



JAIN AHIMSA TIMES

IN COMMUNITY SERVICE FOR 14 CONTINUOUS YEARS
THE ONLY JAIN E-MAGAZINE • WORLD OVER + 100000 READERSHIP



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*Ahimsa Foundation Wishes A Very Happy & Prosperous New Year 2008
to
All the all Patrons & Readers*

MESSAGE ON NEW YEAR

FROM HIS HOLINESS ACHARYA SHRI MAHAPRAGYA



The scientists today are carrying out studies and research into innumerable subjects. They are also publishing reports from time to time which provide us with an opportunity to understand ecology and environment and also bestow on us an in-depth experience of human problems. These studies are, however, lacking in the investigation or survey of human development. In the global society there is a race for economic development, materialistic development and the development of the means of comfort but human development is being lost sight of. This one-sided view as well as endeavours for same are creating a long list of problems. Solutions are also being investigated but they themselves are becoming problems on account of this lopsided approach. The truth is that any development that ignores human development cannot solve the problem. Let us not think of human development only on the basis of materialistic development. Human development is, in reality, the development of consciousness. It is the development of that consciousness on the basis of which one can dream of a truly happy life, free from physical and mental diseases, free from infatuation with material objects, free from tension, full of peace and tranquility.

The quest for subtle truth is necessary but it should not trigger our desire for consumerism, luxury and comfort. Man's propensity for consumerism and hedonism has rendered the problem of environment complicated. The irony is that even those countries which believe that man's hedonistic mentality should be curbed are trying to belie the truth. In this race for monopolizing development and globalization, a whirl of stupefaction or infatuation is set in motion. As a result individual, society and nation get carried away by it and start whirling around wealth and materialistic objects.

In order to ensure human survival it is imperative is that this vicious circle is put an end to, so that man may visualize the golden horizon free from tension, criminality, addiction to drugs and violence. On the auspicious occasion of the New Year, I hope that a new wave of enthusiasm will prevail giving birth to a new man. Let the voice of the resolute determination of a life of self-restraint to save the earth reverberate through the cosmos.

TEMPLES

MAHAMASTIKA BHISHEKA OF LORD ADINATH OF BAWANGAJA

27.01. TO 04.02.2008- Mahamastika Bhisheka of Lord Adinath of Bawangaja is going to be held after 17 years with the blessing of reverend Siddhant Chakravarti Acharya Shri 108 Vidyanand and under the guidance and presence of the propounder of vegetarianism Upadhyay Shri 108 Guptisagar w.e.f. 27th January to 4th February 2008. This great festival would provide a rare opportunity to have darshan and preachings of great religious dignitaries, lectures of experts in Jainism and cultural activities would also be organized. The Panch Kalyanak festival will be from 20 th to 27 th January and Mahamastkabhisheka on 27th , 29th , 31st January and 2nd & 4th February. This great festival would provide a rare opportunity to have darshan and preachings of great religious dignitaries, lectures of experts in Jainism and cultural activities would also be organized.



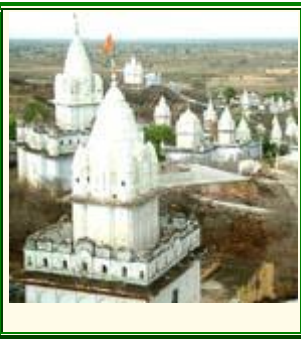
The Panch Kalyanak festival will be from 20th to 27th January and Mahamastkabhisheka on 27th , 29th , 31st January and 2nd & 4th February. In between the gaps other religious activities will be organized. It has been decided by the Festival Committee that, the money collected from various religious rites in the festival, will be spent for building a Guest house with modern amenities, education, literature and social welfare. Web Site- www.bawangaja.com

Chief programme co-ordinator is Mr. A. K. Jain Phone: 98-100-11697 for details. (Indore Address - 4/2, South Tukoganj, Indore, M. P. Telephone 0731-2510141).

NEW JAIN TEMPLE TO COME UP AT KARWAN

Hyderabad: Rajasthan Home Minister Gulabchand Kataria will inaugurate a new Lord Shantinath Jain temple at Karwan on 2nd December. Addressing a press conference Surender Luniya said the construction work would complete within a few days and installation of the deity and other religious ceremonies would commence from December 2nd. The temple is being constructed in an area spanning over 9 acres adjacent to the decades old Dadiwadi temple in Tarlagadda with an investment of over Rs.70 lakh.

SONAGIRI TEERTH LIKELY TO ANOTHER GIRNAR



Sonagiri is one of the oldest and highly sacred teerth of Digamber Jain Samaj. It is extremely popular for its attractive natural surroundings and convenient location. Due to its popularity and availability of large financial corpus placement in management committees is fiercely fought for several years. In 1989 as per High Court order a new committee was given managerial responsibilities. To consolidate its control over temple affairs new committee adopted new constitution and reduced the membership from about 8000 to just few. Now just a few persons control the entire teerth. Formal election do take place but there is no effective participation of community. Nomination of some of the committees members is also being litigated in M.P. High Court and Registrar of Trust. There have been frequent complaints of about the maintenance and services to pilgrims. But office bearer have no interest in the physical development of temple village and without this the entire place has become disorganized & chaotic. Earlier "Datia State" during British rule had given full rights to temple committee to manage the entire area but conflicting Jain group surrendered their rights to M.P. government and have signed the lease documents. This also are resulted into new conflict with Area Panchayat Committee of the M. P. Government and temple managing committee. Taking advantage some other religious groups have started damaging temple complex. Main gate of the temple has been broken. Some groups climbed to temple with shoes on. Feared office bearer of the temple remained blank spectators with no reaction.

Noting weakness of office bearer and their in action one Mrs. Sukha Bai, member of district Panchayat has filed a writ in M.P. High Court challenging the sole rights of Jain on the Sonagir Hills. To avoid trouble temple committee has accepted almost all the demands of Panchayat and the signed the agreement without any discussion with general body. As the population of Jain families living in the entire area is negligible it is feared that this place will become another Girnar. Central leadership of Digamber Jain Samaj should understand the seriousness of the local issues and take appropriate legal measures including filing of review petitions with higher courts. The development of place is also important and office bearers should go for planned development and beautification of entire area as required finances are available with the temple. Courtesy Shri Sunil Jain (Gaushala Wale) Sadhna Samachar.

PHOENIX JAIN COMMUNITY IN US BREAKS GROUND ON SPIRITUAL CENTER

The first slab of marble has been laid in what the Valley's Jain community believes can become America's grandest Jain temple when it is dedicated in December 2008, with some 3,000 Jains from all over the world expected. Through a majestic arch of pink sandstone, followers will pass into a spacious temple with floors of white marble, featuring statues of the 24 lords or tirthankars, surrounded by idols. The south Phoenix site will become the center for area Jain prayer, meditation and other activities. Capping three days of festive celebrations on Sunday, members of the approximately 150 Jain families in the Valley dressed in their finest and most brilliant and colorful clothing from India to witness the historic "shilanyas," or foundation stone ceremony. It included the burying of a time capsule and rites led by religious leaders from India.

SAINTS

RAM MUNI NIRBHAY HONOURED WITH DOCTORATE

Renowned Jain scholar and Upravartak of Shraman Sangh Ram Muniji "Nirbhay" has been honoured with Doctor of Philosophy by Bangalore University.

Muniji undertook research work under the guidance of Dr.K.N.Sheshadri and his subject was "Contribution of Kewal Muni to Hindi Literature". His 2007 chaturmas was organized by Sri Sangh of Moti Katra, Agra. Muni Shree is extremely popular for his simplicity, politeness and oratory. News courtesy: Sumer Chand Jain, Sri Swetamber Sthanakwasi Jain Trust.

DIGAMBAR JAINS CELEBRATE 75TH BIRTH ANNIVERSARY OF ACHARYA BAHUBALI MAHARAJ

Thousands of Jain devotees converged in Gurgaon on the weekend to celebrate the 75th birth anniversary of Acharya Bahubali Maharaj, the spiritual Guru of Digambar sect of Jain community and perform mass rituals. Acharya Bahubali Maharaj, during his sermon, laid stress on the need to educate the masses for a progressive Indian society. "I bless all castes and religions of the society. All religions should bring in home Sanskars (ethical values). When we have ethics at home, we can look forward to the creation of an ethical society. Education should be emphasised on by all religions as education is the key self-improvement," said Acharya Bahubali Maharaj, spiritual head of Digambar Jain community. The Digambar Jains, under the aegis of their Acharya, provide free primary education to children at various places. "Besides spreading word about religion, our Acharya is keen to spread education amongst the youth. He has schools at various places.



