



JAIN AHIMSA TIMES

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Wishing all Patrons & Readers,
Happy Mahavir Nirwan Day & Deepawali



IMPORTANCE OF DEEPAWALI FESTIVAL IN JAINISM

BY MR. CHANDRAPRAKASH SHAH UK

All benevolent, infinite knowledgeable and infinite powerful Shree Tirthankaras establish a Dharma tirth to elevate all living beings from this beginning less and unbelievable horrible and materialistic world to unending and permanent bliss and happiness of salvation. I bow down to them and seek their blessings to finish this article.

The day on which Shraman Bhagwan Mahavir attained emancipation is famous as Dipavalee in Jainism and observed in different manner compared to Laukik Dipavalee celebration. We have forgotten our Dipavalee and accepted Laukik Dipavalee nowadays.

There are about eight days Dipavalee celebration in Jainism. It begins from Dhan Terash and ends on Gyan Panchami or Labh Panchami or Shrut Panchami. There are last three days of Ashwin month and first five days of Kartik month.....[*please click here to read further*](#)

TEMPLES



NEW JAIN TEMPLE COMPLEX INAUGURATED IN CALIFORNIA - The Jain Center of Southern California celebrated 11 day Pratishtha Mahotsav to inaugurate the new Jain temple complex. Community members also organised a grand procession during the celebrations. During the procession, some of the streets around the area were closed to traffic during the duration of the spectacular parade. It was a splendid sight for the many residents and passersby as the seemingly endless train of over 2,000 colorfully adorned people and spectacular floats meandered through the thoroughfares of Buena Park accompanied by dancing and

singing and ladies bearing kalashes on their heads. The five principal floats bore themes from major events in Bhagwan Mahavir's life, the Conception, Birth, Renouncement, Enlightenment and Nirvan Kalyanaks. Riding in the procession either on the floats or in decorated cars were a total of 47 idols comprising 37 pratimajis of Tirthankars, 2 Guru pratimajis and 8 adhisthayak Devi-Devi Pratimajis. Amidst the large number of temple officials who joined the parade were Gurudev Chitrabhanu, the pioneering Jain monk who brought the Jain message to America and the Shrimad Rajchandra scholar Sri Rakesh Bhai Jhaveri. The 11 day festivities to celebrate the inauguration of the new temple and Meditation and Reflection Hall started from Sept. 26. On Oct. 5, the 47 idols were finally installed in their respective locations following the performance of the appropriate rituals and prayers when they were infused with the divine life in their new abode. The

Pratishtha Mahotsav came to a conclusion on the following morning, Oct. 6 when the door to the temple was officially opened to the devotees of Bhagwan Mahavir.

TWO PILGRIMS DIED ON THE TOP OF PARASNATH AFTER SUFFERING CARDIAC ARREST

Sammet Shikarji: Two pilgrims died of heart attack after reaching the top of the Parasnath hills in Jharkhand's Giridih district. The pilgrims were identified as Vikas Jain of Uttarakhand and Kamla Jain of Rajasthan's Alwar region. The duo complained of dizziness soon after reaching the Parasnath temple. They were admitted to health care unit where one of them died soon after, while another died in the afternoon. **Ahimsa Foundation requests all Jain Institutions / Dharmshala's / Temples managements engaged in the service to pilgrims at Sammet Shikarji, to come together and create emergency medical facilities in the hill area. We offer our condolences at the sad demise of two pilgrims due to inadequate medical facilities in the hill area.**



NEW JAIN SHWETAMBAR TEMPLE ESTABLISHED NEAR JODHPUR

This new temple, dedicated to Bhagwan Shri Parshwanath ji, was established in February, 2006 with the blessings, encouragement and direction of Acharya Shrimad Dharm Dhurandhar Surishwar ji maharaj, belonging to Shwetambar Murti-pujak sect. It is located at new Ostara village in Bhopalgarh tehsil, about 75 km. from Jodhpur town in Rajasthan. This temple has been built very close to an old and abandoned temple of Bhagwan Parshwanath, which is supposed to be 1200 to 1500 years old. A temple of Batuk Bhairav Dev ji is also located in the same premises in which devotees from all communities come for prayers. Devotees of Jain religion come to the temple for darshan and prayers from far and near. Large groups of people constituting 'sangha' have also been visiting the temple. All essential facilities, like a well-furnished Dharm-shala, Bhojan shala, Upasra for saints and sadhwi, Jain research centre, guest house, library, conference hall and houses for temple staff are available.

900-YEAR-OLD JAIN IDOLS UNEARTHED

Jains in Khambhat taluka of Anand were overjoyed when around 65 idols temple were unearthed at a construction site in the town. Inscriptions on them suggested that they were over 900 years old. Senior community members believed excavation might uncover a Jain temple belonging to Tirthankar Neminath Swami. Officials have taken the idols in custody and are awaiting a team of archaeologists. "The structures include that of temple 'Parikar' and 'Gaadi'. The year inscribed on the plaques range from 1001 to 1130 of the Hindu calendar. This puts the structures at over 900 years old. Also, the idol of Ambica Devi is usually found in temples of Neminatha Swami. Hence, further digging can lead to more such revelations," says Satish Choksi, member of Swetambar Murti Pujak Sangh. "Khambhat is known for such finds. Three years ago, we had found two such idols. A major site was unearthed 30 years ago when government officials were digging a road for gutter line in the Manek Chowk area," he added. Parikar is a decorative motif found near places of worship in Jain temples. Most of the images are of Jain deities like Yaksh and Yakshini. Khambhat has 72 Jain temples and excavation at the site can yield more idols.

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NEW DIGAMBAR JAIN TEMPLE AT LUDHIANA, PUNJAB

Ludhiana, on the occasion of Mahatma Gandhi's birth anniversary on October 2nd a new Digambar Jain Mandir was inaugurated. This is the first Digambar Jain Temple of Ludhiana which has been constructed on 1,000 square yards plot at Dugri, Dhandra Road. A five-feet tall white marble statue of Lord Mahavira has been installed in the temple. The "Pran-Pratishthha" ceremony will be performed from November 28 to December 4 by Digambar Jain saints. According to temple functionaries, various activities will be undertaken in order to inculcate values and sensitize the humankind towards the salient message of Lord Mahavira.

KOLKATTA'S FIRST JAIN TEMPLE UNDERGOES A MAKEOVER

Tucked away in one of the busy streets of Bara Bazaar, Shree Shantinath Jain Temple has long drawn many devout to its place. Built 200 years ago, it was the first temple in the city where Jains could offer prayers, thanks to a wealthy Jain businessman's decision to give away most of his savings for its construction. Now, after 200 years, the temple is set for a makeover. The temple on which the renovation work is already on for the past one-and-a-half years will now sport the

architectural look of the famous Dilwara Jain Temple in Mount Abu. The renovation work is set to be completed by December. Another highlight will be that it will become a 'Maha Tirth' for Jains. A temple is known as 'Tirth' when it completes 100 years and called 'Maha Tirth' after it completes 200 years. According to Shree Jayprabh Vijayji Maharaj, the temple will be made of best white marble and it will have carvings that will reflect the period at the time of the 16th Tirthkaar.

