



|| NAMO TITTHASSA ||

**GACCHADHIPATI (SPIRITUAL SOVEREIGN)
JAINACHARYA SHRIMADVIJAY
YUGBHUSHANSURI
(PANDIT MAHARAJ SAHEB)**

8th October 2021

Ref.: 202110E-04

Sakal Sangh Jog Nivedan

Sub: Shatrunjay - Nilkanth Mahadev Temple Case

Critical and Neutral Analysis (Part- 3 of 3)

**AN ANALYSIS OF THE ANNEXURES AND HISTORICAL DOCUMENTS REPRODUCED
IN THE JUDGMENT¹**

The first part of this Nivedan puts forth critical and neutral analysis of counter affidavit submitted by Anandji Kalyanji Trust ("AKT") in Neelkanth Mahadev Case. The second part was about the Judgment delivered in the same case. This third part is focused on analysis of the annexures and historical documents as reproduced in the body of the said Judgment.

After poring over historical documents as annexed in the judgment, I could observe the underlying Jaina Order and systems of Jain Sangh then prevailing. How its sacrosanctity was preserved by the then spiritual leaders and recognized by the ruling temporal sovereigns of those times,

¹ Gujarat High Court, R/Writ Petition (PIL) No. 180 of 2017, Judgment dated 19.08.2021.



is reflected in these texts. The same texts also throw light on unfathomable damage to this Order and systems of Jain Sangh which were very well maintained till then. The texts also give a brief account of Shantidas Sheth, founding father of Anandji Kalyanji Trust whose role was critical in changing Jaina Order in the 17th century. An analysis of all these points will form the part of this Nivedan.

1. **Ownership in Jaina Order-** The strongest point of Jaina Order and internal system of Jain Sangh was such that all the powers and authorities were vested in Spiritual Sovereigns (Acharyas or who-so-ever is) existing at any particular point of time. As per the scriptures, ownership of establishments and entities in Jaina Order, vest not in any Shravak or any body of the Shravakas, but in the Chaturvidh Sangh, and in turn in the Acharyas or in the religious monks- the heirs in lineage of Sudharma Swami.

Shri Dharmadas Gani Maharaj Saheb, the disciple of Tirthankar Shri Mahavir Swami who was initiated by the Tirthankar himself, in the scripture Updeshmala narrates that after nirvana of Tirthankars the entire Shashan vests in Acharyas². There are several other scriptures establishing this fact³. These scriptural evidences are doubtless, prevail all along since ever and have remained unquestionable in our Jain Sangh till date.

² कइया वि जिणवरिंदा, पता अयरामरं पदं दाउं ।

आयरिएहिं पवयणं, धारिज्जइ संपयं सयलं ॥12॥

³ '... तद्विरहे पुनराचार्यैः प्रवचनं तीर्थं चातुर्वर्णसंघरूपमागमरूपं च ... संपूर्णं च धार्यते धियते ...'-Tika by Siddharshi Gani Maharaj Saheb on Upadeshmala



Other than these scriptures, this fact can also be very clearly observed from the Firman of Emperor Akbar which is replicated in the said judgment. The Firman issued in honour of the 58th successor to Sudharma Swami, His Holiness Gacchadhipati Shrimad Hirvijaysuri Maharaj Saheb, particularly recognizes him as the owner of all significant Tirths and places of worship belonging to Jain Shwetambar Sangh⁴.

Similarly, the Firman of Emperor Jehangir recognizes the 59th & 60th successors, His Holiness Shrimad Vijaysensuri Maharaj Saheb and His Holiness Shrimad Vijaydevsuri Maharaj Saheb to be the owners of all temples and Dharmshalas (Religious institutions)⁵. The opinion of the research scholar, Khan Bahadur M.S. Commissariat cited on pg. no. 115 of the said judgment clearly establishes this fact by recording that

‘...संप्रति तीर्थकरविरहेण सकलं प्रवचनमाचार्यं तिष्ठति, तीर्थकराभावे आचार्या एव प्रवर्तका ...’-Tika by Ramvijayji Maharaj Saheb on Upadeshmala