AWARDS AND HONOURS

B. H. JAIN CONFERRED WATER CONSERVER OF INDIA AWARD



Shri B. H. Jain, Founder-Chairman of Jain Irrigation Systems Limited, has been conferred upon the prestigious UNESCO & West-Net instituted award as the "Water Conserver of India". This is taking into account yeomen service to the cause of water conservation. Jain Irrigation is pioneer in micro irrigation and sprinkler irrigation systems in India which is a viable alternative to the conventional irrigation methods. This award has been presented by the Hon'ble Union Minister of Water Resources, Prof. Saif-Ud-Din Soz at a glittering function held in New Delhi on 29th November 2007 at the Jaypee Vasant Continental, Vasant Vihar, New Delhi. The function was attended by eminent delegates from the World Bank, UNICEF, UNESCO, Central Water Commission and TERI apart from the Industry and Press. Till date, the Company has received 46 State Awards, 85 National Awards and 3 International Awards for outstanding export performance, R&D achievements and entrepreneurship, Fair Trade Practices Etc. The internationally prestigious "Crawford Reid Memorial" Award instituted by Irrigation Association, USA was conferred on the Chairman Shri. B. H. Jain for "Significant Contribution to the Irrigation Industry outside the United States".

Company has modern manufacturing facilities located in India at Jalgaon, Maharashtra, Hyderabad (Andhra Pradesh), Baroda (Gujarat) and Udumalpet (Tamilnadu). The company has recently acquired Companies in USA & Israel in its core line of business as part of strategy to become one of the top 3 global players. At present, Company has 13 plants outside India i.e. USA, Israel, Chile, Brazil, Spain & Australia.

The Company has an extensive Research & Development [R&D] farm and training & development center spread over nearly 1,000 acres of farm at Jalgaon & similar facility near Coimbatore, Tamil Nadu. This center has extensive development laboratories and is engaged in pioneering efforts in developing tissue culture plants for Banana, Sugarcane etc. The Company's turnover for the last year ended on 31.03.2007 was Rs.1,267 crores and is currently expecting to accomplish a more than 45% growth in the current year with a turnover of Rs.1,850 crores, including Rs.515 crores of export turnover from India.

ISHA HIMANI JAIN TOPS US SCIENCE COMPETITION

An Indian American girl, Isha Himani Jain, has been declared national champion in one of the most coveted student science competitions in the US. The 16-year-old student of Freedom High School in Bethlehem, Pennsylvania, won in the individual category of the Siemens Competition in Mathematics, Science and Technology. She has been awarded a \$100,000 scholarship for her college education for having identified a cellular mechanism underlying bone growth spurts in zebra fish, similar to the way children's bones grow. She is applying to Harvard, Massachusetts Institute of Technology (MIT) and Yale to specialise in genetics, and want to eventually have her own lab.



Isha dedicates her success to father Himanshu Jain, a chair professor at department of materials science and engineering at Lehigh University, Bethlehem, and her mother Sweetie Jain, who practises family medicine. The entries were judged by a panel of scientists led by Joseph Taylor, winner of the 1993 Nobel Prize in physics and a professor emeritus at Princeton University.

JAIN IRRIGATION'S FOUNDER-CHAIRMAN GETS UNESCO AWARD

Mumbai: Jain Irrigation Systems Limited's founder chairman, B. H. Jain, has been conferred with the UNESCO & West Net-instituted 'Water Conserver of India' award for work in the area of water conservation. The award was presented by Union Minister of Water Resources Saif-Ud-Din Soz in New Delhi on November 29. Till date, the company has received 46 state awards, 85 national awards and three international awards for outstanding export performance, R&D achievements, entrepreneurship and fair trade practices, a company press release said.

MISCELLANEOUS

BILL TO PUT MINORITY TAG ON JAINS IN WEST BENGAL

Calcutta, The Assembly today passed a bill that will empower the government to declare the Jain community a religious minority. "From now on, if the government considers it important to give any community minority status on the basis of religion, it can do so by only issuing a notification. This means the government will no longer have to drag the matter to the Assembly," minority affairs minister Abdus Sattar told the House. However, Opposition legislators dubbed the West Bengal Minorities' Commission (Amendment) Bill, 2007, "a bait" for minority voters. "The government has chosen to clear the bill because it will consolidate its vote bank among the minorities in next year's panchayat polls. Minorities were attacked and killed in Nandigram. So the move will help the government improve relations with the communities," said Asish Banerjee of the Trinamul Congress. Sattar rubbished the argument, saying Jains constituted only 0.07 per cent of the state's population and there was no question of "building a vote bank". The minister also denied any instance of torture on minorities in Nandigram.

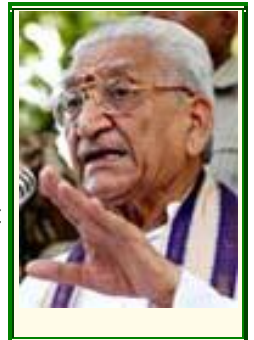
DARSHEEL SAFARY A GREAT JAIN ACTOR

Darsheel Safary, a Gujarati Jain guy has done a marvelous acting in the recent Bollywood film TAARE ZAMEEN PAR. I am sure that Darshil is going to receive National and International awards for his performance. Do not miss this film. Please visit www.jainway.blogspot.com to read the review of the film and some photographs of Darshil.



ASHOK SINGHAL OF VHP CRITICISED FOR FOR FAVORING JAINS

Junagadh, All India Sadhu Samaj president (Gujarat Chapter) Mahant Gopalanand has come down heavily on Vishwa Hindu Parishad (VHP) president Ashok Singhal for his derogatory remarks on the sadhus of Gujarat, who have been tacitly campaigning against the Narendra Modi government. He said though the foundation-laying ceremony of the ambitious Girnar ropeway project in Junagadh has been completed thrice, it could not get started, because of the opposition of the Jains to this project. "This is because Jains are against this project and, Singhal and Modi are pro-Jains." He also said during the last five years, many sadhus, including several VHP office-bearers have been murdered, but none of the accused have been convicted or punished by law. "Why is the VHP not raising this issue of sadhus' murder under the BJP rule? There are number of slaughter houses functioning in Gujarat, but why is the VHP keeping quiet?"



JITO - 2ND JAIN INTERNATIONAL TRADE FAIR AT MUMBAI, JANUARY 2008

The Jain International Trade organisation will be organizing the next trade fair from 3rd January to 6th January, 2008 again at Mumbai Exhibition Center, N.S.E. Ground, Goregaon (East), Mumbai. The convener of the fair, Shri Padam Chand Jain from Jaipur informed the press that the sole objective of holding the fair was to strengthen financial, educational and spiritual status of Jain community.

The fair will include seminars, group discussions, a trade exhibition of the products manufactured by members of Jain community in India and abroad and a Jain cultural pavilion. It has been planned to put up about 800 stalls at the fair, which will go a long way in establishing international contacts. Eminent industrialists, scholars specialists, management managers, ministers and parliamentarians will be speaking in different sessions of the seminars.

FESTIVALS

KARTIK PURNIMA: A FESTIVAL OF MANY RELIGIONS

The Full Moon Day or 15th Purnima day of the Shukla paksha (waxing moon) of the Kartika month is considered very auspicious by Jains & Hindus. It is on this day that Lord Shiva destroyed Tripuri—the three cities ruled by demons and for Shiva worshippers it is the next most auspicious day after Mahashivaratri. It also coincides with the Jain festival of lights and the Sikh's celebration of Guru Nanak's birth anniversary. It is celebrated in different ways all over the country. Some of the main celebrations in the North India include the following:

It was on Kartik Purnima that the third Tirthankar, Lord Sambhavanath was born and the Jains celebrate it as a big festival everywhere. Shravasti, where he had taken diksha is a special attraction of Jain pilgrims. On this day the Jain take out processions and the community starts eating green vegetables, which were prohibited during the rainy season. Many of them start on a pilgrimage to Palitana. In many temples a stone panel or cloth painting of Palitana is displayed and those who cannot undertake the pilgrimage to Palitana go and worship the panel in a temple. In Ayodhya, lakhs of pilgrims start the ritual by performing Chauda Kosi Parikrama-- taking a walk round the periphery (about 40 km) of the temple town-- and end up taking a holy dip in the banks of river Saryu. In Bihar, devotees pray at the Hariharnath Temple--believed to have been built by Rama on his way to Mithila to marry Sita—after a holy dip in the Ganges. Pilgrims from all over India, come to take a holy dip in the sacred Pushkar, where Lord Brahma is known to have performed a sacrifice on Kartik Purnima. India's second largest cattle fair—where camels are traded—is also held on the occasion. In Shamlaji, Gujarat, lakhs of pilgrims from Western and Central India, particularly Bhils who worship Lord Shamlaji as their tribal deity, take a holy dip in river Mhow and participate in Kartik Purnima fair. The Sikhs celebrate it as birth anniversary of their first Guru Guru Nanak, offering of prayers in gurudwaras and taking dips in holy rivers and sarovars. Early-morning processions singings hymns wound across the streets converge at prominent local gurdwaras. In Punjab the main celebrations are held at the Golden Temple in Amritsar, Gurudwara Darbar Sahib at Muktsar, Damdama Sahib (Talwandi Sabo) and Guru Ka Dhab in Bathinda.