INVITATION TO PANCH KALYANAK PRATISHTHA MAHOTSAV

JAIN CENTER OF

Shri Adinathaya Namah



GREATER PHOENIX

Shri Mahaviraaya Namah

VENUE: Panch Kalyanak Mahotsav
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RIDGE RESORT & SPA
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Phoenix, AZ 85054
Phone: 480-293-5000

VENUE: Pratistha Ceremony
Jain Center of Greater
Phoenix Temple
6202 S. 23rd Avenue
Phoenix, AZ 85041

INVITES YOU

TO ATTEND AND EXPERIENCE A HISTORIC EVENT

★ FIRST TIME IN USA

Shree Jinbimb Panch Kalyanak Pratistha Mahotsav

★ FIRST JAIN TEMPLE

With all Tirthankar Idols' Anjansalaka/Ankanyas Pran Pratistha

DECEMBER

20-26, 2008

7

FULL DAY'S OF PROGRAMMING
WILL TAKE YOU TO THE
KINGDOM OF SIDDHARTHA

You will celebrate and enjoy as part of the event of Panch Kalyanak of Bhagwan Mahavir the way people from Lachhuar to Pavapur enjoyed and celebrated.

This auspicious event will be conducted by Pratisthacharya Bal Brahmchari Shri Abhinandanji from Manglayatan, India & Shree Narendrabhai Nandu from Mumbai, India. We have several spiritual dignitaries attending the Pratistha including Pujya Gurudev Shri Rakeshbhai Jhaveri, Shri Jinchandraji Maharaj Saheb, Doctor Hukumchandji Bharill, and Padmashri Dr Kumar-pal Desai etc.

Our joy know no bounds in inviting you to this truly magnificent celebration, for a unique opportunity awaits people from all walks of life to experience in person the process of becoming God from a mere mortal. It is a great pleasure to have you and your family and friends grace the occasion



Shikharbandh Temple will be 12,000+ sq. ft. on 4-acre land with white 41 ft. marble Non-violence monument and marvelous pink sand stone Toran Dwar to welcome all of you.

CONTACT

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Piyush Shah	480-241-6258	Usha Shah	480-235-6523
Jayanti Savla	602-708-8681	Prakash Deshmukh	602-690-7301
Dr. Rajesh Daulat	623-696-6946	Vikram Shah	602-692-5154

FOR PARTICIPATION, ACTIVITIES AND ACCOMODATIONS FOR ALL AGES PLEASE VISIT US AT

WWW.JCGP.ORG

E-MAIL US at jain_phoenix@hotmail.com

ASHTA-DHATU IDOL THEFT FROM ALIPORE JAIN TEMPLE

Kolkata, October 14 A delegation of the West Bengal Minorities Commission visited the Alipore Jain temple from where an idol of Lord Parasnath was stolen almost a week ago. The delegation comprised state Minorities Commission Chairman S S Z Adnan, Vice-Chairman Kalyan Chaudhuri and another member Narayan Prasad Jain. The temple located at 9, Alipore Park Place has three idols of Jain lords - two of Lord Parasnath and another of Lord Santnath. On the morning of October 8, the temple authorities found one of the idols of Parasnath missing. The temple is thronged by hundreds of devotees of the Jain community every day and the idols are of immense historical significance. The members of the community have already met Chief Minister Buddhadeb Bhattacharjee on October 12 and the Commissioner of Kolkata Police Gautam Mohan Chakrabarti on October 13 requesting them to ensure that the idol is recovered soon. The case has been taken up by the Kolkata police's Detective Department. The Jains from both Howrah and Kolkata intend to submit a memorandum to the state minorities commission, urging the state government to look into the matter.

SAINTS



JAIN ACHARYA RAJYESH SURISWARJI CALLS FOR STOPPING ABORTIONS AT HYDERABAD - Thousands joined a scooter rally in response to a call given by top Jain Acharya to stop Abortions and offered flowers and rice as offerings at Hussain Sagar Lake for the peace of departed souls of the 2.5 crore unborn kids killed in abortions across India. Acharya Rajyesh Suriswarji said, Killing an infant child before birth is nothing short of violence. It should be stopped with immediate effect, stated Acharya Rajyesh Suriswar Ji, one of the top Jain Monks who is in city on a nation wide journey.

He urged Jain Community and other people to observe October 2nd as the Non-Violence Day befittingly. He also stressed that off late the number of abortions are on the increase in India. Annually approximately about 2.5 crore unborn

kids are killed by their mothers while they are in their womb. Which is unfair. Acharya Rajyesh Suriswar Ji also deplored the Indian Government's Review Proposal to extend cutoff time for abortions and urged them to stop such proposal immediately. Instead of making stringent laws to punish those who kill the innocent kids, now they are planning to further relax or liberalise the law. Which is not in good interest to the Indian Society.



He urged the Union Government to rethink and withdraw any such proposal. Before 1971, there was no law for permitting abortions. Under any condition, the doctors or the persons responsible for abortions were equally punishable for murder or killings. At that time our country had a severe problem of over population, as there were no effective means and medicines available to stop pregnancy. But now the world of medicines has progressed very rapidly and if one desires one can easily control the number of members of a family and thereby the population of the nation. So the law permitting the abortions must be abolished because the law is not strictly implemented by the Government, he said. Under this law about 95 per cent of abortions taking place are punishable! So what is the use of the law which has resulted in the killing of crores and crores of innocent unborn

children, Acharya Rajyesh Suriswar Ji lamented.

DEEKSHA OF YOUNG CHILDREN CAN NOT BE PERMITTED- MUMBAI HIGH COURT

A divisional bench of Mumbai High Court consisting of Justice P. B. Majumdar and Justice Amjad Sayeed in a case filed by Child Welfare Committee against the parents of a twelve year old girl, advised that no religion allows children of tender age to accept sainthood and such a tradition is tantamount to age-old 'sati-pratha'. Proper law should be enacted to stop such practices and a code of conduct should be prepared for this purpose. The society must care to protect young children from taking to the course of sainthood. The society fails in its duties if it can not provide protection to growing children, The court constituted a four-member committee to look into all the aspects of deeksha to children, interview the concerned child, who has accepted to become saint or sadhwi and conduct a thorough enquiry into the whole matter. Subsequently, the committee interviewed the concerned child sadhu amid much opposition from jain samaj.

CONFERENCES & EVENTS



CONGRESS ON WORLD'S RELIGIONS AFTER SEPTEMBER 11

A Global Congress on World's Religions after September 11 - An Asian Perspective will meet in New Delhi from January 17-20, 2009 at the Jamia Millia Islamia University campus. This Congress is being hosted by the recently established Centre for the Study of Comparative Religions and Civilizations at the University. This Congress is a sequel to the Global Congress on World's Religions After September 11, which met in Montreal from September 11-15, 2006 and was attended by 2025 participants from 84 countries. The present Congress will focus on the same theme, but from a primarily Asian perspective and will be inaugurated by His Holiness, The Dalai Lama. The congress proposes to bring together a community of scholars and academics, leading voices and representatives from different faiths, the media and NGOs working in the field of peace-building. For more information including sponsorship, call for

papers and registration, please see the attached flyer or visit the Congress website: www.worldsreligionsjamia.com (www.worldsreligionsjamia.com) or contact Naresh Jain, Interfaith Co-Chair-Federation of Jain Associations in North America.



