

Lingaraj Temple Ordinance, 2020

April 7, 2022

In news- Recently, the Central government has told the Odisha government that its ordinance to bring the Lingaraj temple in Bhubaneswar and its associated temples under a special law is outside the legislative competence of the state legislature.

About the ordinance –

- **The Lingaraj Temple Ordinance of 2020 was introduced to manage the rituals and other activities of the temple and eight other associated temples.**
- This was intended to be on similar lines of the special Act which manages the affairs of the Jagannath temple in Puri, one of the four dhams in India.
- **At present, the Lingaraj temple is being governed under the Odisha Hindu Religious Endowment Act.**
- The ordinance was passed by the state cabinet on December 15, 2020.
- The ordinance vested the management of the temple in a 15-member Lingaraj Temple Managing Committee with a full-time administrator looking after day-to-day affairs of the shrine and its properties including temples outside the premises and mathas.
- A fund creation was proposed to deposit income derived from immovable and movable properties of the temple.

Central government's argument against the ordinance-

- **The Ministry of Home Affairs has said several sections of the proposed ordinance were in conflict with the Ancient Monuments and Archaeological Sites and Remains (AMASR) Act 1958.**
- **The AMASR Act provides for preservation of ancient and historical monuments and archaeological sites and**

remains of national importance.

- The ministry has pointed out that the **state government has already violated the AMASR Act** around Lingaraj temple by building modern structures.
- The ministry contended that **since the ordinance covers 12 centrally protected monuments including the Lingaraj temple and three tanks, it was outside the legislative competence of the state** legislature as it violates the provisions of AMASR Act.
- The ministry has further said that an independent Act vesting administrative powers to a managing committee, thus facilitating dual administrative authorities will result in conflict.
- The clause 15(2) of the Odisha ordinance has a provision for **retail shops for sale of commodities** inside or outside of the temples. But as per AMASR Act a **monument should not be used for any other purposes not consistent with its character.**
- Similarly, as per clause 17(3) of the Odisha ordinance, **the managing committee** will oversee the lease or sale of movable or immovable property attached with the Lingaraj temple. But the ministry contended that movable **property may include archaeological or artistic objects** (meaning antiques) and in that case, it will be in conflict with the AMASR Act, 1958.
- Under clause 22(2d) of the **ordinance which provides for certain powers to the temple committee to undertake repairs, for which the Archaeological Survey of India (ASI) is responsible,** and hence is also in contradiction with the provision of the AMASR Act, 1958.
- **The center also contended that constructions can only be allowed by the National Monuments Authority.**
- Another clause which **facilitates special darshan on payment of a fee** was also found in violation of the existing agreement between ASI and temple management;

which clearly stipulates the public would have free access to the monument.

About the temple-

- Lingaraj temple, **the largest in Bhubaneswar**, was **constructed by King Jajati Keshari in the 10th Century and completed by King Lalatendu Keshari in the 11th Century of the Somavamshi or Keshari dynasty.**
- It is a temple **dedicated to Shiva** and is one of the oldest temples in Bhubaneswar, Odisha.
- It represents the quintessence of the **Kalinga Architecture** and culminates the medieval stages of the architectural tradition at Bhubaneswar.
- Some additions to the temple were also made by the Ganga rulers.
- It is built in the **Deula style** that has four components namely, vimana (structure containing the sanctum), jagamohana (assembly hall), nata mandira (festival hall) and bhoga-mandapa (hall of offerings), each increasing in the height to its predecessor.
- **Bhubaneswar is called the Ekamra Kshetra as the deity of Lingaraja** was originally under a mango tree (Ekamra) as noted in Ekamra Purana, a 13th-century Sanskrit treatise.
- **The temple also has images of Vishnu**, possibly because of the rising prominence of the Jagannath sect emanating from the Ganga rulers who built the Jagannath Temple in Puri in the 12th century.
- It is maintained by the Temple Trust Board and the ASI.

Further

reading:

<https://journalsofindia.com/jagannath-temple-act/>