AHIMSA

RAMDOSS LOBBIES GLOBAL SUPPORT TO CURB SMOKING



New Delhi : Days after the tobacco lobby forced Health Minister Anbumani Ramadoss to remove pictorial warnings from tobacco products, he is seeking help from the international community to help him with the issue. Speaking before the 5th World Assembly on Tobacco in New Delhi, Ramadoss said, "The anti-forces are huge. My Prime Minister gives me the support but I need a lot more to enforce this activity." Ramadoss is seeking support from the 54 countries that are attending the assembly to push through his efforts in fighting tobacco usage. The move to make pictorial warning compulsory was to be enforced from July 2006 but was postponed till February 2007 and then later to June 2007. On September 29, it was decided to implement it from December 1 ,but no action has been taken till now. Use of pictorial warnings on tobacco products have been proved to be effective in 15 countries across

the world where tobacco consumption has drastically gone down, especially Thailand which has now become a model for its success in curbing smoking. But in India the conflict between the tobacco lobby and the government is essentially a conflict between economic interests and health priorities. A bidi merchant from Allahabad, Shyama Charan Gupta, says, "All I want is that business should not suffer because of this. It should not be completely stopped because this industry employs a lakhs of workers." If implemented, the pictorial warnings will cover more than 50 per cent of the area of tobacco products' packets. A petition pending in the Himachal High Court will now decide the fate of pictorial warnings on the 13th December.

CENTRE TO SET UP NATIONAL TOBACCO CONTROL SOCIETY

The Central Government has decided to set up a National Tobacco Control Authority within four months to address the tobacco menace in the country. Reiterating his commitment to the anti-tobacco campaign, Union Minister for Health and Family Welfare Dr. Anbumani Ramadoss hinted that the pictorial warnings on the packs of tobacco products would be made mandatory from next month. Inaugurating the 5th World Assembly on Tobacco Counters Health (WATCH) here, Anbumani said that the government is considering to legalise NGOs, lawmakers, bus drivers, conductors, train ticket examiners, headmasters and panchayat chiefs as 'enforcers', who will have the authority to impose fine on any one found smoking in a public place. He said "the enforcement of pictorial warnings on the packs of tobacco products was to come into force on December 1 itself, but since a case is pending with the Himachal Pradesh High Court, the government could not act on it."

The Himachal Pradesh High Court had asked the government not to enforce the campaign till December 13. "Once the court gives its judgment, we will decide our course of action," Anbumani added. The minister appealed to all the forces who are opposing tobacco to come together as a cohesive force to stand against the lobbies and industries that are ruining the younger generation.

He said: "The World Health Organisation has issued a warning to India that it might face three major problems in future such as tobacco, alcoholism and junk-food related activities." He pointed out that the usage of tobacco in the country has increased from 15 percent to 26 percent in the last decade. Anbumani said that the National Tobacco Control Authority would take care of tobacco-free initiatives, taxation policies and it would work in liaison with the state governments. He said that the government has allocated an amount of Rs 500 crores for the national anti-tobacco campaign in the 11th Five-Year Plan.

WORLD MUST EMULATE INDIA'S SPIRIT OF NON-VIOLENCE - NEW DELHI



Tibetan spiritual leader Dalai Lama has said the world must emulate India's tradition of non-violence and peace. Inaugurating the Ahimsa Paryawaran Sadhna Mandir (Non-violence environment meditation temple), he said that in the 21st century, the concept of 'Ahimsa' (non-violence) is more relevant than ever. "Non-violence is very relevant to today's world. Therefore, India's central old tradition must be more active now. This tradition should be a model for the entire planet. They must show it to others," he said. The Ahimsa Paryawaran Sadhna Mandir, is the first temple of its kind, which imbibes an underlying spirit of brotherhood common to all religions and faiths. India from the time of Gautam Buddha, the founder of Buddhist religion, to Mahatma Gandhi, who earned India its freedom through his campaign of non-violence, is a country rooted in 'Ahimsa', the Dalai Lama said.

HINDU SCHOOL IS FIRST TO MAKE VEGETARIANISM A CONDITION OF ENTRY

A row has broken out after the UK's first Hindu state school announced a strict admissions code, which critics say favors followers of the Hare Krishna tradition over mainstream Hinduism. The Krishna-Avanti school in north-west London will be the first school in Britain to make vegetarianism a condition of entry. To get their child a place at the primary school, parents of pupils will also be expected to abstain from alcohol to prove they are followers of the faith.

The policy is proving controversial within Hindu groups. Mainstream Hindus are claiming the policy favours the International Society for Krishna Consciousness (Iskcon) - also known as the Hare Krishna movement - which is backing the school and whose members follow strict vegetarian diets. The 240-pupil state funded school will open next September in Harrow, where 40,000 of Britain's 1.5 million-strong Hindu community live, comprising 20% of the town's population. Competition for places at the school is expected to be fierce. The government is funding £10m of the £12m building costs.

The new admissions policy sets out how the school will allocate places when it is over subscribed. It gives priority to looked-after children from Hindu families and children with special educational needs, before next prioritising the children of "practising Hindu families".

Nitesh Gor, director of the I-Foundation, the Hindu charity which is backing the voluntary aided school, said: "In common with other faith schools - which may require letters from priests or proof of church or synagogue attendance - we want to give priority to those that are most active in their faith. The definition we have arrived at includes regular home and temple worship, as well as vegetarianism and avoiding alcohol." Ten places at the new school will be reserved exclusively for children of families at Bhaktivedanta Manor, the temple headquarters of Iskcon in Letchmore Heath, Hertfordshire. :

"While HCUK has no problem with the I-Foundation reserving a stated 10 places out of 30 at the school for children of families at Bhaktivedanta Manor, we believe it is unfair to rule out other Hindus by imposing on them the strict rules of one particular, minority Hindu group in order for their children to attend. "Because the Krishna-Avanti school was offered state funding and is being allowed to open as a 'Hindu' rather than an 'Iskcon' school, that is what it should be, a truly Hindu school that serves and reflects the wider Harrow Hindu community with its kaleidoscopic Hindu diversity."

Mr Gor defended the policy: "We recognise that some Hindus may eat meat in very specific prescribed circumstances and the criteria are not intended to exclude them. Broadly these criteria reflect practices which are common to all mainstream Hindu movements in the UK including the Swaminarayan temples, Iskcon and Jainism as well as all the other branches of Hinduism that have large congregations in Harrow."

CONFERENCES & SEMINARS

DELHI - 20TH ALL INDIA SUMMER SCHOOL ON PRAKRIT LANGUAGE

Bhogilal Leherchand Institute of Indology, Delhi is organizing the 20th All India Summer School on Prakrit Language & Literature (Both Elementary and Advanced Courses) from Sunday, 11th May to Sunday, 1st June 2008. The minimum qualification for the entrance in Elementary Course is Post Graduate Degree in Prakrit/Sanskrit/Pali Language. Preference will be given to the scholars and teachers on the basis of Merit. The participants who have passed Elementary Course conducted by this Institute could be admitted in Advanced Course on the basis of their past performance. Interested participants may contact: Dr. Balaji Ganorkar, E-Mail : director@blinstitute.org, www.blinstitute.org



FIFTH CONVOCATION OF JAIN VISHVA BHARATI UNIVERSITY



Learning AWAKENS creativity: Dr. A. P. J. Abdul Kalam - The fifth convocation of Jain Vishva Bharati University, Ladnun, India was held in the benign presence of Acharya Mahaprajna (the constitutional head of the University) on Nov 4, 2007 at Udaipur. Dr. A. P. J. Abdul Kalam, Former President of India was Chief Guest and the convocation was presided over by the Chancellor, Sh. Lalchand Singhi. Shri Surender Choradia, President, Jain Vishva Bharati was guest of honour. H.E. Sh. B. L. Joshi, Governor of Uttarakhand and Meghalaya and Prof. Cromwell Crawford, Hawaii University, received the Honoris Causa, D. Litt. Dr Samani Mangal Prajna, Vice-Chancellor declared the Convocation open. The function was started with National Anthem. Dr. Samani Mangal Prajna, Vice-Chancellor welcomed all the dignitaries and guests and presented a brief profile of JVBU. She congratulated the award recipients and pass-out students. H.H. Acharya

Mahaprajna blessed the degree holders with Sikhapadam. Referring the prevalent educational scenario, he emphasized on the need of balanced education, which ensures three-dimensional development of an individual resulting in positive peace in society. In his convocation address, Dr A.P.J. Abdul Kalam stimulated students by saying, when the knowledge acquired is used with righteousness and courage in all the educational campuses; we will have empowered and enlightened citizens, which is required for the growth of the individual and the growth of the nation. Shri Lalchand Singhi, Chancellor of the university, imparted oath to the faculty, members, scholars and students of the university. At this occasion, 662 graduates, 875 postgraduates, 19 M. Phil's, 39 doctorates and 11 gold medals were awarded. Courtesy: Samani Mangal Pragma, Vice Chancellor, Jain Vishva Baharati University, Ladnun - Nagour. Rajasthan - 341306.