‘...ततो भगवमणुष्णं करेइ... ताहे सामी पुव्वं तित्थं गोयमसामिस्स दव्वेहिं गुणेहिं पज्जवेहिं, अणुजाणामि ति भणति, चुण्णाणि य से सीसे छुहई ...’- Avashyak Nirukti Aagam

⁴ “we grant, and bestow upon, Heer BijorSoor, Acharj of the Jain Setambari religion, the mountain Siddhachul, the mountain Girnar, the mountain Tarunga, the mountain Kessuria-nath, and the mountain Abhoo, lying in the country of Goozrat, the five mountains of Rajgiree, and the mountain Somed Sekhur alias Parusnauth, lying in the country of Bengal, together with all the places of worship and pilgrimage below the mountains,” - Pg no. 96 of Judgment.

⁵ “[That as] Baji Sen Soor and Baji Dev Soor and Khoosh faham Nand Baji Paran have temples and Dharmshalas in every place and every town And should they wish to rebuild them, no one shall oppose them.” -Firman issued by Jehangir in 1607 AD



temples and dharmashalas (Religious institutions) were under the control of Acharyas⁶.

This scriptural system in which ownership of all Tirths and entities vested in Acharyas, was distorted by Shantidas Sheth in 17th century who took the Firmans of the Tirths in his own name on behalf of the Jain community⁷. He completely ignored the earlier Firman of Emperor Akbar issued in honour of His Holiness Gacchadhipati Shrimad Hirvijay Suri Maharaj Saheb and the tradition which Jain Sangh used to follow. He even neglected the reigning Acharya and took Firman in his own name, thereby disturbing the primary order and system of the Jain Sangh. Such acts by the predecessors of AKT cannot be validated merely because they claim to have the might and unquestionable power in the Jain Sangh (which is derived by them without any due process and is against the scriptures).

This act of Sheth Shantidas deformed the structure established by Tirthankara and as a result this marked the beginning of the transfer of powers to 'Shravak Sangh' in order to arbitrarily own, control and manage the Tirths, temples and religious institutions belonging to the Chaturvidh Sangh. Such 'Shravak Sangh' is neither validated by

⁶ "...issues orders to the governors and jagirdars of the Subah of Gujarat that no one should, without permission, enter or put up at the temples and the dharamshalas of the Jain community, which were under the control of Vijayasen Suri and Vijayadev Suri..."

⁷ "...They were issued by these rulers in connection with the grant made by them to Shantidas, as Inam, of the village (or pargana) of Palitana, also called Shatrunjaya, situated in the sarkar of Sorath in the Subah of Gujarat" - Pg no. 126 of Judgment.



Tirthankaras nor by the scriptures and traditions followed thereafter. Sangh established by the Tirthankara is always Chaturvidh.

- 2. Representative authority In Jain Order-** Acharyas are not only the owners but also act as principal representatives of Jin Shashan. As per the scriptures, the Chaturvidh Sangh can alone be a real representative of Jin Shashan. Since Chaturvidh Sangh is Shraman Pradhan Sangh, therefore, only Shraman Bhagwants can be the principal representative of Jain Sangh or Jin Shashan.

This Order within Jain Sangh can be easily observed from the Firman of Akbar issued in honour of His Holiness Gacchadhipati Acharya Shri Hirvijay Suri Maharaj Saheb. The clear interpretation of the words of this Firman leads to the conclusion that the Firman confirmed the rights upon H.H. Gacchadhipati Acharya Shri Hirvijay Suri M.S. as he was the representative of the Jain Shwetambari Community⁸.

The same was even concluded by the author Khan Bahadur in the book reproduced in the said Judgment on pg no. 114, which records that,

"..... issued this order bestowing all these hills and temples on Hirvijaya Suri, in as much as the Acharya was regarded as the representative of the Jain Svetambar community for whose benefit the order was issued."

⁸ Words of the Firman are "..... Furthermore, although these mountains and the places of worship and pilgrimage, which are the places of the (followers of the) Jain Setambari religion, are given to Heer Bijoy Soor, yet in reality they are of the followers of the Jain Setambari religion.:"Pg no. 97 of Judgment.