INTERNATIONAL SUMMER SCHOOL FOR JAIN STUDIES – 2009

International Summer School for Jain Studies has been in operation since 2005 and nearly 80 scholars (faculty and students) from 5 countries and about 18 universities have attend these schools so far. Applications are now invited from all parts of the world for ISSJS 2009. Detailed information is given on www.jainstudies.org. The readers are requested to: 1. Please circulate this as widely as you can to your friends and acquaintances. 2. In your local area universities , please connect with some faculty in the Dept of Religion, Philosophy and South East Asian Studies etc and ask them to share this information and encourage faculty and students to apply. For further details, contact: Sulekh C. Jain, Program

Director, Houston, Texas, USA. 281 494 7656; 832 594 8005 (cell).

STAGING GRAND PLAY-SATI ANJANA BY J.V.B. NEW JERSEY

Jain Vishwa Bharati North America (JVBNA) is staging a grand play - Mahasati Anjana - on Saturday, Nov 8. This is a great opportunity to share your thoughts with close to 1300 people who are expected to attend the play. Those interested to attend or those who like to solicit essays /articles, related to Jainism or science of living may contact JVBNA on phone: (732) 404-1430 and E-Mail: jvbnj@yahoo.com. On this occasion, a souvenir will also be brought out. The deadline for article submission is Sunday, October 19.



YOUNG JAINS APARIGRAHA CAMP SHOWS NEW WAY TO SOCIAL RESPONSIBILITY -

Young Jains of Delhi continuing with their success of last year's Uttam Tyag Diwas celebrations organized another event "Aparigraha Camp" at about 50 Jain Temples in and around Delhi, NCR areas. About 100+ volunteers joined in Aparigraha Camp. The group collected more then 1 lakh clothes, utensils, toys at various Jain temple centers. The material collected was sent for distribution in flood effected areas of Bihar, Orissa etc with help of other social organizations like NCC, GOONJ, LIONS CLUB etc. From: Mr. Gaurav Jain, E-mail: gauravejainyji@gmail.com, For pictures of the event please click the following link. www.picasaweb.google.co.in

JAIN SOCIAL GROUP LAUNCHED IN INDONESIA

On the occasion of Paryushan eighty Jain families living in Indonesia joined together and established their identity as Jain social group. Mr. Pramod M. Jain played active role in establishing the first Jain institution of Indonesia. On this occasion a news letter was also published. Group mail id jainassociation@gmail.com courtesy Mr. Pramod M. Jain, E-mail: pramodmjain@gmail.com

VEGETARIAN HONORS & AWARDS

NOMINATIONS INVITED FOR 13TH BHAGWAN MAHAVEER FOUNDATION AWARDS

As in the past, the awards are proposed to be given by Bhagwan Mahaveer Foundation in the following fields:

1. Ahimsa and Vegetarianism

2. Education and medicine

3. Social and community services.

Each of the three awards carries a cash value of Rs. 5 lakhs.

Apart from these awards, Foundation would also honour two writers of books or articles (published or unpublished) on the subject of vegetarianism by a cash award of Rs. 1 lakh each. The work presented for the award may be in Hindi or English.



MUSIC BARON RATAN JAIN ELECTED PRESIDENT OF AMPTPP

Jain has actively worked for the causes of the film industry and plans to take up many more issues as the President of AMPTPP (Association of Motion Pictures and Television Programme Producer of India). Prominent celebrities from the film industry supported Ratan Jain's election as the President of AMPTPP. Director Madhur Bhandarkar said the the film industry looked upon him as their leader. "Ratan Jain is our guiding light," he said. For Ashutosh Gowariker the election of Ratan Jain as the President of AMPTPP is answer to his prayers. "He will bring a bright light to the industry."

VASANT MEHTA ELECTED CHAIRMAN OF GJEPC



The Gem & Jewellery Export Promotion Council unanimously elected Vasant Mehta as chairman during the organization's 42nd annual general meeting. Mehta will take on the responsibilities from Sanjay Kothari, who has completed his two-year term as chairman. He will hold office for a period of two years from 2008 to 2010 and will be responsible for the smooth functioning of the council. Mehta, a second-generation diamantaire, has been involved in the family business for over 40 years. He is founder and senior partner of M/S. V. Rameshchandra & Co., Mumbai. After graduating from Calcutta University, he moved to Mumbai and joined the newly developing diamond cutting industry in 1966. He joined GJEPC in the year 1969 as an honorary member and held several positions, including vice chairman of the council. Mehta also serves as the vice president of the International Diamond Manufacturers

Association and is a special advisor to China diamond industry. The Gem & Jewellery Export Promotion Council represents 6,000 gem and jewelry traders from India. Set up in 1966, it operates under the supervision of India's Ministry of Commerce and Industry, Government of India, and elected representatives of the industry.

S. K. JAIN NEW IACC PRESIDENT

NEW DELHI: Indo-American Chamber of Commerce has elected Kolkata-based industrialist S K Jain as its President for this fiscal year. "Civil use of nuclear energy, aerospace, entertainment and manufacturing are going to be my focus areas. We are putting in place a proactive agenda for the year to help IACC become a catalyst of change and a harbinger of newer ideas and concepts," Jain said. Jain, who is the Managing Director of LMJ International, an Indian rice export house, is also serving as Chairman of Federation of Indian Exporters Organisation for eastern region. IACC is a Mumbai-based 40-year old organisation having 14 offices across the country.

DEEKSHA CEREMONY

Mumbai: Bhavna from Mumbai accepted Jain Bhagwati deeksha on the 9th October, 08 with the blessings of Aryika 105 Shri Suprakashmati Mata ji, disciple of 108 Shri Abhinandan Sagar Ji maharaj belonging to Jain Digambar sect. The deeksha programme was organised by Sakal Digambar Jain Samaj, Kota, in the premises of BMC garden, J.B. Nagar, Andheri (East). Large number of devotees participated in the ceremony.

Kolkata: 1. Mumukshu Sapna Baghmar aged 25 years, daughter of Shri Ganpat Lal ji Baghmar, hailing from Balotra in Rajasthan would be accepting Jain deeksha in Howrah with the blessings and in the holy presence of Acharya Shri Ram Lal Ji maharaj, belonging to Jain Shwetambar Sthanakwasi sect on the 2nd November, 2008.

2. On the same day at Kolkata, Mumukshu Samata Salecha daughter of Shri Pukh Raj Ji Chopra, hailing from Balotra in Rajasthan will accept deeksha from Acharya Shri Ram Lal Ji maharaj, belonging to Shwetambar Sthanakwasi sect. It is expected that a large number of devotees and relatives of the deeksharthi's will attend the celebrations.