SESSIONS ON JAINISM AT AMERICAN ACADEMY OF RELIGIONS CONFERENCE

A report from Prof. Anne Vallely of University of Ottawa at conference in San Diego. Nov 16-19, 2007. The Jain sessions were well attended and extremely well-received. Although I have not received final confirmation, Prof Rita Sherma of DANAM spoke with me after the panel and suggested that we establish a permanent Jainism panel as part of DANAM each year. This gives you an idea of how well the 8 student papers went! A few have been invited to publish the papers in a forthcoming volume on Dharma. The only Jainism session that I organized was part of the AAR proper, and it included Jim Hastings, Whitney Kelting, Sherry Fohr, Stephen Quinlan, Chris Chapple and myself. Paul Dundas came to that session (all the way from Edinburgh!). It went swimmingly and I am now looking for a journal to publish the papers as a special edition. I also gave a paper on Jainism at a session on Sacred Space. Prof. Diane Eck (From Harvard) came out for it and we had a nice conversation about my paper and about the summer school. She handed out flyers at that session and the Jainism panel session. Courtesy: Dr. Sulekh Jain, Houston, Texas, USA.

RECENT BOOKS ON JAINISM

JAINA STUDIES: THEIR PRESENT STATE AND FUTURE TASKS -By Professor Dr Ludwig Alsdorf, Pandit Nathuram Premi Research Series Volume 1, English Tr. by Bal Patil, Revised & Edited by Professor Dr Willem Bollée, Mumbai: Hindi Granth Karyalay, 2006, 220 x 145 mm 144 pp, ISBN 978-81-88769-13-1, Deluxe Hardcover Edition Rs. 395.

DEVLOK GAMAN

Acharya Shri Kalyan Sagar ji maharaj, belonging to Jain Digambar sect left for his heavenly abode on the 26th December, 2007 at Jain atishay kshetra nasiaji, Kota in Rajasthan after a short period of illness. He had accepted sallekhana prior to his death and he had also relinquished his 'acharya' title due to his illness, retaining only the 'muni' title.

READER'S VIEWS

MISLEADING REPORT IN THE HINDU ABOUT INCLUDING JAINS IN THE SC CATEGORY



Bal Patil , Mumbai - I have attached three documents concerning the misleading report in the Hindu dated 5th November, 2007 including Jains in the SC category. I have protested to the Editor-in Chief, Mr. Ram of the Hindu. You may kindly publish all the three documents in the Ahimsa Times for the information of the Jains worldwide.

I appeal to my Jain sisters and brothers worldwide irrespective of sectarian consideration to protest against the constitutionally unwarranted and false inclusion of the Jains in the SC category as per the Hindu report and demand retraction and publication of my rejoinder along with an apology by the Editor.

November 5, 2007 -To, The Editor, The Hindu - Your Special correspondent from Kochi in his report published in The Hindu dated 05/11/2007 mentions quoting Vijay Sonkar Sastri, president of the All-India Scheduled Caste Reservation Protection Forum." that : "The Central government's reported move to give Scheduled Caste status to Dalit Christians and Dalit Muslims will deprive current SCs (among Hindus, Sikhs, Jains, and Budhists) of their job and education quotas..." I take a strong exception to such clubbing of Jains among the Dalits. To club together among the "current SCs" Hindus, Sikhs, Jains and Buddhists" Jains is not only misleading but false factually because while there may be SC converts among Hindus, Sikhs, Buddhists there cannot a single case of a Jain and that too a Dalit converting to Hindu, Sikh or Buddhist faith for the simple reason that there are no Dalit Jains : the question of any Jain trying to convert himself/herself to a respectable faith to escape the stigma of being a Dalit does not arise. It is also to be noted that while Dalits are non-vegetarians and vegetarian is not strictly followed among the Hindus, Sikhs, and Buddhists for the Jains ahimsa –vegetarianism is the sine qua non of their religious faith. There is no casteism among Jains. As a matter of fact Mahavira the last Tirthankara of Jains declared that One does not become a Sramana (a Jain monk) by tonsure (shaving of the head), nor a Brahman by (merely mechanically repeating) the sacred syllable aum, nor an Ascetic, by (merely) living in the woods, nor a Tapasa, by (wearing) garments of kusa-grass and bark. (From The Teachings of Lord Mahavir Translated into English By Prof. N. V. Vaidya) Therefore, I protest and take a strong exception to such clubbing of Jains among the Dalits I request that a correction and clarification be issued immediately.

Yours faithfully,

Bal Patil ,Secretary-General, All-India Jain Minority Forum, Cell: 098692 55533, Telefax: 91-22-2389 3030

Reply Received by Bal Patil from "The Hindu", Our Special Correspondent, Kochi clarifies: "I spoke to Dr. Vijay Sonkar Sastri and he says that he sticks to what he said at the meet. "He has pointed out that the SCs among Jains are constitutionally entitled to SC reservation. May be the organisation that took objection to the reference is not fully aware of the fact, he says. "I also spoke to Mr. K. V. Madanan, working president of the All India SC Reservation Protection Forum. He has quoted explanation 2 of Article 25 which says that "In subclause B of Clause 2, the reference to Hindu shall be constructed as including a reference to persons professing the Sikh, Jain or Buddhist religions."

From the office of ,The Readers' Editor, The Hindu, Kasturi Buildings, 859 -- 860 Anna Salai, Chennai 600 002 ,India Ph: +91-44-28418297 (11 a.m. to 5 p.m., Monday to Friday) ,E-Mail: readerseditor@thehindu.co.in **From Bal Patil To " The Hindu" -December 21, 2007** , Dear Mr. Ram, I am concerned to draw your attention to the following correspondence with your Readers' Editor which is self-explanatory. I have attached my letter to the Readers' Editor taking a serious exception to the report in The Hindu dated 05-11-2007 and the Readers' Editor's email response thereto. I have the highest respect for the secular traditions of the Hindu publications and their unremitting pursuit of human rights and media freedom. This is evident from the institution of the Readers' Editor as an Ombudsman for the readers' grievances front-paged on the Hindu. At the outset I would like to make it clear that my protest against the inclusion of Jains in the SC category is not at all meant that there is anything derogatory about the SCs and the Dalits. I have always been a staunch supporter of the cause of the Dalits and the SCs and their upliftment from thousands of years of oppression.

I am protesting specifically against the unwarranted and misleading inclusion of the Jains in the SC category. My protest against the impugned report was sent to your Kochi correspondent by the Readers' Editor and his clarification which in substance is a reiteration as given by Dr. S onkar Shastri and Mr. K. V. Madanan is sent to me. This is naturally intriguing to me. I cannot make out the role, if any, played by the Readers' Editor in pursuance of the charter of the freedom of the press as laid down in the "Terms of Reference" except forwarding my letter to the concerned correspondent and blandly sending me the reiteration of the impugned report. I regret to note that Dr. Vijay Sonkar Shastri persists in his misconceived, false and patently misleading inclusion of the Jains in the SC category, and also, Mr. K. V. Madanan, working president of the All India SC Reservation Protection Forum quotes the untenable interpretation of the Explanation 2 of Article 25 which says that "In sub-clause B of Clause 2, the reference to Hindu shall be constructed as including a reference to persons professing the Sikh, Jain or Buddhist religions", thus reintegrating the objectionable and misleading statement that "the SCs among Jains are constitutionally entitled to SC reservation" to which I have taken a strong exception. Both of them are not at all conversant with the constitutional, judicial interpretation of Jainism as included in Article 25 Expl. II and even more uninformed of the historiographical genesis of Jainism as distinct from Hinduism, Buddhism and Sikhism. The expression 'Scheduled Castes' was used for those people who were kept outside the four-fold Varna (caste) system, and were called Avarnas (casteless). They were called by different names such as: Chandalas, Panchamas or Untouchables. The term "Scheduled Caste" was used by the British Government to designate all castes and classes previously covered under the term "Depressed Classes". Officially this word was embodied in Section 305 of the Government of India Act, 1935, . Later the expression was included in the Government of India (Scheduled Castes) Order, 1936.

THE INDIAN CONSTITUTION - Please see the attached document Constitution Order 19 - CONSTITUTION (SCHEDULED CASTES) ORDER, 1950 THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950]1 (C.O.19)

"Scheduled Caste" means such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under article 341 to be Scheduled Castes for the purposes of this Constitution. The Indian Constitution, on the basis of its Article 341 (1) only empowers the President of India to specify the castes, races or tribes or parts or groups within castes that can be deemed to be Scheduled Castes. It is then the role of Parliament to make law concerning the groups thus designated.