The same tradition is also noted by another scholar:

"The Jain ascetics who throughout this period acted as representatives and spokespersons of the Jain community." ⁹

But for some dismal reasons, Sheth Shantidas was the first to break this tradition which brought about a sea change in the Jain Order. For the first time in the known history, he overruled and superseded the representative authority of the Chaturvidh Sangh and that of Acharyas. He undermined the prevailing tradition of considering Dharmacharyas as representatives of Chaturvidh Sangh. This act is nothing but disrespectful to the traditions of our Jain Sangh. By overlooking earlier perpetual Firman honoured to H. H. Hirvijaysuri, Sheth Shantidas obtained another Firman in his name as a representative of the Jain community of Western India during the regime of Shahjahan. A relevant point to note here is, he positioned himself as a representative of the Jain community, disregarding the authority of the two main essential constituents of Chaturvidh Jain Sangh i.e, Sadhus and Sadhvis.

The scholarly work forming the part of the said judgment notes the above fact on Pg No 121.

"...Shantidas stands forth in all these documents as the principal, if not the sole, representative of the wealthy and powerful Svetambar Jain

⁹ [Professor J. S. Grewal Prize essay - Piety and Royalty: Sectarian Differences within the Jains and the Mughal Emperors by Shalin Jain]



community of Western India, and the Emperor confers upon him and his heirs in that capacity,"

And on Pg No 126,

"...These grants are evidently made to Shantidas as the representative of the Jain community..."

The change in representation in his period is also noted in an article submitted under Professor J. S. Grewal Prize Essay:

"...Instead of Jain ascetics, the Jain community was now being represented by the merchants."¹⁰

This was the point where the order of Jain Sangh was broken by overturning the authority of Acharyas and illegitimately transferring the representative authority to Shrivak Sangh. From this period through the descendants of Sheth Shantidas, 'Shrivak Sangh' began functioning as a representative of Jain Sangh in a de-facto manner and completely disturbed the prevalent de-jure system. This has severely caused marginalisation of Chaturvidh Sangh and side-lining of Dharmacharyas.

3. Independence of Jain religion from temporal authority- The rupture in the representative authority of Jaina Order not only hit the authority of Acharyas but it hit over the independence of the entire religion. This of course speaks volumes of damage done to Jaina Order, but most

¹⁰ Professor J. S. Grewal Prize Essay - Piety and Royalty: Sectarian Differences within the Jains and the Mughal Emperors by Shalin Jain published under proceedings of Indian History congress, 2004 Vol.65 (2004) on - P No 355



importantly and sadly, this brought, in a de-facto manner, the Jain Sangh under the temporal authority because Sharavaks act as subjects of temporal State. Resultantly, all religious entities, establishments and assets are now held by Shravaks and thus subjugated under the temporal authorities. However, Dharmacharyas, the de-jure owners, have remained in exile till date but have always remained independent of temporal authorities.

Upto those times when Acharyas were representatives, the religion was represented by the independent spiritual authority which was superior to temporal authorities, but the acts of Sheth Shantidas set aside the independent and superior voice of religion through Dharmacharyas.

Here, I would very briefly like to put forth a few incidents showing how religious monks used to stand in a superior position to that of the Kings. One of the instances relates to the conduct of Emperor Akbar, having only temporal authority, towards a religious monk under the reigning spiritual sovereign - His Holiness Hirvijaysuri Maharaj Saheb.

Emperor Akbar bows down with the aid of his eyes to touch the feet of the disciple monk of H.H. Hirvijay Suriji M.S.-

"Thereafter facing him (Shantichandra Upadhyay), Shahi (Akbar) touched both his feet by eyes (saw him with great honour and respect)"¹¹

¹¹"ततः शाहिः अभिमुखीभूय तत्पादयुग्मं चक्षुर्भ्यां पस्पर्श ।"-पर्युषणाऽष्टाहिनिकाप्रथमव्याख्यान पृ. 18



The Emperor in his council (Raj-Sabha), leaving aside his monarchical protocol, bows down and requests the disciple monk with honorific salutation -