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3. Mumuksha Hemant Pokharna aged 32 years, son of Shri Labh hand Ji Pokharna, hailing from Begu village in Chottoregarh district of Rajasthan will accept jain deeksha on the 3rd November, 2008 at Howrah (Kolkata) with the blessings of Acharya Shri Ram Lal Ji maharaj, belonging to Shwetambar Sthanakwasi sect.

Kota (Rajasthan): With the blessings of Param Poojya Ganini Aryika 105 Shri Vishudhmati Mata Ji maharaj belonging to Jain digambar sect, who is holding her chaturmas at Kota, eight mumukshu diksharthi candidates, namely Abha didi, Poonam didi, Pratibha didi, Anita didi, Vanmala didi, Seema didi, Savita didi and Anju didi accepted Jain deeksha on the 9th October, 2008. The deeksha ceremony was held at Multi-purpose school in Gumanpura, Kota. It was organised by deeksha Mahotsava Samiti, Talwandi, Kota. Kalash yatra was taken out on 7th October. Large number of devotees and relatives of deeksharthi behen attended the ceremony. and other programmes.

MISCELLANEOUS

JAIN UNIVERSITY TO BE ESTABLISHED AT PANCHKULA (PUNJAB)

On the occasion of 67th birth day of Dr. Shiv Muni, Acharya of Jain Shwetambar Sthanakwasi Shraman Sangh, with his blessings and inspiration, it was decided by a large group of eminent persons representing most of the Jain community and coming from Delhi, Bombay and other parts of the country to establish a Jain University at Panchkula town near Chandigarh. The university campus will be built in the premises of Jinendra Gurukul for which donations worth a total amount of Rs. 2.15 crore was committed by the people on the spot during the meeting. The prominent donors included Shri Nem Nath Jain from Delhi, Rs. 78 lakhs, Sri Sumati Lal ji Karnawat, Chairman, All India Shrawak Sangh from Mumbai, Rs. 70 lakhs, Sri R.D. Jain and Sri Prem Chand Jain from Malerkotla, Rs. 11 lakhs each. Shri Buddhiraja, retired Dean of the Punjab University, Chandigarh will hold the position of President of the university. The work is to be taken up soon. Dr. Shiv Muni in his message on this occasion, mentioned that his dream will be fulfilled with the establishment of this university, which will be devoted to the cause of higher education, giving due stress on higher learning in various fields, service to humanity and spiritualism.

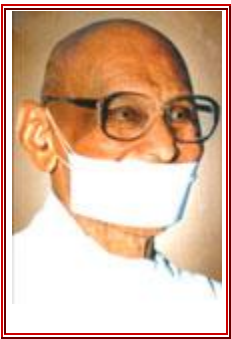
INVITATION TO JOIN JAIN PANTHERS GROUP

As you know that our Jain community is in danger, we have founded an organization Jain Panthers, which will work for protecting our constitutional rights and uniting Jains against those who are anti Jains. You can join us on net also, please visit following links to join: www.groups.yahoo.com, From: Kailash Jain, E-Mail: kailashc_jain@yahoo.co.uk

MINORITY STATUS FOR DELHI JAINS

With Assembly elections round the corner, the Congress government in Delhi has finally issued an order approving the long-standing demand of the Jain community for minority status. Delhi Chief Secretary Rakesh Mehta issued an order to this effect declaring that the Jain community in the national capital will be treated as a minority community, a senior official said. The move has come following a High Court order in which it had held that the community should be given the status of minority community for the purpose of Article 30(1) of the Constitution and in order to clarify that it may establish minority educational institutions. The Delhi Cabinet had decided to accord minority status to the community in June this year. The community constitutes around two per cent of the population of the national capital. Christians, Muslims and Punjabis are already enjoying minority status in the city.

ARTICLE OF THE MONTH



ECONOMICS OF NON-VIOLENCE - By: Acharya Mahaprajna - The objective of modern economics is neither peace, nor non-violence. Its goal is economic prosperity. It aims at everyone becoming rich. In order to fulfil the objective of pervasive prosperity, it also expects that desires, needs and production are expanded, and as a consequence thereof, greed promoted. The expanding greed presupposes expanded needs, which calls for expanding production. This, in turn, requires higher economic growth. Economic growth calls for competition. In this context, peace and non-violence are relegated to a secondary position.

Mahatma Gandhi opposed industrialism and concentration. He said that concentration of power and of capital tends to increase violence. Wherever power and capital get concentrated in the hands of a few, problems arise. This view of Gandhiji has come wholly true. Wherever concentration of power and capital took place, violence has intensified. Gandhiji made another vital point. Any government, the foundation of which is based on violence, cannot survive. Based on violence, nothing can be enduring. It is for a similar reason that he opposed industrialism.

Industrialism, in its ultimate analysis, is only a variation of economic slavery; it is one of its synonyms. As industries become centralised, economic slavery will prevail. This will lead to exploitation. Exploitation would not be limited to one country but it will extend to exploitation of one nation by another. The nation with increased industrial capacity will use that power to exploit other nations.

With industrialism two other things go together: power, and exploitation through power and violence. Where industrialism gets a free hand, the problems of conflict and war are also created. In opposing industrialism, therefore, Mahatma Gandhi called for decentralised industry; in opposing concentration of capital, he advocated dispersal of capital and trusteeship. This really means that Gandhiji propounded non-violence and peace.

Mahavira too maintained that where self-restraint and peace prevail non-violence is also ensured. Economics is moored in the fulfilment of wants. What is aimed at is that the people should be able to satisfy their wants. Satisfaction and enjoyment have remained the main targets of economics. To Mahavira, the question of satisfaction and comfort was secondary; that of peace was primary. When the objective of peace becomes primary, the whole approach changes. When peace is primary, purity of means gains supremacy.

INVITATION TO DADA BHAGWAN'S 101ST BIRTH ANNIVERSARY CELEBRATIONS

Please find below hearty Invitation to attend the unparalleled occasion of 101st Birth Anniversary Celebration of Akram Vignani Param Pujya Gnani Purush Shri Dada Bhagwan. Programme - Opening Ceremony- 30th October 2008 5:30pm to 8pm, Satsang Dates - 31st October to 7th November 2008, 4:30pm to 7pm, 13th November 2008 - 4:30pm to 7pm. Shibir Dates - 8th November to 11th November 2008, 10am to 12:30pm, 4:30pm to 7pm. Gnan-Vidhi Date - 9th November 2008, 4:30pm to 8pm. Janmajayanti Celebration - 12th November 2008 , 7:30am to 7pm. It is a great pleasure to have you & your family & friends grace the occasion. Please feel free to contact us, if any details required. From: Kavin Sangoi, tri-Mandir Sankul, Adalaj, Gandhinagar. Gujarat. India, Cell No: 91-9924343850, E-Mail : kavin.sangoi1981@gmail.com

NEW BOOKS

LIST OF ILLUSTRATED SHWETAMBAR AGAMS

Each of the following books has the Agama scripture text in Prakrit, with a Hindi translation followed by an English translation.