ARTICLE 341, SCHEDULED CASTES -The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State or Union territory, as the case may be. In 1950, while exercising the powers conferred on him in Article 341 (1), the President of India promulgated an order known as The Constitution (Scheduled Castes) Order, 1950. This Order of 1950 continued to use the same list used in the Government of India (Scheduled Castes) Order of 1936. The third paragraph of the 1950 Order reads:- Notwithstanding anything contained in paragraph 2, no person who professes a religion different from Hindu shall be deemed to be a member of a Scheduled Caste. This third Paragraph was amended in 1956 and in 1990 in favor of Sikh and Buddhist Dalits. AMENDMENT OF 1956 IN FAVOR OF DALIT SIKHS Following agitation by Master Tara Singh, the Constitution (Scheduled Castes and the Scheduled Tribes) Orders (Amendment) Act, providing for inclusion of Dalit Sikhs in the list of the Scheduled Castes, was passed in 1956. It said:- "Notwithstanding anything contained in para 2, no person who professes a religion different from the Hindu or Sikh religion shall be deemed to be a member of a Scheduled Caste." AMENDMENT OF 1990 IN FAVOR OF DALIT BUDDHISTS In May 1990, to commemorate the centenary of the birth of Dr. Ambedkar, Prime Minister V. P. Singh brought Dalits who converted to Buddhism into the list of Scheduled Castes . He made representations to Parliament that this change of religion , from Hindu to Buddhist , had not altered their social , economic or educational conditions. The same should be acknowledged in the case of Dalits who become Christians. "Notwithstanding anything contained in para 2, no person who professes a religion different from the Hindu, the Sikh or the Buddhist religion shall be deemed to be a member of a Scheduled Caste." In the aforementioned context I am intrigued why neither Dr. Sonkar Shastri nor Mr. K. V. Madanan, working President of the All India SC Reservation Protection Forum. who are so solicitous about the SC Reservation Protection quoting Explanation 2 of Article 25 in an entirely misconceived constitutional context quote that "In subclause B of Clause 2, the reference to Hindu shall be constructed as including a reference to persons professing the Sikh, Jain or Buddhist religions". . Thus so far, Buddhists and Sikhs have been so declared and there is a demand for the inclusion of Dalit Christians and Dalit Muslims to be included in the Scheduled Castes category. This constitutional position clearly refutes any unwarranted and even derogatory statement imputing that Jains are also included in the SC category. 2. As regards the the constitutional position of Jains under Article 25 Expl, II it is constitutionally and judicially untenable to assert as Mr. K. V. Madanan does that Jains Sikhs and Buddhists are included in Hindu religion.

To repeat, the amendment to the Constitution in 1990 clearly states: "Notwithstanding anything contained in para 2, no person who professes a religion different from the Hindu, the Sikh or the Buddhist religion shall be deemed to be a member of a Scheduled Caste." In this context, It would be useful to review as to what the reaction of the Jain community was to their inclusion in Expl. II of Article 25 at the dawn of the Constitution. On 25th January, 1950, a Jain delegation was led to the Prime Minister Jawaharlal Nehru and other central leaders to draw their attention to the anomalous position of the Jains under sub-clause (b) of Clause 2 of Article 25 and a petition was submitted.

Jawaharlal Nehru clearly assured the delegation that the Jains are not Hindus and on 31-1- 1950, his Principal Private Secretary, A. V. Pai wrote the following letter in reply to the petition: "This Article merely makes a definition. This definition by enforcing a specific constitutional arrangement circumscribes that rule. Likewise you will note that this mentions not only Jains but also Buddhists and Sikhs. It is clear that Buddhists are not Hindus and therefore there need be no apprehension that the Jains are designated as Hindus. There is no doubt that the Jains are a different religious community and this accepted position is in no way affected by the constitution." (emphasis supplied) ("Nehru Jawaharlal, Letter No.33/94/50-PMS, Prime Minister's Secretariat, New Delhi, 31st January, 1950.) Even when the Sikhs are recognised as minorities they did not feel secure enough and hence made a representation to the Constitution Review Commission in 2002 stating that the Expl. II affected their independent status and hence should be amended. Thus "The perseverance of the Sikh community that any dilution of Sikhism vis-a-vis Hinduism or any other religion should be removed has found favour with the National Commission to Review the Working of the Constitution headed by the former Chief Justice of India, M. N. Venkatachaliah. The recommendation of the Commission in this regard said : "The Commission without going into the larger issue on which the contention is based, is of the opinion that the purpose of the representations would be served if Explanation II to Article 25 is omitted. (The Tribune News Service, April 2, 2002.) As noted by Prof. Mehmood, a former Chairman of the National Minority Commission and a former Dean of the Faculty of Law, Delhi University: "A confusion, indeed not warranted by the words of Explanation II to Article 25, seems to have gone round that the Constitution declares Buddhists, Jains and Sikhs to be "Hindus". Most certainly it does nothing of the sort... The provision of Explanation II in Article 25 has no religious connotation. Instead of saying the same thing four times of four different religious communities - Hindus, Buddhists, Jains and Sikhs - Article 25 (2)(b) says it once, for the Hindus, and then adds that the same provision be read in the Constitution for three other communities as well - the Buddhists, the Jains and the Sikhs. Makers of the Constitution did not intend to merge the Buddhists, Jains and Sikhs into the Hindu religion; nor were they indeed competent to do so. Hinduism, Buddhism, Jainism and Sikhism remain, under the Constitution and the law of India, four different faiths; and their followers four different religious communities." (Religious Identity, Beliefs and Practices under the Indian Legal System,) article in Religion and Law Review June 1999) Prof. P.C. Jain (L. L. M.; Ph.D.; Associate Professor, Department of Law, Former Administrative Secretary to Vice-Chancellor, University of Rajasthan, Jaipur – 302 004) in his article Right of Jains to be Declared as a Minority based on Religion – Some Observations (cited as : (2004) PL Web Jour 10) www.ebcindia.com/lawyer/articles/705.htm offers a learned discussion of the Constitutional and legal aspects of Jain minority religion. Dr. Jain cites the Aurangabad Bench of Bombay High Court (Shri Amolak Jain Vidya Prasarak Mandal, Kदा v. State of Maharashtra, WP No. 587 of 2000 decided on 10-10-2002) has also held so for the Maharashtra State. The community which is recognized as a minority based on religion has the right to establish and administer educational institutions of their choice. Article 30(1) of the Constitution declares thus: "30. (1) All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice." If Jains are part of Hindu religion they cannot also be called a minority based on religion. But, on the other hand, if, for the purpose of Constitution, they are not part of Hinduism, and form a separate independent religion can they, for the purpose of Article 30(1), be called a minority based on religion.

As emphasized by Dr. Jain: "The competence of Constitution-makers was not limited by any religious doctrine. If they wanted they could have said that Sikhism, Buddhism and Jainism are not so much separate religions but only separate sects arising out of and based on Hinduism historically and culturally, and therefore, parts of Hinduism. But instead of saying so they have everywhere mentioned these three religions as separate religions. It was open to them to regard them as separate religions. If once they have regarded so, it should not be open for any one to argue that they are sects or sections of Hindu religion. Thus, without any doubt, it could be said that the Constitution and the Hindu Code have recognized Jains to belong to a separate religion." The word "religion" has not been defined in the Constitution. But Mukherjea, J. speaking for the Court in the case of Commr. HRE v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt, observed: AIR 1954 SC 282). (AIR para 17): "Religion is certainly a matter of faith with individuals or communities and it is not necessarily theistic. There are well-known religions in India like Buddhism and Jainism which do not believe in God or in any intelligent first cause. A religion undoubtedly has its basis in a system of beliefs or doctrines which are regarded by those who profess that religion as conducive to their spiritual well-being, but it would not be correct to say that religion is nothing else but a doctrine or

belief. A religion may not only lay down a code of ethical rules for its followers to accept, it might prescribe rituals and observances, ceremonies and modes of worship which are regarded as integral parts of religion, and these forms and observances might extend even to matters of food and dress.” The above observation was also referred by Gajendragadkar, J. in *Tilkayat Shri Govindlalji Maharaj VS. The State Of Rajasthan And Others* [1964(1) SCR 561,] and by Jaganmohan Reddy, J. in *State of Rajasthan v. Sajjanlal Panjawat*, [1974] 2 SCR 741; (AIR 1975 SC 706) In *Gateppa v. Eramma*, Kumaraswami Shastri, A.C.J. of Madras High Court has also said thus: (*Gateppa v. Eramma*, AIR 1927 Mad 228) : “I would be inclined to hold that modern research has shown that Jains are not Hindu dissenters but that Jainism has an origin and history long anterior to the Smritis and commentaries which are recognized authorities on Hindu law and usage. In fact, Mahaveera, the last of the Jain Thirthankars, was a contemporary of Buddha and died about 527 B.C. The Jain religion refers to a number of previous Thirthankars and there can be little doubt that Jainism as a distinct religion was flourishing several centuries before Christ. In fact, Jainism rejects the authority of the Vedas which form the bedrock of Hinduism and denies the efficacy of the various ceremonies which Hindus consider essential.” In *Hirachand Gangji v. Rowji Sojpal Rangnekar*, J. of the Bombay High Court also observed that the Jains have rejected the scriptural character of the Vedas, and repudiated the Brahminical doctrines relating to obsequial ceremonies, the performance of shradhas and the offering of oblations for the salvation of the soul of the deceased, that Jains did not believe that a son, either by birth or adoption, confers spiritual benefit on the father, and that they differed from the Brahminical Hindus in their conduct towards the dead, omitting all obsequies after the corpse was burnt or buried and held: “Now, it is true, as later historical researchers have shown, that Jainism prevailed in this country long before Brahminism came into existence or held the field, and it is wrong to think that the Jains were originally Hindus and were subsequently converted into Jainism.” (AIR 1939 Bom 377);

