



# Gyanvapi Mosque Dispute

## Why In News

- On May 12, 2022, the Varanasi court, in a landmark judgment on the **Gyanvapi mosque**, refused to remove advocate commissioner Ajay Kumar Mishra, who was appointed for the survey of the mosque, and ordered a survey of the basement of the Gyanvapi mosque before May 17.

## Key Point

- It is a popular belief that the Gyanvapi Mosque was built in 1669 by the Mughal ruler Aurangzeb by demolishing the ancient Vishweshwar temple. It is worth mentioning that in Saqib Khan's book 'Yasir Alamgiri', it is also mentioned that Aurangzeb had demolished the temple in 1669 by ordering Governor Abul Hassan.
- The case of Gyanvapi mosque has been in court since 1991, when three persons, including Pandit Somnath Vyas, a descendant of the priests of the Kashi Vishwanath temple, filed a suit in the court of the civil judge of Varanasi claiming that Aurangzeb had demolished the temple of Lord Vishweshwar and built a mosque on it so that the land should be returned to them.
- On August 18, 2021, in the same court in Varanasi, five women had filed a petition demanding to worship in the temple of Mother Makeup Gauri, accepting which the court constituted a commission to know the present status of the Makeup Gauri Temple.
- In this context, the court had asked the court to give the survey report by videographing the idol of Makeup Gauri and the Gyanvapi complex, which has created an uproar, as questions were raised on the impartiality of the court commissioner appointed by the Muslim side for the survey.
- Vijay Shankar Rastogi, appearing for the Hindu side, has submitted a map of the entire Gyanvapi complex as evidence in the court, which mentions the temples of Hindu-deities around after the entrance of the mosque, as well as the Vishweshwar temple, Gyankoop, the big Nandi and the basement of the Vyas family. There has been a controversy over the survey and videography of this basement.
- At the same time, the Muslim side says that no decision can be given on the dispute under the Religious Places Act of 1991.
- Under Section 3 of the Places of Worship (Special Provisions) Act, 1991, it is prohibited to convert a place of worship, even its clause, into a place of worship of a different religious denomination or a different class of the same religious denomination.
- Section 4(2) of the Act states that all litigations, appeals or other proceedings relating to changing the nature of the place of worship (which were pending till August 15, 1947) shall cease after the enactment of this Act and no fresh action can be taken on such cases.
- However, if the change in the nature of the place of worship has occurred after the cut-off date of August 15, 1947 (after the act came into force), legal action can be initiated in that case. The disputed site of Ayodhya (Ram Janmabhoomi-Babri Masjid) was exempted from the Act.