Uttaradhyayana Sutra, Antakriddasha Sutra, Kalpa Sutra, Jnatadharmakathanga Sutra (set of 2 books)

Dashavaikalika Sutra, Nandi Sutra, Acaranga Sutra (set of 2 books), Anuyogadvara Sutra (set of 2 books)

Upasagadasha evam Anuttaraupapatika Sutra, Raiapasenia Sutra, Aupapatika Sutra, Nirayavaliya Sutra evam Vipaka Shruta, Sthananga Sutra (set of 2 books), Cheda Sutra, Bhagavati Sutra (set of 2 books), Prashnavyakarana Sutra and Jambudvipa Prajnapti Sutra. The total cost of the whole set is Rs. 12,600 as indicated by the suppliers. For further details and to order books, please contact: Hindi Granth Karyalaya, E-Mail gommateshvara@gmail.com or manishymodi@gmail.com

INTRODUCTION TO JAINISM - by Dr. Rudi Jansma, Dr. Sneha Rani Jain -Who are the Jains ? History and Tirthamkaras ? Ahimsa ? Karma ? Millennia before Darwin ? Cosmos ? Yoga & Meditation ? Seeing a holy life in practice? The fourteen-fold path to freedom? Art & Archeology The Jains are a small group of people who have hardly spread outside the borders of India. Outside India, few have even heard of them.

PHILOSOPHICAL FOUNDATIONS OF JAINISM - by Acharya Mahaprajna ,The search for origin of 'Bharatiya Vidya' , ancient India's tradition of knowledge and learning, takes one to the age, which is much earlier than the period, believed by some scholars as the dividing line between Pre-Aryan and Post. Aryan periods of Indian history. However, when we look at the literature and the other sources of history.

THE ASSEMBLY OF LISTENERS: JAINS IN SOCIETY - Ed. by Michael Carrithers and Caroline humphrey, 1999 228 x 152 mm 344 pages, Hardcover US \$ 99- About the book - The Jains have exerted an influence on Indian Society and religion out of proportion with their relatively small numbers. The Assembly of Listeners: Jains in Society addresses the sociology of the Jains and discusses the notion of the 'community' based on religious affiliation in India. Topics covered include Jain ideals and identity; women in the Jains community; popular Jainism; Jain reform and Jain identity in the UK. This collection is an important theoretical addition to the study of Indian society, which has previously focused mainly on caste and class politics as the fundamental social units. With much recent fieldwork providing unique information on the ethnography of the Jains, this study will prove indispensable to any scholar interested in this little-known but highly influential social group. Contributors - Michael Carrithers, Caroline Humphrey, K. R. Norman, Josephine Reynell, Christine M. Cottam Ellis, J. Howard M. Jones, N. K. Singhi, Paul Dundas, Padmanabh Jaini, Vilas Sangave, Marcus Banks.

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PETITION PRAYING FOR NATIONAL RELIGIOUS MINORITY STATUS

To
Dr. Manmohan Singh
Prime Minister of India
New Delhi

Dear Mr. Prime Minister

Subject : Jain Petition Praying for National Religious Minority Status on Par with Muslim, Christian, Sikh, Buddhist and Zoroastrian.

We, the members of the Jain community, in India are seriously concerned to draw your attention to the recent Supreme Court judgment in the Bal Patil Jain minority case. We take inspiration from your observations in your Address to the nation on Independence Day, August 15, 2005: "Our Constitution provides for equality of all religions, All religions are safe and secure within our Republic. It is necessary that minorities should have every opportunity of carrying on their daily activities with a feeling of security and happiness."

2. 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), of Dakshin Bharat Jain Sabha, a century old Jain social, cultural and educational organisation with Bal Patil as its Convenor, 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.

3. The total Jain population of the country (2001) is about 4.23 million which is concentrated (community above 0.1 million) in (1) Maharashtra (1.3), (2) Punjab (0.65), (3) Madhya Pradesh (0.55), (4) Gujarat (0.53), (5) Karnataka (0.41), (6) Uttar Pradesh (0.21) and (7) Delhi (0.16) which together account for 91% of the national population of the Jains. In all these States of its concentration it forms about 1% or less of the State population.

4. The Jains have been counted as a separate religious community since the decennial Census was introduced in 1871. But it enjoys a distinction. It is not recognized as a religious minority by the same Government which holds the Census for placing it within the jurisdiction of the National Commission for Minorities though of the 7, 3, namely, Maharashtra, MP and UP have recognized it as such under the State Minorities Commission Act. Two other States created by reorganization of MP and UP, namely, Chhattisgarh and Uttaranchal have also recognized it such.

5. The Judgement rejects the plea by the Jain community to the Supreme Court to advise the Central Government to notify it as a minority under Section 2 [c] of the National Commission for Minorities Act, 1992, in accordance with the recommendation of the National Commission. The Supreme Court bases the rejection 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.

6. In that Judgement, the majority Opinion of the Bench, speaking through the then Chief Justice Kirpal, was that since reorganization of the States in India has been on linguistic basis, the unit for the purpose of determining a linguistic

minority be the State and not the whole of India. But the Opinion goes on to apply illogically the same yardstick to religious minorities though the States were not organized on religious basis and comes to the conclusion that 'religion and linguistic minorities, who (sic) have been put on par in Article 30, have to be considered state-wise'.

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7. 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. the SC's formulation to 'short answer' in para 7 of your petition also needs to be challenged. States were reorganized in 1956 on linguistic basis and not religious basis. Therefore for determining a linguistic minority, a State is and should be the authority but not for religious minorities. The test is only the Census of India. The Central Government, a respondent, found it convenient to take shelter under this totally illogical presumption of the Supreme Court and refused to exercise its statutory power under the Act, thus making it redundant.

8. Dakshin Bharat Jain Sabha and its Convenor of the Jain Minority Status Committee, Shri Bal Patil appellants have decided to seek modification of the Judgement. One hopes that the Supreme Court shall realize the basic flaw in the T.M.A. Pai Judgement on the point of relating status of religious minorities

to States (vis-à-vis 'linguistic minorities') determines the scope of Article 30 of the Constitution and has nothing to do with the question as to which religious groups form a national minority and come under the purview of the National Commission for Minorities.

9. The interesting point is that the Muslims, Christians, Sikhs, Buddhists, even the Parsis (a minuscule community with less than 0.1 million population) had been notified by the Central Government under the provision of the same Act but the guillotine has fallen on the Jains. Thus, the refusal is a clear case of discrimination against the Jain community.

10. The Constitution in Explanation to Article 25 recognizes the existence of the Jain religion but brackets it with Buddhism and Sikhism for the limited purposes of one Section of the Article which deals with a common social aspect. Considering that only 5 days after the promulgation of the Constitution, the then Prime Minister Jawaharlal Nehru, through the letter of 31 January, 1950, signed by his Principal Private Secretary, clarified the misunderstanding and assured a Jain Deputation that the Jains are a distinct religious minority and there is no reason for apprehending that Jains are considered as Hindus. Thus the Judgement is constitutionally unsound and violates an explicit assurance of the executive.