In *CWT v. Champa Kumari Singhi Banerjee*, J. of the Calcutta High Court has also said that: “The Jains rejected the authority of the Vedas, which forms the bedrock of Hinduism and denied the efficacy of various ceremonies which the Hindus consider essential. It will require too much of boldness to hold that the Jains, dissenters from Hinduism, are Hindus...” The report of the Mandal Commission also places Jain as a religion separate from Hindu religion. In the report while stating percentage distribution of Indian population by caste and religious groups, Jains have been grouped with Muslims, Christians, Sikhs and Buddhists and under Category II, the heading of which is given as “Non-Hindu Communities, Religious groups etc.” In the report, Jains have not grouped with Hindus which have been placed in Category III under the head “Forward Hindu Castes and Communities” AIR 1968 Cal 74;. This report has also been accepted by the Hon’ble High Court and Supreme Court in *Arya Samaj Education Trust v. Director of Education*, AIR 1976 Del 207) and *Indra Sawhney* (Writ Petition (Civil) No.930 of 1990 – *Indira Sawhney Vs Union of India And others* (16.11.1992).

In *Babari Masjid* case the Supreme Court has observed Jainism to be a separate religion from Hinduism. The Court stated in:(CWP No. 317 of 1993) before the Supreme Court) “Before we pass final orders, some observations of a general nature appear to be in order. Hinduism is a tolerant faith. It is that tolerance that has enabled Islam, Christianity, Zoroastrianism, Judaism, Buddhism, Jainism and Sikhism to find shelter and support upon this land.” In the *T.M.A. Pai Foundation v. State Govt. of Karnataka*((2002) 8 SCC 481) relating to educational rights of minorities, the Supreme Court was to decide the question as to who constitutes a minority. The Court heard the writ petition in February 1997. The seven-Judge Bench of the Hon’ble Supreme Court has deferred the matter to be decided by a Constitutional Bench of 11 Judges and passed the following order: (SCC pp. 596-97, para 180) Consequently, the matter was referred to the Constitution Bench of the Supreme Court comprising of 11 Judges. The Supreme Court in *T.M.A. Pai Foundation v. State of Karnataka* referred various decisions of the Supreme Court and held: that the State will be the unit in relation to which the status of religious minority is to be determined. Therefore, in declaring a community as minority based on religion under Article 30(1) the decision will have to be taken by the respective States. The Court held: “If, therefore, the State has to be regarded as the unit for determining ‘linguistic minority’ vis-à-vis Article 30, then with ‘religious minority’ being on the same footing, it is the State in relation to which the majority or minority status will have to be determined.” The 8 August, 2005 Judgment of the 3 Judges Bench of the Supreme Court consisting of Chief Justice R. C. Lahoti, Justice D. M. Dharmadhikari and Justice P. K. Balasubramanyan, in the *Bal Patil Case* (CA 4730 of 1999), written by Justice Dharmadhikari has not only declined to act on the recommendation of the National Commission for Minorities for the declaration of Jain community as a religious minority community on par with Muslim, Christian, Sikh, Buddhist and Zoroastrian (Parsi) but also its obiter dicta place Hindu religion above all other religions. The Supreme Court bases its rejection of the Jaina claim for minority status on the 11 Judges Bench decision in the *T.M.A. Pai Case* [2002(8) SSC 481] which was related to the scope of Article 30 of the Constitution on the right of a linguistic, religious or cultural minority to establish and administer educational institutions of its choice. As already noted this equation between the two categories of minorities does not logically follow, as the States have not been reorganized on religious basis and all religious communities are scattered throughout the country. States were reorganized in 1956 on linguistic basis and not religious basis.

As noted by Syed Shahabuddin (IFS (Retd.), Ex-MP, Supreme Court Advocate, President, AIMMM) in his article commenting on this judgement published in the Milli Gazette Nov.3, 2005 and The Tribune, Nov.25, 2005 : "His historiography is full of flaws. All constitutional safeguards and assurances under the Constitution and in international law shall be reduced to zero if the distinct identity of any religious group, howsoever small, is denied and any group is forced to relate to Hinduism as a sect or sub-sect. The Sikhs and the Jains and the Buddhists will not accept Hindu hegemony on the ground that they are all branches of the same tree, which has sprang from the same soil. Dharmadhikari J.'s views clearly reflect the Hindutva philosophy. It is time that the Supreme Court free itself of any lurking intellectual subservience to the Hindutva philosophy." In this case the Supreme Court of India declined to issue a writ of Mandamus towards granting Jains the status of a religious minority throughout India. The Court however left it to the respective States to decide on the minority status of Jain religion. In the judgment, the Supreme Court opined: "Thus, 'Hinduism' can be called a general religion and common faith of India whereas 'Jainism' is a special religion formed on the basis of quintessence of Hindu religion." However, the late eminent jurist and constitutional expert, Dr. L. M. Singhvi, in a letter dated June 3, 2006 to Shri A. R. Antulay, Minister for Minority Affairs, (re: Bal Patil judgment) there is a detailed discussion of the issue of the recognition of Jain religion as a religious minority in consonance with the secular faith of the Indian Constitution. Particularly he has stressed how the Jain Sramana and the Vedic traditions "differed substantially and sharply, even though both the traditions flourished among the same people living together in Bharat" and that the "Jains did not accept the authority and the orthodoxy of the absolute adherents of Vedas" just as the Jains also did not "accept the concept of Creator God and Created Universe." Dr. Singhvi also has referred to the Supreme Court decision in the case (Bal Patil vs. Union of India) which he considers to be "an example of utter superficiality." What he has further noted is that the "judgment was also per curiam," and that "the Court simply said that a mandamus cannot be issued to command a recommendation be implemented. What it said was that it was for the Central and State Government to decide on the question. Earlier, larger Benches had recognized Jains as a distinct and separate. The judgment in Bal Patil case is a judgment of three Judges which goes against the judgment of 11 Judges and many previous judgments of larger Benches on the basis of which Jains must be recognized as a religious minority, distinct and separate from from the Hindus. Indeed, inclusive references to Jain and Sikhs in Article 25 of the Constitution clearly indicates that Jains, sikhs and buddhists despite being separate and distinct were accepted as minority religion ." In conclusion he notes his "locus" as the Founder President of the World Jain Confederation commanding the support of all sects and denominations of Jains in India and throughout the world, and requests Shri Antulay to notify "Jains as a religious minority and to provide the much needed assurance to reinforce our Rainbow Pluralism and Unity in Diversity implicit in Indian Secularism" In the latest Supreme Court Appeal (Civil) 9595 of 2003: The judgment dated August 21, 2006, in the case of Committee of Management, Kanya Junior High School Bal Vidya Mandir, Etah, UP vs Sachiv, UP, Basic Shiksha Parishad, Allahabad, UP & Others, delivered by judges, SB Sinha and Dalveer Bhandari, emphatically states: "(The) Jain religion indisputably is not a part of Hindu religion. The question as to whether the Jains are part of the Hindu religion is not open to debate. Jains have a right to establish and administer their own institution. But only because an institution is managed by a person belonging to a particular religion the same would not ipso facto make the institution run and administered by a minority community. A minority is determinable by reference to the demography of a state. The Judgment further said: "The Founding Fathers of the Constitution had unequivocally recognized the Jains as a minority community as is evident from the proceedings of the Constituent Assembly. While keeping in view that the Jains are a minority community, a representative of the Jain community was taken in the Minority Advisory Committee of the Constituent Assembly." and further noted that "Jain religion indisputably is not a part of Hindu religion." The Gujarat Freedom of Religion Act, 2003, was enacted to amend the Gujarat Freedom of Religion Act 2003.

Following countrywide protests, and representations against the proposed amendment to the Bill the Gujarat Governor, Mr. Nawal Kishor Sharma recently returned the controversial Gujarat Freedom of Religion (amendment) Bill, 2006, saying the legislation violated the right to religious freedom. The bill, meant to check religious conversions, sought to replace the definition of convert by a new one under which a person renouncing one denomination and adopting another denomination of the same religion was to be excluded from the meaning of 'convert'.