"Now, in the morning to deliver the sermon, Vacchakendra (Shantichandra Upadhyay) in the council (Raj-Sabha) took his position on the seat made up of gold. Thereafter the king bowed down and addressed him as Oh! Revered one! Please enlighten us on some astonishing issues."¹²

The temporal authority Akbar asks for orders from a spiritual authority -

"Thereafter, Shahi (Akbar) requested the guru-spiritual mentor that, Oh! Venerable! Please give me some order/command."¹³

Another observation from an eminent research scholar of Jainism is worth noticing in relation to Acharayas' superior position even to non-jain Kings-

"The king, in order to escort Vadidevasuri to the latter's monastery, "lent him his hand to lean on, and so went along with four white umbrellas carried over his head, fanned by a multitude of chowries, and as he went, the twin conchs were blown, and the sky filled with the sound of

¹² "अथ प्रगे धर्मश्रावणार्थं सभामध्ये वाचकेन्द्रः काञ्चनपादपीठमुपरि समेत्य स्थितः, ततो भूपः प्रणम्येति व्यजिज्ञपत्, हे पूज्य ! कमप्याश्चर्यमस्मान् दर्शय ।"-पर्युषणाऽष्टाहिनिकाप्रथमव्याख्यान पृ. 17

¹³ "ततः शाहिः ... गुरुं प्राह - हे पूज्य ! मम किञ्चित् सानुग्रहं विधाय समादिशतु ।"-पर्युषणाऽष्टाहिनिकाप्रथमव्याख्यान पृ. 19



crashing drums." All of these are symbols of royalty, here being shared by the king with the mendicant and demonstrating the Jain view of the king as inferior to the true mendicant...

...From the perspective of Jain dharma the authority of a king was inferior to the spiritual authority of an orthoprax mendicant, as seen in the manner by which Jayasimha honored Vadidevasuri¹⁴."

(Emphasis supplied)

This peculiarity obviously concludes that the representative authority of religious monks was independent and superior to temporal authority. Acharyas were not vulnerable to materialistic needs nor were they burdened with any business and materialistic interests. Therefore, they could stand with ethics, truth and protect all interests of Sangh and religion.

Can Shantidas Sheth, or his descendants or for that matter any Shravak show such independence to temporal authority? I was greatly astonished to observe at one place in some other Firman issued to Shantidas Sheth, where he was referred as devoted servant of Islam¹⁵. Just imagine what activities and services rendered by him to Mughals

¹⁴ OPEN BOUNDARIES, Jain Communities and Cultures in Indian History edited by John E. Cort, pp.91-92 on who is a king?

¹⁵"Pedhi no Itihas, Part -II, Page no.159 – Firman-4, inter alia, states as follows: "..... Since the devoted servant of Islam (Muti-ul-Islam), Seth Shantidas the jeweler"

Proceedings of the Indian History Congress, 1985, vol.46 (1985) p.302 inter alia state as follows:

"..... Since the agents of Seth Shantidas, who is devoted servant of Islam (Muti-ul-Islam)"



would have created this image of Shantidas Sheth in minds of Mughal Emperor to consider him as a devoted servant of Islam.

Hence, the independence of religion was undesirably hit when Shravaks started asserting the right to act as a representative of Jain Sangh. This is absolutely against the interest of Jain Sangh. This was first done by Shantidas Sheth and till today their descendants have maintained the monopoly of Shravaks. Today, the so-called representative authority AKT behaves, acts and conducts as if Jain religion is subjugated under the temporal authority. This is obviously because Shravaks of AKT, who usurped Jaina Order of representation through Acharayas, act as subjects of State. Their such submissive representative claims have till date caused the Jain Sangh huge loss of religious capital and religious rights.

4. Firman received by His Holiness Gacchadhipati Shri Hirvijay Suri vis-a-vis Shantidas Seth- The evident effect of the above can be seen from the comparison of Firman received by H.H. Hirvijay Suri M.S. vis-a-vis Firmans of Shantidas Sheth. As it shall be seen, there are glaring apparent differences in these Firmans, and one of the main reason is the gap in stature between Gacchadhipati H.H. Hirvijay Suri M.S. as Spiritual Sovereign and Shantidas Sheth as Shravak.



