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The Hotbed of Financial Racism: Religious Institutions

OISHIK BHATTACHARYA¹

ABSTRACT

The weakness and decay of Indian society was evident to educated Indians, who started to work systematically for their removal. They were no longer willing to accept the traditions, beliefs and practices of Hindu society simply because they had been observed for centuries. As a social reformer(s), Shri Rammohan Roy fought relentlessly against social evils like sati, polygamy, child marriage, female infanticide, and caste discrimination. Shri Debendranath Tagore, the father of Shri Rabindranath Tagore, was responsible for revitalising the Brahma Samaj. Shri Keshab Chandra Sen set up schools, organised famine relief, and propagated widow remarriage.

I. INTRODUCTION

After independence, India proudly declared itself a sovereign democratic republic and added the word 'socialist' to the Constitution. The central tenet of the four words taken together – a sovereign, democratic, socialist, republic – is the sovereignty of the people. Politicians and officials are their servants. The VIP culture in vogue in the political/administrative sphere has reinforced a kind of social stratification and promoted feudalism that hurts the collective psyche of citizens.

Article 14 of the Constitution of India provides for equality before the law or equal protection of the laws within the territory of India. It states: "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."

Articles 25-28 of The Constitution of India guarantees the right to freedom of religion to not only individuals but also religious groups in India. When it comes to exercising one's religious beliefs, India is neutral, unbiased and impartial. Clause 2(a) of Article 25 restricts any economic, **financial**, political, or other secular activities associated with religious practices.

II. HOW ARE THE LARGEST TEMPLES IN INDIA FAVORING VIPS?

Preferential treatment given to VIPs in various temples around the country has been a part of our tradition since ages. Those with power, money and fame find easy access or 'Darshan' of

¹ Author is a Student at Bharati Vidyapeeth New Law College Pune, India.

the Almighty while the rest (common public) keep crawling in infinitesimally long queues akin to outcast creatures.

- **Tirupati Balaji**: The popular shrine of Lord Balaji is one of the most popular pilgrim destinations in the country visited by Hindus from all over the world. According to the temple's VIP Darshan Scheme, a person who donates a sum of **INR 10,000 or more** in favour of SRIVANI Trust will be entitled for availing a VIP Break Darshan Ticket.
- **Shree Siddhivinayak Ganapati Temple, Mumbai**: During Angarika Chaturthi, more than 12 lakh devotees visit the temple and unless one possesses a VIP pass which costs INR 1,500 for four persons, one could end up standing in the scorching sun all day long as the queue for general public only moves on at a snail's pace.
- **Durga Deori Mandir, Ranchi**: Treasury records from the temple trust have registered an increase in temple collections from a meagre Rs 5,000/month till very recent days to Rs 1,00,000 current collections. VIPs in the region have found a new destination and the temple authorities are only too happy to lay out VIP treatment.
- **Vithoba Temple, Pandharpur**: Most pilgrims to this temple find it near impossible to arrange for a special VIP pass without bribing the priests. The priests charges up to Rs 2000 for a shorter waiting time.
- **Mahakaleshwar Temple, Ujjain**: This temple is regarded as one of the top 10 tantra temples of India and the only place where 'Bhasm-Arti' ritual is practiced in the world. There are two ways to get in through before aarti begins – get in a free line or buy a VIP ticket which costs Rs. 250/person. The latter, in spite of a having a high price tag, is preferred by all devotees in a position to pay for a quicker darshan.