Returning 'The Gujarat Freedom of Religion (amendment) Bill, 2006', the governor said "what made it more objectionable were three explanations stipulating that the Jains and Buddhists shall be construed as denominations of Hindu religion," The provisions of amendment bill violated Article 25 of the Constitution which guarantees to all citizens to freely profess, practice and propagate a religion, Sharma said. The bill should be reconsidered for suitable amendments so as to bring its contents in conformity with the Constitution, he said. In the aforesaid context, I demand retraction of the unwarranted and misleading statement on Jains being included in SCs and an unqualified apology by Dr. Vijay Sonkar Shastri and Mr. K. V. Madanan and also from the Editor, The Hindu for the publication of the impugned report in the The Hindu dated 05-11-

2007 , and request you to publish my rejoinder in The Hindu conclusively showing that the Jains are not SCs failing which I shall be constrained to take such appropriate steps as are necessary. (Bal Patil).

“JAINISM IS THE OLDEST & INDEPENDENT RELIGION OF THE WORLD”

From, Sanjay Kumar Jain, President, VISHWA JAIN SANGATHAN -To, Smt. Sheila Dixit ji, The Hon’ble Chief Minister, Govt of NCT of Delhi, New Delhi.

Sub:- Clarification for the words “HINDU” & “HINDUISM”



Respected Madam,

This has reference to your speech on the occasion of ‘Minorities Rights Day’, published in various news papers on 19th December, 2007. You told in your speech that you could not understand that “Who is Hindu?” and “Jain, Sikh & Bodh religions are the branch of Hindu”, “Parsis who are in minorities in India, have done a lot of work for India in the field of development of India & important role in making strong financial position of India” and “Bodhs spread their religion out of our country”.

We shocked that you did not speak even a single word for Jains who are playing a important role in the development of India while on the occasion of the Dalit- Minority International Conference held on December 27, 2006 at New Delhi, Dr Man Mohan Singh, Prime Minister’s said:

“Some minorities in India have done better than others. For example, in India, minority communities like the Jains and the Sikhs have fared relatively well from the process of social and economic development.”

Some political elements are using ‘Hindu’ & ‘Hinduism’ words in different ways. When they discuss for ‘Hindu’ & ‘Hinduism’ Religion then it means Vedic Religion and when they discuss politically then they call ‘broad Hindu Samaj’ including Jains, Buddhists and Sikhs from outer circle of Hindu religion. We had submitted our representation to you and Delhi Minorities Commission on 05.09.2007 for declaring us as religious minority at par other religious minorities but no action has been taken till date while the government of seven states of India already declared us as religious minorities.

We want to clarify the meaning of the words “Hindu & Hinduism” and want to prove that Jain Religion is the oldest and independent religion of the world with following proofs :-

1. Meaning of Hindu word has been taken from The Discovery of India-2004 edition, written by Pandit Jawahar Lal Nehru:-

The word “Hindu” does not occur at all in our ancient literature. ‘Hindu’ means a people and not the followers of a particular religion. It was used by the people of western and central asia for India, or rather for the people living on the other side of the Indus river. The word is clearly derived from Sindhu, the oldm, as well as the present, Indian name for the Indus. From this Sindhu came the words Hindu and Hinduism, as well as Indus and India.

The famous Chinese pilgrim I.tsing, who came to India in the seventh century AC, writes in his record of travels that the ‘northern tribes’, that is the people of Central Asia, called India ‘Hindu’ (Hsin-tu) (Page 70)

1a. Pt Jawahar Lal Nehru, in his celebrated book “The Discovery of India”, mentioned:-

“Buddhism and Jainism were certainly not Hinduism or even the Vedic Dharma. Yet they arose in India and were integral parts of Indian life, culture and philosophy. A Budhist or Jain, in India, is a hundred per cent product of Indian of Indian thought and culture, yet neither is a Hindu by faith, It is, therefore, entirely misleading to refer to Indian culture as Hindu culture.

(This para had also been taken in a Supreme Court judgment for case no.2006 VII AD at S.No. 24)

2. Dr Radhakrishnan, who edited the 6th volume of the Cultural Heritage of India, mentioned:-

“ The Jains claim a great antiquity for their religion. Their earliest prophet was Rishabdeva. Who is mentioned even in the Vishnu and Bhagwat Purana as belonging to a very remote past. In the earliest Brahmanic literature are found traces of the existence of a religious order, which ranged itself strongly against the authority of the Vedas and the institution of animal sacrifice.”

{This para had also been taken in a Supreme Court judgment for case no.2006 VII AD at S.No. 32}

3. Hinduism and Hindutva: What Supreme Court says? By Jagmohan (Hindustan Times, January 8, 1996)

"The word 'Hinduism' by itself does not invariably mean Hindu religion and it is the context and manner of its use which is material". Secondly, "a mere statement that the first Hindu State will be established in Maharashtra is by itself not an appeal for votes on the ground of his (Manohar Joshi's) religion, but the expression, at best, of such a hope."

4. A great revolutionary, author, orator, poet and patriot Veer Vinayak Rao Damodar Rao Savarkar. In 1905 while in the prison at Andaman- Nicobar island he thus wrote:-

"There is a vast land between river Sindhu and Hind Mahasagar called Bharat and those who accept that this is their fatherland or / and a holy land, land of pilgrimage are all Hindu." (From www.hinduwisdom.info)

4a. "The word "Hinduism" is derived from the name of a river in present-day Pakistan, the Sindhu (also known as the Indus). Beginning around 1000 AD, invading armies from the Middle East called the place beyond the Sindhu "Hindustan" and the people who lived there the "Hindus" - due to the invaders' language, the "s" was changed to "h". In the centuries that followed, the term "Hindu" became acceptable even to the Indians themselves as a general designation for their different religious traditions. But since the word Hindu is not found in the scriptures upon which these traditions are based. (What is Hinduism? from www.veda.harekrsna.cz)

5. THE HINDUTVA JUDGEMENTS: THE DISTANCE THAT REMAINS (A weekly column by Shri Arun Shourie, April 24th, 1996)

The Court held that the words Hindu, Hindutva etc. Refer to a culture, to a territorial region -- the one around and beyond the Sindhu, the Indus that is. It declared that the words are not to be taken to refer to religion in the conventional sense. The words are cultural, geographical, and historical.

As the word Hindu is not to be understood in terms of narrow-minded religion, as Hindutva, Hinduism are just cultural, territorial, historical concepts referring to a broad- minded, tolerant, catholic, inclusive tradition, as Hinduism is merely that compendium of virtues"

6. Hinduism-What does it refer to?, It is quite important to note the fact that it is a discipline and not a religion by the terms as defined for most other religions. As already said, it is actually, a framework where different religions and philosophies build on the core knowledge and grow.

(Hinduism : by www.shaivam.org)

7. Shri Irfhan, ex president of I.C.H.R. & famous historian said in a International seminar organized at Habib India International (Published in Hindustan newspaper on 22.12.2006) that:-

"The history is itself evident that the people living in India of every caste, religion, creed were called "Hindustani" by the people who came from Arab."

"Hind which was called Hindostan or Hindustan in future, there was no importance given to language and religion."

"The people of all caste, religion and language living here were called Hindustanis"

8. In 1866, a news published by Naval Kishore Press, Lucknow that:-

"Four Hindu Musalman went in a mosque and prayed"

9. Major Gen J. G. R. Forlong,(F.R.S.E., F.R.A.S., M.A.D.) has come to conclusions: "there also existed throughout upper India an ancient and highly organized religion, philosophical, ethical and severely ascetical, viz. Jainism, out of which clearly developed the early ascetical features of Brahmanism and Buddhism. Long before the Aryans reached the Ganges or even the Saraswati, Jainas had been taught by some twenty-two prominent Bodhas, saints or Tirthankaras, prior the 23rd Bodha Parsva of the 8th or 9th Century B. C..."

also writes:-

All upper, western, north, central India was then-say 1500 to 800 B.C. and, indeed, from unknown times-ruled by Turanians, conveniently called Dravids, and given to tree, serpent and phallic worship...but there also then existed throughout Upper India an ancient and highly organized religion , philosophical, ethical and severely ascetical, viz., Jainism, out of which clearly developed the early ascetical features of Brahmanism and Buddhism (see short studies in the science of comparative Religion, pp 243-244)

10. According to Dr Raj Bali Pandey's book "Hindu Dharam Kosh": Jainism is described as a distinct religious order existing in Indian polity since times of great antiquity and was opposed to ritualistic cult of Vedic philosophy. According to him, Jainism is existing in India since at least 700 B.C.