The Firmans as received by Shantidas Sheth were granted to him as a servant¹⁶, slave¹⁷ or subject. On the contrary, the Firman received by Achraya, is not issued upon Acharya as a Subject or slave but as a religious head¹⁸. In fact, the Firman bestowed upon Acharya is addressed as an edict to all office bearers of Akbar's empire and dominion of present and future times¹⁹. This also shows that the order given in the Firman would apply to the entire dominion of Akbar and continue to bind his successors.

Further, the Firmans obtained by Seth Shantidas was a favour²⁰, while that issued in the name of H.H. Hirvijay Suriiji was an honour. The Firman

¹⁶ "...the paragana of Palitana, also called Shatrunja, situated in the Sarkar of Sorath, a dependency of Subha of Ahmedabad, had been given to this servant as Inam by way of altamgha for two lakhs of dams...." Pg no. 81 of Imperial Mughal Farmans in Gujarat, by Khan Bahadur M.S. Commissariat

¹⁷ "... the district of Palitana, which is called Satranja in the jurisdiction of Sorath Sarkar, a dependency of the Suba of Ahmedabad (and) the revenue of which is two lacs of Dams has been settled as perpetual Inam on the slave (the petitioner) the above mentioned (and) that he (the petitioner) therefore hopes that glorious edict may also be granted by our Court..." Firman issued by Aurangzeb to Shantidas Sheth in 1658 AD

¹⁸ The words of Firman issued by Akbar as reproduced under paragraph 28 of judgment on pg. No. 95: "..... therefore, having heard, on several occasion, of the godliness and austere devotin of Heer Bijoy Soor, an Achraj (preceptor) of the Jain Setambari religion or doctrine, and his disciples and followers, who live at the ports of Goozrat, we had sent for him, and when, after the interview which made me very happy, he intended to return to the usual place of his residence,"

¹⁹ "Be it known to the Officers of the present and future times, the Governors, Kurrorees, Jaegheerdars of the Soobahs (Provinces) of the Malwali and Shah Jehanabad, (Delhi) Akburabad, (Agra) the seat of Government, Lahore: (another) seat of Government, Mooltan the place of protection, Ahmedabad, Ajmeer the auspicious, Meerut and Goozrat, and the province of Bengal, as well as other countries in (our) dominion." - Firman issued by Akbar as reproduced under paragraph 28 of judgement on Pg no. 94 of Judgment

²⁰ "...Satidas has presented a Petition praying that in this manner a new high command should be given..." - Firman issued by Moorad Bukhash to Shantidas Sheth in 1657 AD

"...We give these two hills also to Shantidas Jawahari of the Shrawak community as a special favour so that he may be entirely satisfied." - Firman issued by Aurangzeb to Shantidas Sheth in 1660 AD



given to Seth Shantidas mentions just a few of our Tirths²¹ while that bestowed upon H. H.Hirvijay Suriiji covers all places of worship belonging to the Jain Shwetambar community²².

The Firman which was bestowed to H.H.Hirvijay Suriiji M.S. leaves no doubt to the fact that Firman is perpetual in nature²³. Further, the Firman is inclusive of a clause for strict adherence to the orders therein and that no other document be required in future as well²⁴. This clearly effaces the need for any new Firman. Whereas the Firmans given to Seth Shantidas is absent of any such clause.

The Firman honouring H.H. Hirvijay Suriiji clearly indicates that places of worship and the Tirths belonged to the Jain Shwetambar community and that Akbar just reconfirmed the same²⁵. Whereas the Firman given to

²¹ "...The temples of Chintaman and Satranja and Sankesarah and Kasari existed... in the possession of Satidas..." Firman issued by Shah Jahan to Shantidas Sheth in 1629 AD

"... there is a mountain in Junagadh famous as Giral (Girnar), and there is another hill at Abuji.... We give these two hills also to Shantidas Jawahari of the Shrawak community as a special favour so that he may be entirely satisfied." - Firman issued by Aurangzeb to Shantidas Sheth in 1660 AD