III. JUDICIAL APPROACH TOWARDS THE CULTURE OF VIP DARSHANS

- In **Siva Thanu Chettiar and ors. v. The State of Tamil Nadu & Ors.**,² the Madras High Court held that the decision to collect fee for special Dharsan will not amount to imposing of tax and therefore, Article 265 will not be attracted. Collection of fee for special darshan does not discriminate any person in worshipping the deity and is not violative of the principle laid down under Article 14 of the Constitution of India.
- The **Supreme Court** in 2007 granted permission to the authorities of **Kerala famed Sabarimala Temple** to continue with the practice of according **Special Queue Darshan**

² 2010 SCC OnLine Mad 2831

for VIPs and devotees performing special poojas at the Shrine. This decision overruled the ban imposed by Kerala High Court on such privileges to the high and mighty The Apex Court after staying the ban directed the Travancore Devaswom Board (TDB) to come out with proper guidelines and an effective solution to regulate the queue so as to avoid inconvenience to the general devotees.

- **The Andhra Pradesh High Court** on July 18, 2019 had dismissed appeal against **VIP Darshan at Tirupati Tirumala** saying that categorising Darshan under L1 L2 and L3 for a specific time period will not violate the rights of devotees. However, The High Court directed that the Tirupati Tirumala Devansathams (TTD) to take necessary steps to ensure that common devotees also get smooth Darshan.

IV. HOW DOES THE PRACTICE OF VIP DARSHAN VIOLATES ONE'S RIGHTS

The Supreme Court's and High Courts' stance on various occasions ranging from VIP Darshan in Sabrimala Temple to Tirupati Balaji Temple has been in favor of preferential treatment towards the rich. The same is also necessary and justified considering the demands of devotees and security concerns of VIPs in India.

In consideration to Article 14 of the Constitution, It is proven that Article 14 of the Constitution forbids class legislation but permits classification which rests upon reasonable grounds of distinction. In order to pass the test for permissible classification two conditions are required to be fulfilled: (1) the classification must be founded on an intelligible differentia which distinguishes persons or things that are grouped together from others left out of the group, and (2) the differentia must have a rational nexus with the object sought to be achieved by the statute in question.

V. SUGGESTIONS AND RECOMMENDATIONS

Temple, being a place where a devotee surrenders himself to find peace and hope shouldn't become a place which portrays status and power. A devotee waiting in queue for hours just to get a glance of the idol must not be left saddened due to someone bypassing the queue just because the latter can buy darshan. Following steps must be taken to ensure the sanctity of temples:

- 1) **Equity in Temples in terms of queues and darshan:** People who hold positions of responsibility like the government officers, or celebrities etc. who face security threats should be given a shorter and secured entry to the main temple. However, this shouldn't be

interpreted to mean that such people should be granted darshan for a longer duration, or they should be allowed to stand closer to the idol while worshipping.

- 2) **Preference to Pregnant women, Senior citizens, Specially abled etc.:** Temples must make sure that senior citizens, pregnant women, *Divyang-Jan* etc. are allowed to reach the main temple without having to crawl in queues. They shouldn't be charged a fee for same. Rather, on a simple showing of an id card or a relevant proof, the above mentioned category of people should be taken care of.
- 3) **Better Utilization of Resources:** During most of the non-festive times, it's only a few VIPs who visit the renowned temples for the whole time. While there are no VIPs seeking darshan, and the facilities arranged for VIPs like the reserved lane are not being utilized, the temple authorities must make sure that those lanes are being utilized to minimise the waiting period of general devotees by allowing them to use the vacant lanes.
- 4) **Preferential Treatment to only the deserving:** Authorities who serve the nation and whose time is precious or public figures who face security threats should only be allowed to avail the VIP Darshan Facilities. Rich and Businessmen and those with recommendation letter from political figures shouldn't be allowed a cut-through route to the main temple.

VI. CONCLUSION

It is unfortunate that we have extended our social habit of treating VIPs differently to temples. The practice of VIP darshan in all the popular temples of the country needs to be reviewed. Especially in a country like India, where in life or in death, in every walk of life and every little rightful demand a citizen makes from the state, they are always made aware of their standing — social, economic, defined by caste, gender, sexual orientation or religion. Ignorance is perilous and ignorance that demoralises dignity of citizens is inhuman and makes the very ethos of our Constitution tremble. Hence, there's a need to define, refine and confine the horizons of VVIP concept.
