

Compensation for damage of religious shrines

Why in news?

\n\n

The Supreme Court has set aside a Gujarat HC order on repair of shrines damaged in Gujarat riots.

\n\n

What was the case about?

\n\n

\n

- A PIL filed by the Islamic Relief Committee of Gujarat (IRCG), demanding a survey on and compensation for the religious places damaged in 2002 post-Godhra communal riots.

\n

- The Gujarat High Court ordered the state government to give monetary compensation to all religious places damaged.

\n

- It did not set any limit on the compensation amount and directed the state government to pay in favour of persons in charge of the religious places.

\n

- It also appointed principal district judges as special officers to decide the amount required for restoration of religious places within the territorial limit of their respective court.

\n

- SC has reversed the High Court's order.

\n

\n\n

What is the rationale behind the SC's order?

\n\n

\n

- SC has accepted the state's argument that using "substantial part" of the taxpayers' money for paying damages to destroyed religious structures would **violate Article 27 of the Constitution.**

\n

- Article 27 forbids the state from compelling a person to pay taxes for promotion or maintenance of any particular religion or religious denomination.
\n
- The HC's order was challenged by the **state government** which came up with a **new compensation scheme**.
\n
- The scheme places the riot-affected religious structures on par with “houses destroyed or damaged” in the violence.
\n
- It agrees to pay a maximum of Rs 50,000 as compensation to all places of worship damaged in the riots.
\n
- The SC has agreed to this scheme, as the maximum amount as ex-gratia assistance is fixed.
\n
- Also, the power to determine the ownership or administration rights of religious places concerned is conferred on the district collector.
\n
- Moreover, the terms and conditions for claiming the amount are clearly prescribed in the scheme and are reasonable.
\n

\n\n

\n\n

Source: The Hindu

\n