²² "we grant, and bestow upon, Heer BijorSoor, Acharj of the Jain Setambari religion, the mountain Siddhachul, the mountain Girnar, the mountain Tarunga, the mountain Kessuria-nath, and the mountain Abhoo, lying in the country of Goozrat, the five mountains of Rajgiree, and the mountain Somed Sekhur alias Parusnauth, lying in the country of Bengal, together with all the places of worship and pilgrimage below the mountains," - Firman issued by Akbar as reproduced under paragraph 28 of judgment on Pg no. 96 of Judgment

²³ "May this Firman shine like the sun and the moon amongst the followers of the Jain Setambari religion, as long as the sun may shine in the day with his resplendent rays, and the moon make the night delightful by her light."-Firman issued by Akbar as reproduced under paragraph 28 of judgment on Pg no. 97 of Judgment

²⁴ "let the orders contained in (this) Firman, which commands obedience, by (inhabitants of) the world, be acted upon and carried out, and let none depart from the same, and require a new Sunnud (Grant)"- Firman issued by Akbar as reproduced under paragraph 28 of judgment on Pg. No. 97

²⁵ "...as it appeared to us upon enquiry and we are satisfied that those mountains and places of worship appertain to the religion of Jain Setambari, therefore, in compliance..." - Firman issued by Akbar as reproduced under paragraph 28 of judgment on pg. No 96



Seth Shantidas indicates that the Tirths were given as inam (gift) which essentially means that it earlier did not belong to the Jain Shwetambar community. On the top of it, for our most sacred Shatrunjay Tirth, Sheth Shantidas explicitly admitted that the Tirth was received in gift. Sadly, he created and left a strong and long-lasting proof of admission by engraving this fact on inscriptions of Parikar of Aadinath Bhawan on Shatrunjay Tirth²⁶. This was a blow leaving a scar upon future generations, making it difficult to establish rights of Chaturvidh Sangh over Shatrunjay Tirth.

5. Other personality traits of Shantidas Sheth conflicting with the religion:

Apart from this, the judgment, the book referred therein; and other sources speak of many social, political and business traits of Shantidas Sheth that conflicted with religion and at times damaged it. Shantidas Sheth is recognized as a founding father of the present so-called representative body of Shwetamber Murtipujak Jain Sangh i.e. AKT. However, such historical evidence shows us a different picture about his personality. He being a wealthy banker had funded barbarous Mughal Emperor to raise army against Indian King of Ujjain²⁷. He participated in the war of succession for Delhi throne among princes²⁸. Sheth Shantidas

²⁶ Jain Paramparano Ithas Prakaran no.58-page no. 138

²⁷ The Jain Paramparano Itihas Prakran 58 Page no 142 notes that Shantidas Sheth provided financial support to Aurangzeb and Murad Baksh for building an army of 88,000 for building an army against the king of Ujjain.

²⁸ "During the War of Succession, he espoused the cause of Prince Murad Baksh to whom he advanced money to the tune of Rs 5 Lakh 50 thousand". (Proceedings of Indian History Congress, 1985, Vol. 46, Pg 302)



used his influence over the Jain Community for the Mughal Emperor's advantages.

In this regard one scholar notes that,

*"The influence exercised by Shantidas over the mahajans of Ahmedabad was sought to be utilized by Aurangzeb to his advantage. This may explain to some extent the favours which Aurangzeb bestowed on Seth Shantidas disregarding the fact that the latter had given financial help to his adversary Prince Murad."*²⁹

The text of Jain Parampara no Ithas as in Prakran 58 page 137 says that the bank of Seth Shantidas always remained open for Muslim Emperor Shahjahan, his princes and subah inspite of the fact that Muslims regularly looted money, food grains, properties, domestic animals and even young girls of Hindu family ³⁰.

At one proceeding of Indian History Congress, 2012 Vol. 73, Pg 506, it was noted that,

"Shantidas thus widened his social base through the mechanism of religion."

²⁹ Proceeding of Indian History Congress, 1985, Vol. 46, Pg 302

³⁰ "શેઠ શાંતિદાસની પેઢી બાદશાહ શાહજહાં, તેના શાહજાદાઓ અને સૂબાઓ વગેરે માટે ધીખતી બેંક હતી. તેઓને જ્યારે જોઈએ ત્યારે ને જેટલી જોઈએ તેટલી રકમ ત્યાંથી મળી શકતી હતી.

બીજી તરફ દાદાગીરીમાં ટેવાયેલા તોફાની મુસલમાનો હિંદુઓના ઘરોમાંથી ધન, માલ મિલકત, અનાજ, ઘોડા, ગાય વગેરે અને સ્ત્રીઓ-કન્યાઓ વગેરેને ઉઠાવી જતા હતા અને મકાન, બાગ, મૂડી વગેરેને દબાવી બેસતા હતા." Jain

Paramparano Ithas Prakaran no.58-page no. 137



To conclude, the above historical references indicate that Shantidas Sheth carried out such activities which were grossly irreligious, i.e supporting Muslim Emperor for their barbarous activities, using religion for self-benefits and misusing religious influence over community for Mughal Emperor's advantage. Also, after observing the book of Khan Bahadur M.S. Commissariat, one can conclude that he has taken as many as around 20 Firmans from Mughul Emperors. Out of this, majority were for his business interests or personal gain. Few of them were for Tirths (which brought down the overall status of the Jaina Order. Firman obtained by Shantidas Sheth were not out of gratitude or true respect, unlike in the case of Firmans obtained by Jain Acharyas). Looking at the influence he enjoyed in Mughal courts, and the ease at which he used to take Firmans, it was an easy task for him to get the Akbar's Firman reconfirmed. This would have been great service to Jin Shashan, rather than to take Firmans of few Tirths in his own name as representative of the Shravak Community.

Apart from this grave damage to the traditional order and system of Jain Sangh, it would not be out of place to mention here activities of Shantidas Sheth which played crucial role in creating rift in Tapagacch ignoring and side-lining the then Acharya of Shwetamber Murtipujak Jain Sangh. The following activities will show how he challenged the prescribed Jaina Order and authority in multiple ways.

It was his involvement in getting Muktisagar M.S of Sagargachchh the title of Acharaya against the wishes of Tapagacchadhipati. Seth



Shantidas would leave no stones unturned to challenge Supremacy of Dharmacharya.

In Jaina Order, a monk is given responsibility and duties of an Acharaya on the basis of merits and the powers to nominate one are vested in dharmacharya. Sheth Shantidas played power politics to pressurize the religious head to designate Muktisagar M.S. as an Acharya. The relevant portion of the above in '*Jain parampara no itihās*' is reproduced in footnote.³¹

In fact, the '*Jain parampara no itihās*'; prakaran – 58 P No 129 notes that in order to confer upadhyay and Acharya padvi, Sheth Shantidas kidnapped Nagarsheth of Khambhat and kept him under house arrest. He threatened him with death to get approval of H.H. Ga. Vijaydev Suri for conferring Acharya title upon Rajsagar Gani M.S.³²

³¹ શેઠ ખુશ થયા અને ગચ્છનાયકને પાઘડી ઉતારી વિનંતી કરી કે, “હવે પં. મુક્તિસાગર ગણીને ઉપાધ્યાયપદ આપો.”

ગચ્છનાયકે ઠંડો જવાબ આપતા જણાવ્યું કે, “મહાનુભાવ ! હું તમારી લાગણી સમજું છું, પરંતુ તમે સમજી શકો એમ છે કે, પદવી જેને તેને લહાણી કરવાની કે ઘેર ઘેર વહેંચવાની વસ્તુ નથી. તે કોને આપવી, કોને ન આપવી, ક્યારે આપવી અને ક્યારે ન આપવી તેનો વિચાર કરવો પડે છે.”