11. The Supreme Court has failed to realize the basic flaw in the T.M.A. Pai Judgement on the point of relating status of religious minorities to States determines the scope of Article 30 of the Constitution and has nothing to do with the question as to which religious groups form a national minority and come under the purview of the National Commission for Minorities.

12. Having summarily disposed of the Jain demand, the Judgement devotes another 12 pages to what can only be called obiter dicta or the personal views of Justice Dharmadhikari. He gives his version of the history of the Freedom Movement, in particular, the effort for resolving the communal problem, in terms of the constitutional safeguards as demanded by the Muslim community e.g. of separate electorate and reservation of seats in legislatures.

13. The obiter dicta describes the Sikhs and the Jains as 'so-called minority communities', which were not treated as national minorities at the time of framing the Constitution and have 'throughout been treated as part of the larger Hindu community'. It seeks to reduce them to sects or sub-sects of Hindu religion.

14. The fact is that right from 1871, when the decennial Census began, Sikhs and Jains have been recognized as religious communities on par with Hindus and Muslims. And in making of the Constitution, the Sikhs, the Buddhists, the Jains and the Parsis all received attention and were recognized as minorities.

15. Dharmadhikari J. quotes the eminent jurist H. M. Seervai to place the responsibility for Partition on Gandhi, Nehru and Patel for having destroyed the (Cabinet Mission) Plan. As noted by Shri 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 and Communalism Combat, December 2005:

16. "His historiography is full of flaws; it confuses the sequence of events, it describes India Wins Freedom as the 'personal diary' of Maulana Abul Kalam Azad and attributes to him the role of 'mediator' between Nehru and Patel, on one side and Jinnah and Liaquat Ali Khan, on the other. Without any quotation from the 'personal diary' the writer attributes Partition to the resolute stand taken by Nehru and Patel and their rejection of the proposal of Jinnah and Liaquat. In effect, the obiter dicta reduces the complex course of negotiation between the Indian National Congress and the All India Muslim League, over 20 years, in which Rajendra Prasad, Nehru, Subhash Bose and Gandhiji all participated (it is doubtful if Azad was directly involved at any stage) for finding a mutually acceptable settlement to a one-shot event!"

17. Justice Dharmadhikari identifies Jainism with, what he calls, Hindu Vedic religion, though the Jains reject the Vedas and the Brahminical philosophy as their Tirthankaras and specially Mahavir have charted their own spiritual course, like Buddhism. Then Dharmadhikari J. comes to his final conclusion:

18. 'Hinduism can be called a general religion and common faith of India'. He thus elevates Hinduism above other religions of India and equates Hinduism with Indianness. This is an anti-thesis of the Constitutional principle of equality of all religions which implies that Islam, Christianity and Zoroastrianism, Buddhism or Sikhism and other religions, whatever the number of their followers, are equal before the law and that no distinction can be made among them on the ground of origin i.e. where they were born! This projected hieratical superiority of Hinduism is not only a denigration of Jainism, Buddhism and Sikhism but an affront to the status of Islam and Christianity and 'Other Religions' which are recorded in Census after Census.

19. Dharmadhikari J. opines that the process of the Constitution did not contemplate any addition to the list of religious minorities other those the identified in the course of independence negotiation or those which are materially well-off. He seems to think that recognition of the identity of a religious group by the State is a favour, within the privilege of the executive or the legislature in accordance with the political compulsion at a given time. Obviously he has not studied the proceedings of the Constituent Assembly.

20. But Dharmadhikari J. sees assimilation in Hinduism as the alternative and desirable goal of all religious groups in India, while the international community recognizes multi-religiosity as the natural state of things. Peaceful coexistence, fraternization, integrity, harmony are indeed laudable but any majoritarian pressure to erase the identity and to absorb and assimilate their distinctive personality goes against the concept of freedom and equality, as Dharmadhikari J. says, for 'gradual elimination of majority and minority classes' and even contemplates the possibility that there will be no need for minority commissions! He is apprehensive of rise of multi-nationalism in India but perhaps at the back of his mind he equates multi-religiosity with multi-nationalism and the latter with secessionism.

21. Thus the SC judgment goes counter to the constitutional philosophy and principles as envisaged by the Constituent Assembly and inscribed in the Constitutional Preambulary secular objectives. Dr. Ambedkar forcefully argued for recognition of the absolute rights of religious minorities. And the first right of a minority is the right of recognition, followed by right to equality before law. The Constitution may have been framed under the shadow of the tragedy of Partition but the fundamental rights enunciated therein are independent of time and place. They represent the finest crystallization of political thought and constitutional theory. Indeed they have provided a model for the emergent world.

The Universal Declaration of Human Rights had an impact on our Constitution but the International Covenants and, above all, the UN Declaration of Rights of Minorities, 1993 have all reflected what the Indian Constitution gave to the religious, linguistic, racial and cultural minorities of the country. Today minority rights are universally accepted as an indivisible from and essential to human rights, because almost every nation-state is multi-religious, multi-lingual and multi-cultural.

The obiter dicta observations although made extra-judicially have grave implications because the general public takes any declaration made by the Supreme Court as the law of the land. It is in this perspective that the Judgment of the Supreme Court in the matter of Bal Patil & Anr. Vs. Union of India has given the wrong message to the country against not only the Jain Community, but the minority religious communities and the National leaders of the country whom we call "Founding Fathers" and the statutory functionaries Viz the National and State Commissions for Minorities who are said to be the cause of fissiparous tendencies.

22. Such being the constitutional goal as interpreted by the Apex Court it has no difficulty in arriving to the conclusion that the "Minorities Commissions set up at the Central or State level...for minorities have to direct their activities to maintain

their integrity and unity of India by gradually eliminating the minority and majority classes." (!!)) And thus the Court lays down in its extra-judicial majesty that the National Commission for Minorities "should suggest ways and means to help create social conditions where the list of notified minorities is gradually reduced and done away with altogether." (!!!)

23. The crux of the matter in pursuance of the earlier Order of the Supreme Court was that the Government of India was required to take a decision in terms of the National Commission for Minorities Act as per the recommendation. However, the Affidavit made by the Government utterly failed to take into account the issues raised in my petition as pointedly noted by the Supreme Court Order itself directing the Central Government to take a final decision within four months. The Government of India made an erroneous and irrelevant Affidavit in response to the above Order stating that the minority Status is to be determined by the States concerned. Later on a 3-Judge Bench was constituted and the latest SC. Decision is the outcome of this Bench.

