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ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: Govt Matter

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# HC rider on Lingayat corporation decision

'Any further step on notification is subject to court orders'

<sup>6/100</sup>  
SPECIAL CORRESPONDENT

BENGALURU

The High Court of Karnataka on Monday said that any further decision taken based on the November 23 notification of the State government to establish a Karnataka Veerashaiva-Lingayat Development Corporation (KVLDC) under the Companies Act, 2013, would be subject to the orders to be passed by the court.

A Division Bench comprising Chief Justice Abhay Shreeniwas Oka and Justice S. Vishwajith Shetty passed the interim order on a PIL petition filed by S. Basavaraj, a city-based advocate.

The Bench ordered issue of notice only to the government for now, while pointing out that the KVLDC may not come into existence at

present as elaborate procedures are required under the Companies Act to establish a corporation.

"The establishment of the corporation is unconstitutional, apart from destroying the very foundation of the secular philosophy propounded by 12th century social reformist Basava," it was contended in the petition. It stated that the government decision also isolated Veerashaiva-Lingayat community from the mainstream.

"The petitioner believes that the inclusiveness Basava propounded, which has now metamorphosed into secularism as a basic feature of the Constitution of India, ought to be practised by the State in letter and spirit, but the impugned order destroys all such values," the pe-

itioner contended.

The decision to establish the corporation "smacks of mala fides on the face of it" as the preamble of the November 23 notification states that Veerashaiva-Lingayats are a majority in the State of Karnataka. The petitioner alleged that the real intent was to "woo 17% of the voters".

As the government notification stated that ₹500 crore would be provided to the corporation, the petitioner, a taxpayer, contended that this was in violation of Article 27 of the Constitution, which states that no person shall be compelled to pay any taxes if the proceeds are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination.