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# Bhojshala-Kamal Maula Verdict: MP High Court, ASI Survey, and the Places of Worship Act

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**HISTORY & CULTURE****POLITY**

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# Bhojshala-Kamal Maula Verdict: MP High Court, ASI Survey, and the Places of Worship Act

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## WHY IN NEWS:

The Indore Bench of the **Madhya Pradesh High Court** on May 15, 2026 declared the **Bhojshala-Kamal Maula Mosque complex** in Dhar district a **Hindu temple dedicated to Goddess Vagdevi (Saraswati)**, in a 242-page verdict relying on an **ASI archaeological survey** that unearthed **1,700+ artefacts and 37 Hindu idols**. The court quashed the 2003 ASI arrangement that had permitted Muslim namaz on Fridays and Hindu puja on Tuesdays. Muslim petitioners announced they will approach the Supreme Court. The verdict has reignited debate about the **Places of Worship (Special Provisions) Act, 1991**.

## WHAT IS BHOJSHALA?

**Bhojshala** is a medieval structure in **Dhar district, Madhya Pradesh**, approximately 60 km from Indore.

## Historical Background

PERIOD	HISTORY
11th century CE	Built by <b>Raja Bhoj of the Paramara dynasty</b> as a centre of Sanskrit learning (Bhoj Shala = Hall of Raja Bhoj); housed a temple to Goddess Vagdevi (Saraswati)
1305 CE	<b>Alauddin Khalji's general Ain-ul-Mulk Multani</b> converted part of the structure into a mosque – the <b>Kamal Maula mosque</b> was constructed incorporating the existing hall
Colonial era	The British Raj designated it an ASI-protected monument
1997	Vishwa Hindu Parishad (VHP) began an annual <i>Vasant Panchami</i> puja at the site; disputes escalated
2003	ASI issued an order: <b>Hindu puja permitted on Tuesdays; Muslim namaz permitted on Fridays</b>
2022	MP High Court ordered an ASI survey
2024	ASI submitted a 2,000-page report after 98 days of survey
May 15, 2026	HC verdict: declared the site a Hindu temple; quashed 2003 ASI order

## The Original Vagdevi Murti

The **Vagdevi (Saraswati) idol** originally housed at Bhojshala was taken by the British and is now in the **British Museum, London**. The HC verdict has revived demands for its repatriation.

### THE ASI SURVEY – KEY FINDINGS

The Archaeological Survey of India (ASI) conducted its survey from November 2023 to March 2024 under court supervision:

- **Artefacts found:** 1,700+ (sculptures, inscriptions, pillars with Hindu iconography)
- **Hindu idols:** 37 complete or partial idol forms
- **Inscriptions:** Sanskrit inscriptions confirming the site's association with the Paramara period
- **Structural analysis:** Pre-existing Hindu temple pillars and plinths incorporated into mosque construction

The court held that these findings were **conclusive archaeological evidence** of the site's original character as a Hindu temple.

## THE PLACES OF WORSHIP (SPECIAL PROVISIONS) ACT, 1991

This is the most contentious legal issue raised by the verdict.

### What the Act Says

- Enacted by the **P.V. Narasimha Rao government** in 1991, passed during the Ram Janmabhoomi movement peak
- **Section 3:** Prohibits conversion of any place of worship from one religious denomination to another
- **Section 4: Freezes the religious character** of all places of worship as they existed on **August 15, 1947**
- **Exception:** The Ram Janmabhoomi-Babri Masjid dispute was **explicitly exempted** from the Act (Section 5)

### Key Provisions Table

SECTION	PROVISION
Section 3	No person shall convert any place of worship of any religious denomination
Section 4(1)	Religious character of every place of worship shall continue as it was on August 15, 1947
Section 4(2)	All suits/appeals/proceedings pending on the commencement date shall abate
Section 4(3)(a)	Exemption: ancient/historical monuments under Ancient Monuments and Archaeological Sites and Remains Act, 1958
Section 5	Exemptions: Ram Janmabhoomi; suits pending before commencement

### Does the Act Apply to Bhojshala?

This is the critical legal question the Supreme Court will now face:

#### Arguments that the Act does apply:

- Bhojshala/Kamal Maula had been used as a mosque (for Friday prayers) on August 15, 1947 – the cut-off date
- The Act's intent was precisely to prevent such disputes from proliferating
- The SC has not yet pronounced on whether archaeological surveys can override the Act's freeze

#### Arguments that the Act does not apply (court's possible reasoning):

- Bhojshala is an **ASI-protected monument** – and the Ancient Monuments and Archaeological Sites and Remains Act, 1958 has a **specific exemption** in the Places of Worship Act (Section 4(3)(a))

- The site was **managed by ASI**, not functioning as a standalone mosque/temple – a different legal character than a “place of worship”
- Archaeological evidence showing the original character of a site may be distinguished from “conversion” of a currently active place of worship

## PARAMARA DYNASTY – HISTORICAL CONTEXT (GS PAPER 1)

FEATURE	DETAIL
Dynasty	Paramara (also Parmara)
Period	9th–14th century CE
Territory	Malwa region (present-day MP)
Capital	Dhar (later Mandu)
Raja Bhoj (1000-1055 CE)	Greatest Paramara ruler; patron of Sanskrit literature; composed works on architecture, medicine, yoga; built Bhopal’s Bhojtal (Upper Lake)
Cultural contribution	Bhojshala was a centre of Sanskrit education; the <i>Saraswati Kanthabharana</i> and <i>Rajamartanda</i> texts are attributed to Bhoj
Dynasty’s end	Alauddin Khalji’s invasion (1305 CE) ended Paramara rule in Malwa

## RAM JANMABHOOMI PRECEDENT – COMPARISON

FEATURE	AYODHYA (RAM JANMABHOOMI)	BHOJSHALA
SC verdict	2019 (5-judge bench)	Pending SC challenge
ASI survey	Yes – conducted 2002-03	Yes – conducted 2023-24
Places of Worship Act	Explicitly exempted	Applicability disputed
Date of dispute crystallisation	Pre-Independence	Post-Independence (formal dispute from 1990s)
Current status	Ram temple consecrated Jan 2024	HC declared Hindu temple; SC challenge pending

## UPSC RELEVANCE

### GS Paper 1 – History, Art and Culture

- Paramara dynasty; Raja Bhoj; Bhojshala as a centre of Sanskrit learning
- Medieval temple-mosque conversions in Indian history
- **Vagdevi/Saraswati iconography** in medieval Indian art

### GS Paper 2 – Polity and Governance

- Places of Worship (Special Provisions) Act, 1991 – constitutional validity, scope, and the pending SC challenge
- Role of ASI under Ancient Monuments and Archaeological Sites and Remains Act, 1958
- Judicial review of executive orders (quashing of ASI 2003 arrangement)
- Right to religion (Articles 25-28) vs. the State's power to regulate religious affairs

**Keywords:** Bhojshala, Raja Bhoj, Paramara dynasty, Vagdevi, Places of Worship Act 1991, ASI survey, Kamal Maula mosque, Ancient Monuments Act, Ram Janmabhoomi precedent, Dhar district.

*9th–14th century Rajput dynasty of Malwa; capital at Dhar; greatest ruler Raja Bhoj (1000–1055 CE); famous for Sanskrit scholarship; ended by Alauddin Khalji (1305 CE).*

*Enacted by Narasimha Rao govt; Section 3 prohibits conversion; Section 4 freezes religious character as of August 15, 1947; Section 4(3)(a) exempts ancient monuments under the Ancient Monuments Act, 1958; Section 5 exempts Ram Janmabhoomi and suits filed before commencement.*

*Under Ministry of Culture; established 1861 by Alexander Cunningham; protects ~3,693 monuments of national importance; undertakes excavations and conservation.*

*Goddess of learning and speech (form of Saraswati); the Bhojshala Vagdevi idol (11th century CE) is in the British Museum, London (Room 33, South Asia collection).*

*India has sought return of several artefacts, including the Bhojshala Vagdevi, Amaravati Sculptures, and the Sultanganj Buddha. The British Museum Act, 1963 generally prevents deaccession – a major legal barrier.*

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