{this para had also been taken in a Supreme Court judgment, case no.2006 VII AD at S.No. 33}

11. In a judgment AIR 1976 Delhi 207, the Delhi High Court referred to the observations of various International scholars in this behalf. The court quoted:-

- i). Heinrich Zimmer in "Philosophies of India" wherein he stated that "Jainism denies the authority of the Vedas and the orthodox traditions of Hinduism. therefore, it is reckoned as a heterodox Indian Religion." (Para at point no. 55)
- ii). J. N. Farquhar stated in "Modern Religious Movements in India" that:- "Jainism has been a rival of Hinduism from the beginning" (Para at point no. 55)
- iii) "The constitution recognised, what was already an established historical truth, that for religious, political and other reasons, Sikhism, Jainism and Buddhism were religions separate from Hinduism" (Para at point no.14)
- iv) "There are two different contexts in which the words "Hindu Religions" are used. One is the context of doctrine. For this purpose, the Hindu religion is different from the Jain, Buddhist or the Sikh religion. The other context is that of the application of the Hindu personal law." (Para at point no. 15)
12. The recognition of Sikhism, Buddhism and Jainism as separate religions having been made by article 25 of the constitution itself which is the supreme law
13. Nikhil N. Joshi, Esq., Member, stated to, Hindu American Foundation, Board of Directors. "The President Bush recognizes that India is the birthplace of great religions such as Hinduism, Buddhism, Jainism and Sikhism, that share the same spiritual inspirations and offer the world the path to a peaceful life along side neighbors of all faiths." (President Bush's India Visit TAMPA, FL., March 10, 2006)
14. As per famous Internationally historian Vachaspati Gairola that : -
"Jain religion is a pre-historic religion" (Bhartiya Darshan, p.93)
15. Dr Heinrich Zimmer wrote in 'The philosophies of India' at page no.217, that:-
"Jain religion is oldest religion of Aryans. Jainism is from Dravid's period which is proved from the recoveries from Sindhu."
16. President Dr. Rajendra Prasad told:-
"Jainism has contributed to the world the sublime Doctrine of Ahimsa. No other religion has emphasized the importance of Ahimsa and carried its practice to the extent that Jainism has done; Jainism deserves to be universal religion because of its Ahimsa Doctrine."
17. Four major world religions, Hinduism, Buddhism, Jainism and Sikhism originated here, while Islam, Christianity, Judaism and Zoroastrianism arrived in the first millennium CE and shaped the region's variegated culture. (India: Wikipedia, the encyclopedia)
18. Various clarifications of "HINDU" word by the main leaders of R.S.S.:-
(published in 03.12.2006 edition in Panchjanya S.No. 15 (A newspaper, published by RSS itself)
- a) Shri Prem Chand Goel, All India Service Head, R.S.S. said in Ratlam that :-
"It is a myth of people that Hindu is a faith. There is a need to correct it. Infact, Hindu is a life style, According to it one, who love to his motherland, he is Hindu"
- b) Shri Narendra Kohli, a famous novelist said on 11-12.11.2006 that :-
"Religion and culture are not different from the nation. The saints and scholars of our country describe this nationality as a Hinduism"
- c) Shri Yogi Aditya Nath, Member of Parliament said that:-
"Every person living in India is Hindu"
- d) BJP leader Dr Murli Manohar Joshi said that:-
"Hinduism is a symbol of national unity and recognition of nationality"
- 18i. Shri K.S. Sudershan, Head of R.S.S. said on 19.11.2006 in Ambala (Haryana) that:-
"So, the main question against Hindu's is, what is the meaning of beaing a 'Hindu'?, Who is Hindu?, How is look?, In fact: "Hinduism" is the soul of every person living in India. Hinduism is the main mantra of that binds the Indians. Hinduism is not mere a moral but it is a subject of feeling." (Panchjanya dated 17.12.2006)
- 18ii. Shri K.S.Sudershan, Head of R.S.S. said in his speech on 21.12.2006 in Chandigarh:-
"Trying to give another meaning to the word of "HINDU", Sudershan said this word Hindu is much related to the civilization of this country rather than religion" and
"The word "Hindu" does not show any particular religion but it emphasise the citizenship."
19. Lokamanya Bala Gangadhar Tilak said:-
"We learn from scriptures (Sashtras) and commentaries that Jainism is existing from beginning less time. This fact is indisputable and free from difference of opinion. There is much historical evidence on this point.
20. Who is Hindu:- The word "Hindu" was originally coined by the ancient Persians to describe the people living east of the "Sindhu" or "Indus River". The term spread westward, and eventually it became popularized throughout the world. It was only with the invasion of India, first by the Muslims and then by the British that the term "Hindu" came into use in India. (This para has been taken from www.swaminarayan.org)

21. Who is a Hindu? is a 1923 ideological pamphlet by Vinayak Damodar Savarkar wrote while imprisoned in Ratnagiri jail and was published in "Maharatta".

"Hindus", according to Savarkar, are patriotic inhabitants of Bharatavarsha, those who consider India to be their 'fatherland' as well as their "holy land". Savarkar thus extends the concept of "Hindu" beyond religious adherence to a term of ethnic nationalism and irredentism, identifying Hindus with the inheritors of a postulated Aryan race "indigenous" to Greater India. Savarkar includes all Dharmic religions in the term "Hindusim".

22. From the beginning of independent India, political parties, such as the Jan Sangh and their sponsoring organization the Rashtriya Swayamsevak Sangh (RSS), often appealed to anti-Muslim feelings. With the rise of the Vishva Hindu Parishad (VHP) and its call for Hindutva or Hindu India, Hindu fundamentalism increased in the 1990s.

(A Brief Historical Survey at www.ccnmtl.columbia.edu)

23. Subhas Chandra Bose as a mascot of Hindutva:(Source"BJP TODAY", By Kanchan Gupta, A Political analyst and commentator, May 1-15, 1996)

Champion of Nationalism:-"Hinduism was an essential part of his Indian ness", his Bharatiyata. In other words, he subscribed to what is now considered politically incorrect--cultural nationalism or, call It If you must by its other name, Hindutva."

This "fusion of religion and nationalism" and Hinduism with a "pronounced political character" came into play in 1925 when during his incarceration at Mandalay prison, Bose, along with the other Bengali prisoners.

24. "Our national anthem "Jana-Gana-Mana" by Shri Ravindra Nath Tagore clearly enunciates Jains in its second stanza: Hindua, Baudha, Sikh, Jain, Parsik, Musalman, Christians as a distinct Indian religion."

25. "Essentials of Hindutva:By V.D. Savarkar at www.hindusarise.com/thru wikipedia link"

Down to this day the whole world knows us as 'Hindus' and our land as 'Hindusthan'. They thereby may cease to be Sanatanis, but cannot cease to be Hindus. Sikhs are Hindus in the sense of our definition of Hindutva and not in any religious sense whatever. Religiously they are Sikhs as Jains are Jains, Lingayats are Lingayats, Vaishnavas are Vaishnavas ; but all of us racially and nationally and culturally are a polity and a people, one and indivisible, most fitly and from times immemorial called Hindus.

26. In his Allahabad speech on 03.09.1949, our Prime Minister Pt Jwahar Lal Nehru said :-

"No doubt India had a vast majority of Hindus but they could not forget the fact that there are also minorities, Moslems, Christians, Parsis and Jains. If India was understood as a "Hindu Rashtra" it meant that the minorities were not cent per cent citizens of the country" (The Statesman, September 5, 1949).

27. The Prime Minister of India, Dr. Manmohan Singh launched the Jain Manuscripts Catalogue of the collections in British Library, London, in New Delhi, 27th May, 2006 .

on the occasion Dr. Manmohan Singh said:- "This ancient land of India has been home to some of the greatest religious movements and religions known to mankind, among which Jainism occupies an important place of pride. It is an important constituent of our composite culture and civilizational heritage. Jainism is part and parcel of the rich tradition of rational intellectual discourse that has flourished in this ancient land of India.

28. Shri.Pranav Mukherjee, India's Foreign Minister said: at a reception hosted in his honour by Ambassador Ronen Sen in New York on Sunday, September 24, 2006:

"Not many people are aware that while the great religions of the East -- Hinduism, Buddhism, Sikhism, Jainism and many others -- grew from the soil of India, the faiths from West Asia were also embraced with equal respect and reverence."

29. In a recent judgment delivered by Hon'ble judges SB Sinha and Dalveer Bhandari of Supreme Court of India, emphatically states: -

"(The) Jain religion indisputably is not a part of Hindu religion"

30. On 31st January, 1950, the PPS to the then Prime Minister of India, Pt Jawahar Lal Nehru sent a letter vide no. 33/94/50 to the Jain deputation on behalf of the Prime Minister, which reads as under-

"With reference to the deputation of certain representatives of the Jains, who met the Prime Minister on 21st Jan.,1950, I am desired to say that there is no cause whatever for the Jains to have any apprehensions regarding the future of their religion and community."

31. That as per Census of India for different decades from 1961-2001 Jains are in tiny minority not only in every State of India but also in every districts.

32. 'Delhi Minorities Commission' had recommended to 'The Govt. of NCT of Delhi' for inclusion to Jain in Religious minorities in 2002-2003.

Respected madam, we again request you to please fulfill your commitment which had given by you at Rishav Dev Ground, Delhi on 05.03.2007 for declaring to Jains in religious minority in Delhi at your earliest as possible.

Sanjay Kumar Jain, President, (Regd), "Deeksha Kunj", IX/1976, Lane No.4, Kailash Nagar, Delhi-31, Mob: 931227831.



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