Dayananda Saraswati.

At a day-long symposium on the subject- "Government Control Of Temples-Constitutional Issues," organized by the Hindu > Dharma Acharya Sabha [HDAS] at New Delhi's prestigious India International Centre on Sunday, July 14th, 2013, eminent > jurists and top legal luminaries made impassioned presentations on the different aspects of the constitutional provisions governing the administration of temples by Government. Kamla Devi Conference Hall, the venue, was packed to its capacity with over one hundred participants including members of legal fraternity, leaders of a number > of Hindu organisations, NGO's, social workers, political personalities and media persons.

Swami Parmatmananda, secretary, HDAS, welcomed the gathering and explained the objectives of the symposium and the role > of Hindu Dharma Acharya Sabha, a representative body of heads of different denominations of Hindu society. > Addressing the gathering, Swami said, "The Acharya Sabha has filed a writ petition in the Supreme Court questioning the constitutional validity of the different state acts > controlling temples. The purpose of the symposium is to > bring awareness on the constitutional position and legality of state controlling all aspects of the administration of the Hindu temples."

In his address, Pujya Swami Dayananda Saraswati, Convener, HDAS, recalled how,

many rulers and devotees endowed different temples with enormous land and wealth to sustain worship. Swami said, "Each temple had a unique Deity and it is the Deity who owns the property endowed. The Deity in the Chidambaram Siva Temple is Nataraja; in Thiruvavur, the Deity is Thyagaraja; in Mannargudi, it's Lord Vishnu as Rajagopala. Each temple therefore has a unique Deity and set of practices, and they are the repository of our culture.

Now all the wealth is not properly utilized for the worship of the Lord or for propagation of the denomination of the temple." Swami also maintained that Hindus should unite to take back control of Hindu temples from the government. He felt this is the only way the Hindu community can find the > money to propagate the religion and withstand the onslaught of conversion by other religions.

Eminent Supreme Court advocate Aman Lekhi, walked the gathering through evolution of the laws that govern the temple administration. However he concluded his speech by saying, "I would say temples need to be regulated when there is an occasion or a justification for it. If the machinery of the state is there to help us to regulate the temples, that is appropriate. But then we have to use it for our purpose. Because the machinery of the state would be the best machinery available to us for the purpose of managing the

temples. That said, we cannot concede to those who control, the right to take over. However in the guise of control, the temple cannot be consumed and this provision would be there in the act."

Sitting Rajya Sabha member, Ex Governor of Jharkhand, past Chief Justice Punjab and Haryana High Court Rama Jois in his speech explained the concept of dharma and how it was the > font of secular thought. "It is incorrect to term dharma to be a religious concept." It is a universal concept, he asserted. He observed, "Law is punitive and is there in the picture after the offense is committed; dharma is preventive, it prevents offense." He went on to share the Dharmic Administration he drafted for the Karnataka Government. The eminent former justice also stated, "Archakas in temple must have Godly personality which increases the 'bhakti' and faith in temple worship. These human feelings are the basis of temple worship and this is therefore recognized as a basic human right. This devotion to God constitute the very foundation of all the religions. Dharma is a code of righteous conduct and religions are different mode of worship of God by all the believers."

Eminent Supreme Court Advocate Ms. Pinky Anand speaking on constitutional rights argued that provisions in the law for take over of temple by government, approval of funding of religious rituals are all invalid and not tenable. She lamented that though there were several Supreme Court judgements against government, these were not implemented.

Sri K.N. Bhat, eminent Supreme Court Advocate who has practiced for more than 50 years and has the privilege of having represented the Deity, Lord Ram, in the Ram Janambhumi case, sharing his thoughts said, "Legal remedies are fraught with uncertainties. Governments are

attracted to temples only because of their properties and also for what they can take away from the temples." According to him, "Hindus were being treated as second-class citizens. While there are a number of laws and judgements, only a strong society, with a strong government can redress the wrongs." He concluded by saying that control must be there for all religions and not selectively only for the majority community.

Later in the day, Justice Kokje, Sri M. N. Krishnamani and Dr. Subramaniam Swamy addressed the gathering. The predominant assertion was that constitutionally and on the basis of various Supreme Court judgements, take over of > temples was totally illegal.

Sri S. Gurumurthy who could not personally make it to the event, stated his views in a written message, " Making Hindu religious institutions part of the secular state and making the secular state perform religious functions of the Hindus have led to different denominations of the Hindus claiming > to be not Hindus - for example the Arya Samaj, Jains, Lingayats and the like. This will lead to the disintegration of not only the Hindu society but the nation itself. India will ultimately end up as nation of minorities with no majority!"

One of the highlights of the event was a slide show presentation by Temple Worshippers Society [www.templeworshippers.org] which highlighted how the government control of temples in many cases was leading to conversion of Hindu Temples into commercial ventures and political instruments. They highlighted several instances of subversion of law, looting of temple properties, destroying and defiling of temples which were being regulated, managed and controlled by government through its official machinery.