24. In the aforementioned context the following facts regarding the Jain minority religious right need to be noted.

i) The Jain demand for minority status is almost a century old, when in British India the Viceroy and Governor General of India, Lord Minto took a decision in principle of giving representation to important minorities in the Central Legislature, Seth Manek Chand Hirachand, an eminent Jain leader from Mumbai and the then Acting President of the Bharatvarshiya Digamber Jain Sabha made an appeal in 1909 to the Governor General for the inclusion of the Jain community for representation in the Council. Seth Manek Chand's petition was transferred to the Government of Bombay and the Secretary to the Government of Bombay stated in his reply dated 15th oct.1909 as under.

"I am directed to inform you that a number of seats have been reserved for representation of minorities by nomination and that in allotting them the claim of the important Jain Community will receive full consideration."

ii) In a Memorandum by the Representative of the Jain Community to the Constituent Assembly in March/April 1947 to the Constituent Assembly a strong appeal was made for the inclusion of the Jain community as a minority religious community.

iii) In his speech on 3rd Sept.1949, Jawahar Lal Nehru said: "No doubt India has a vast majority of Hindus, but they could not forget in fact there are also minorities Muslims, Christians, Parsis and Jains. If India were understood as Hindu Rashtra it meant that the minorities were not cent per cent citizens of the country.

iv) Jainism is mentioned as a religion along with Buddhism and Sikhism in Explanation II of the Article 25 of the Indian Constitution relating to Fundamental Right to religions freedom. On this issue Jawahar Lal Nehru, the then Prime Minister, in his letter dated 31.01.1950 assured a Jain Deputation that they need not have any misgivings on this clear constitutional position.

v) Our National Anthem 'Jana Gana Mana' by Tagore clearly enunciates Jains in its second stanza: "Hindu Bauddha, Sikh Jain Parsik, Musalman, Christiani " as a distinct religion denomination"

vi) The Government of India Census counts Jains in India as a major religious community right from the first census in British India in 1873.

vii) The Ministry of Human Resources Development, Dept. of Education, SC/ST Cell, constituting a National Monitoring Committee for Minorities Education (Published in Part I Section I of the Gazette of India) in its Memorandum on Minorities Education Cl. 3.1.3. mentions that according to 1981 Census the religious minorities constitute about 17.4% of the population of which Muslims are 11.4%, Christians 2.4%, Sikhs 2%, Buddhists 0.7% and the Jains 0.5% which means that per 10,000 persons in India 8264 are Hindus, 1135 are Muslims, 243 are Christians, 196 Sikhs, 71 Buddhists and 48 are Jains. Thus it is clear that the HRD Ministry recognizes the Jains as a religious minority on the basis of Census classification which is itself an authoritative legal document, while the Social Justice and Empowerment Ministry of the same Govt. of India is still averse to do so.

viii) And the clinching statistical census evidence that the Jains are in minority not only in every State of India but also in every district.

25. As already noted above it is incomprehensible why the Supreme court Judgment should have thought it fit to quote Maulana Abul Kalam Azad even in obiter dicta. "Azad passionately believed in Hindu-Muslim unity, but he found that from the mid-twenties Gandhi had lost interest in Hindu-Muslim unity and took no steps to secure it. Further, Azad had played a

leading part in providing a framework for the Constitution of a free and united India on which the Cabinet Mission Plan was largely based, a Plan which offered India her last chance to remain united. However, Gandhi, Nehru and Patel destroyed the Plan, and accepted partition instead. Azad did his utmost to prevent the partition of India, but he failed to persuade Nehru and Gandhi not to accept partition". (Emphasis supplied).

26. However, the shocking and bizarre implications of such quotations cited with approval in the judgment of the Supreme Court of India presided over by the Chief Justice of India are clear. It clearly means that the Supreme Court is anxious to carry the incredible message that the Father of the Nation who laid down his life for Hindu-Muslim unity, along with Nehru was responsible for the division of the country.

27. Such an atrociously perverse interpretation of the partition of India under the secure judicial garb of an ostentatious exercise of safeguarding secular credentials of the Constitution declaring that the State has no religion is indeed shocking. Yet the Bench has no constitutional or secular scruples to state further that "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". (Emphasis supplied).

26. In view of the foregoing the extra-Judicial observations of the Supreme Court Judgment on the religious status of the Jain community as part of the Hindu religious are absolutely without any basis. Also the remarks against the National leaders like Nehru, Patel and the very Father of the Nation as responsible for the partition of India are obnoxious.

29. As a matter of fact the entire tenor of the SC observations on the National and State Minority Commissions as leading to "fissiparous tendencies" and hence calling for their closure are highly objectionable as they question the basic tenets of the Indian secular Constitution and hence need to be expunged.

30. As noted by Shri Shahabuddin: "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."

31. The Judgment even expects the National Minority Commission "to act in a manner so as to prevent generating feelings of multinationalism in various sections of people of Bharat" and further that the "commission instead of encouraging claims from different communities for being added to a list of notified minorities under the Act, should suggest ways and means to help create social conditions where the list of notified minorities is gradually reduced and done away with altogether."

32. If the "Common faith of India" is Hinduism as averred by the Apex Bench will it not unmistakably lead to the "Hindu Rashtra" ideology of the BJP? Is this the prologue to the saffronisation of the judiciary? Can the UPA Government and the Congress subscribe to it in all secular conscience?

33. In the aforesaid context of the gravely damaging impact this SC Judgment will have on the secular ideology of the Constitution and the UPA Government formed under the leadership of the Indian National Congress should take suitable steps to see that these observations are deleted to protect the basic structure of the secular Constitution as well as the dreams of Mahatma Gandhi Pundit Jawahar Lal Nehru and Sardar Patel & many others.

34. It would be pertinent to recall here the 'Hindutva' judgment of the 3-Judge Bench of the Supreme Court in the Manohar Joshi v. Nitin Bhaurao which took the view that the statement of a candidate in the course of his election speech that "the first Hindu State will be established in Maharashtra" did not amount to a corrupt practice."

35. Taking a strong exception to this ruling P.P. Rao, eminent jurist and Senior Advocate in Bal Patil's Jain minority petition in the Supreme Court, said in his Dr.Alladi Krishnaswamy Ayyar Memorial Lecture, 1999 'Basic Features of the Constitution': "Obviously, the perceptions of secularism vary from Bench to Bench. Manohar Joshi deserves to be overruled. Secularism is too fundamental to be compromised."

36. This Lecture has pinpointed the cardinal importance of the Supreme Court declaration in the Kesavananda Bharati v.State of Kerala that Article 368 did not enable Parliament to alter the basic structure or framework of the Constitution.

As rightly noted by P.P. Rao "This decision is not just a landmark in the evolution of constitutional law, but a turning point in constitutional history. No other Court in the world had taken this position."

37. This is in consonance with the ringing peroration by Jawahar Lal Nehru on the Draft Constitution :

"We will honour our pledges. Within limits, no Judge and no Supreme Court will be allowed to constitute themselves into a third chamber. No Supreme Court and no judiciary will sit in judgment over the sovereign will of Parliament which represents the will of the entire community. If we go wrong here and there, they can point it out; but in the ultimate analysis, where the future of the community is concerned, no judiciary must come in the way. Ultimately the whole Constitution is a creature of Parliament."

