Religious shrine Management in India

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Management of religious shrines in India:

Constitutionality of Endowment Acts Controlling Affairs of Worship Places and Other Charitable Trusts

- Every religion, denomination or organization is free to manage its own affairs and is confined to ‘matters of religious nature’.
- The secular activities connected with the religious institution can be regulated by the state under the law.
- The government may exercise his power to administer the temple or audit its assets but what it cannot do is to exercise a right to sell or give a lease to others, and cannot use temple assets for the welfare of people of others faiths.
- Article 26 of the constitution gave the right to denominations of religion to manage matters of religion and Article 25 allowed State to make any law to regulate.
- Apart from control and regulations of Hindu religious institutions, there are various regulatory bodies working both at central as well as local levels to regulate the affairs of Sikh Gurdwaras and Islamic establishments as well.

Hindu Shrines:

Hindu religious institutions like mandirs (temples), debutter (abodes of particular idols), maths (monasteries), devals & dewasoms (temples in South India), gaushalas (cow-sheds), dharmashalas (guesthouses), etc., are all well known to and recognized by the Indian law.

State legislation on Hindu shrine management:

In several parts of the country local laws regulate the management of Hindu places of worship, among these being the following:

- Bihar Hindu Religious Trusts Act 1950
- Travancore & Cochin Hindu Religious Institutions Act 1950
- Madras Hindu Religious and Charitable Endowments Act 1951
- Tamil Nadu Hindu Religious and Charitable Endowments Act 1959
- Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act 1987
- Kerala Guruvayoor Dewaswom Temples Act 1971
Several State laws among these have been examined by the courts for their validity under Articles 25-26 of the Constitution of India relating to religious freedom of individuals and communities.

**Sikh Gurudwaras:**

A Sikh Gurdwaras and Shrines Act were enacted in 1922 in the pre-partition state of united Punjab to 'provide for the better administration of certain Sikh Gurudwaras and for inquiries into matters and settlement of disputes connected therewith'.

All historical gurudwaras are being administered under following bodies:

1. Delhi Sikh SGPC: Controls Gurudwara of Delhi.
3. Hajur sahib SPGC: Controls Gurudwara in Maharashtra.

Note: The Sikhs are mentioned twice, in the two Explanations, in Article 25 of the Constitution. One of these declares that to carry a kirpan (religious symbol literally meaning a dagger), which is one of the basic tenets of the Sikh religion, would be their fundamental right.

**Muslim Places:**

- All Kabristan, Mosque, and Dargahs are being governed by Wakf Boards. Wakf Boards are established by both state and central governments.
- There are 30 wakf boards in India. Central Wakf Council is an Indian statutory body established in 1964 under wakf act 1954.

**State Control on Muslim Shrine Management:**

- For regulating the management of Muslim wakfs a brief central law known as the Wakf Act 1923 was enacted during the British rule.
• After independence several states including Delhi, Bihar, West Bengal, Uttar Pradesh and Jammu and Kashmir enacted local laws for regulating the wakfs situate in their respective territories.

• After independence a central Wakf Act was enacted in 1954, which now stands replaced with a new comprehensive Wakf Act passed in 1995.


• There is an official establishment for controlling the management of wakfs consisting of a Central Wakf Council based in Delhi, State Wakf Boards working in most States and Union Territories, and either Wakf Sections or Minority Welfare Departments in the Ministries which also look after the wakfs.

Christian Places:

• The law of India recognizes the Christian places of worship.

• The expression 'Church' according to law includes 'any chapel or other building generally used for public Christian worship' - Christian Marriage Act 1872, Section 3.

• There is in force an old law called the Religious Societies Act 1880 which had been enacted 'to simplify the manner in which certain bodies of persons associated for the purpose of maintaining religious worship may hold property acquired for such purpose/ It provides guidelines for the management of property held in trust mainly by Christian religious societies.

• An Indian Church Act had been enacted by the British Parliament in 1927. In 1960 it was repealed by Indian Parliament.