38. Thus the secular principle enshrined in the Preamble is the one feature which has primacy over all the other basic features of the Constitution. The Constitutional primacy and sanctity of this feature of secular is in Nehru's words: "At the same time we must be very careful to see that in this land of ours we do not deny to anybody the right not only to profess or practice but also propagate any particular religion."

39. It would be pertinent to recall here the 'Hindutva' judgment of the 3-Judge Bench of the Supreme Court in the Manohar Joshi v. Nitin Bhaurao which took the view that the statement of a candidate in the course of his election speech that "the first Hindu State will be established in Maharashtra" did not amount to a corrupt practice."

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41. The confusion created by the "Hindutva" decision has come to a full circle with this decision in the Jain minority matter. As noted in the concluding observation of P.P. Rao's Lecture referred to above "Accumulation of unlimited power in one thing, exercising it with circumspection and self-restraint is an altogether different thing. Unless the dam is strong, the reservoir cannot retain water. we need extremely capable, honest and independent Judges, nay statesmen, to handle this enormous power of judicial review in the interests of the people of India."

42. Therefore, the almost insoluble Constitutional dilemma created by the SC decision in the Jain minority matter can be only resolved by a Constitution Bench of nine or more Judges by "choosing the appropriate case and by adopting the appropriate procedure" as noted by Palkhivala (In the aforesaid context it would be relevant to note an article by the late eminent jurist, N.A. Palkhivala "India Remains Secular :Full Bench Needed to End Confusion" published in The Times of India on Feb.5, 1996.) if the Constitution is to be saved from the judiciary and the judiciary from itself.

43. In the foregoing context the Jain community is aggrieved at this decision which treats Jains as part of Hinduism. Some Congress ruled States have declared Jains as a minority religious community in pursuance of direction issued by the Congress President, Smt. Sonia Gandhi. Now there is no reason why the Central Government should not give Jains the national minority religious community status.

44. It is important to bear in mind that declaration by a State of Minority status for the Jain community will not be enough unless and until the Central Notification under the National Minorities Commission Act, 1992 also includes Jain community as a Minority community on par with other Minority communities such as Muslim, Christian, Sikh, Buddhist and Zoroastrian which is the crux of the prayer in SC Civil Appeal. Such inclusion is essential because Minority status on the State level is subject to political fluctuations if there is no State Minority Act. For example, in Maharashtra State Minority Commission which had no statutory basis was wound up in 1995 when there was a non-Congress BJP-SS coalition government.

45. To press home the utterly absurd logic of the piecemeal declaration of minority status by the States concerned would lead to a constitutionally chaotic situation. For example, the Jain community would be eligible for minority benefits in the States in which it has been declared a minority but would be denied the same in other States where there is no such recognition. Therefore this contradiction can be only resolved by first clearly identifying the religious minorities and notifying the Jain community as a minority as recommended twice by the National Commission of Minorities.

46. Finally, in case the Government of India still entertains any misgivings on granting Jain community minority status on the national level ostensibly in pursuance of the ruling given in the 11-Judge Bench decision of the TMA Pai Foundation case then in that case the Government in all constitutional conscience should de-notify the national minorities declared under the National Minorities Commission and scrap the National Minorities Commission as also the National Religious & Linguistic Minorities Commission as these would no longer have any locus standi and proceed de novo for the determination of religious and linguistic minorities on State level.

47. It is respectfully submitted that the Jain community feels aggrieved because there is no uniform and statutory all-Indian recognition of their minority status. The Jain community has got its own ancient, independent cultural and religious heritage and is unquestionably a minority religious community. It is also aggrieved because it has no representation in the National Minorities Commission. There is a feeling that Jains have been denied what is obviously due to them because they have not taken to the turbulent path of agitation. The Jains are a peaceful community but appropriate representation should not be withheld from them because of their principled adherence to peace.

48. The Jain community should have uniform access to minority welfare programmes enunciated by the Common Minimum Programme. The denial of the minority status to the Jains will mean their death warrant as a distinctive religious cultural group especially when all other minorities are going to be recognized. Although a few Jains hold important positions in industry and commerce and other spheres of life which is also the case with other religious minority communities, as a community the Jains have amongst them backward sections like in other minority or majority communities.

49. It is pertinent to note that the major portion of the Jain community in Maharashtra State incidentally has the highest Jain population in one State in India- and Karnataka States is agricultural community. In Karnataka and Maharashtra States the Jain community are eligible for benefits available to backward communities. The Jain community, therefore, demands in the first place that the Jains be treated as a national minority and given all rights and privileges which are given to other minority communities, and that they should be brought into the mainstream of the national minority welfare programmes envisaged by the Common Minimum Programme.

50. The Jain community therefore is also seriously concerned to appeal to Smt.Sonia Gandhi, the President of the INC and Chairperson of this NAC to consider the matter of the Jain minority recognition on par with other national minorities and advice the Central Government accordingly. The present Supreme Court judgment does not bar such recognition as already provided in the Constitution in Art.25.

51. In view of the forgoing observations of the Supreme Court the religious credibility, identity of not only the Jain and Sikh communities but also Constitutional status proposed to be given to the National Commission for Minorities by the insertion of Article 340 A and the statutory State Minority Commissions has been questioned unwarrantedly. This can be only undone if there is appropriate action for the reassertion of the minority rights under the Constitution and declaration of the Jain community as a minority community.

52. We are submitting this Petition to you Sir with the earnest hope that justice will be done and the Government of India will take all appropriate constitutional and legal steps to have this judgment reviewed since not only the constitutional minority right of the Jain community but all the minorities and the very secular foundation is imperiled by this SC judgment in the Jain minority case.

Yours respectfully,
Sameer Jatale, E-Mail : sameer_jatale@rediffmail.com

DEVLOK GAMAN

Jain Sthanakwasi Shraman-Sanghiya Up-Pravartak Shri Sudershan Muni ji Maharaj, disciple of Pravartak Shri Magan Lal ji maharaj had left for his heavenly abode on the 23rd August, 2008 at Ratlam.The procession, carying his body for cremation was attended by hundreds of devotees, gents, ladies and children, chanting slogans.He was 87 years old and had accepted deeksha 54 years back. He had been staying at a Jain sthanak in Ratlam for the last 30 years.

Sadhwi Shri Charan Pragya Ji, disciple of Mahasati Shri Satya Sadhna Ji, belonging to Shwetambar Sthanakwasi Shraman Sangh breathed her last on the 13th September, 2008 at Bhiwara in Rajasthan..She had taken the vow of Santhara-Maran

on the 17th June, 2008, which lasted for a period of 87 days. She was born in the year 1951 in Jain Kotecha family and had one son and two daughters. She had accepted KJain deeksha on the 15th february, 2001 at Chennai.

Mahasati Shri Kushal Kunwar Ji, disciple of Mahasati Shri Kamlesh Kunwar ji belonging to jain Swetambar Sthanakwasi Shraman sangh left for her heavenly abode at Ujjain. She had been having permanent stay (Sthirwas) at Shajapur.

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