ગચ્છનાયકે આટલો ખુલાસો કરી મૌન પકડ્યું. આ ખુલાસાથી ખોટું લાગ્યું પણ તેમણે “જેવી આપની મરજી” કહી તે વખતે મનમાં જ નક્કી કર્યું કે,

“હવે હું શ્રી નેમિસાગરને ભદ્રરક બનાવી, પં. શ્રી મુક્તિસાગર ગણીને તેમના હાથે જ ઉપાધ્યાય બનાવી, પછી આચાર્યપદવી અપાવી ઉપા. શ્રી રાજસાગર ગણી અને પછી આ. રાજસાગરસૂરિ બનાવીશ.”

-Jain Parampara no Itihās Prakaran 58, page no 128

³² ભદ્રા. શ્રી વિજયદેવસૂરિ સં. 1679માં ખંભાતમાં ચાતુર્માસ સ્થિત હતા. અને ખંભાતના નગરશેઠ વ્યવહારી કામ માટે ચોમાસામાં અમદાવાદ આવ્યા. શેઠ શાંતિદાસે અવસર જોઈ સૂબાની સત્તા હાથમાં લઈ ખંભાતના શેઠને પોતાને ત્યાં અતિથિ તરીકે રાખી નજર કેદી બનાવ્યા અને તેને રુઆબથી જણાવ્યું કે, “શેઠ ! તમારે ખંભાતનાં ગ્રાડ જોવાં છે કે નહીં ? જો એ જોવાની ઇચ્છા હોય તો ખંભાતમાં રહેલા આ. શ્રી વિજયદેવસૂરિ પોતાની જાતે જ પં. શ્રી રાજસાગર ગણીને



This was the extent to which Sheth Shantidas went to get his motives fulfilled. Not only that he was instrumental for expanding Sagargachchh by using criminal and illegitimate means but also used all policies of saam, daam, dand and bhed. This is evident from 'Jain parampara no itihhas' – Prakaran 58 Pg No 130, a part of which is reproduced in footnote.³³

ઉપાધ્યાયપદ આપી આચાર્ય બનાવવાની કબૂલાત આપે એવો પ્રબંધ કરો તો જ તમે અહીંથી છૂટીને ખંભાત જઈ શકશો.”

ખંભાતમાં શેઠાણીએ આ વાત જાણી, તે તરત જ ભદ્રા. શ્રી વિજયદેવસૂરિ પાસે જઈ આંખમાં આંસુ લાવી ગચ્છનાયક પાસે પોતાના સૌભાગ્યની ભિક્ષા માગી અને અમદાવાદમાં શેઠના સકલ સમાચાર કહી સંભળાવ્યા.

ભદ્રા. શ્રી વિજયદેવસૂરિએ પં. રાજસાગર ગણીને ઉપાધ્યાયપદવી આપવાની મૂક સમ્મતિના પ્રતીકરૂપે એક પત્રમાં પોતાના હસ્તાક્ષરથી 'શ્રી જિનાય નમઃ' લખી તેમાં વાસક્ષેપ નાખી તે પત્ર શેઠાણીને આપ્યો.

શેઠ શાંતિદાસે સં. 1679માં અમદાવાદમાં પં. મુક્તિસાગર ગણીને ભદ્રા. શ્રી વિજયદેવસૂરિનો વાસક્ષેપ નાખી ઉપાધ્યાય પદવી આપી એટલે તેઓ હવેથી ઉપા. રાજસાગર ગણી નામથી ઓળખાવા લાગ્યા.

પછી શેઠ શાંતિદાસે સં. 1686ના જેઠ સુદિ 14ના રોજ અમદાવાદમાં ભગ. શ્રી મહાવીરસ્વામીના જિનપ્રાસાદમાં મહોત્સવ કરી ઉપા. રાજસાગર ગણીને આચાર્યપદવી આપી, તેમજ બીજા મુનિરાજોને ઉપાધ્યાય, પંચ્યાસ વગેરે બનાવી... તે વખતે ઉપા. શ્રી રાજસાગરને આ. શ્રી રાજસાગરસૂરિ તરીકે સ્થાપન કર્યા.-

-Jain Parampara no Itihhas Prakaran 58,page no 129

³³ ગચ્છવૃદ્ધિ -

શેઠ શાંતિદાસે સાગરગચ્છના ચારે સંઘોને વિસ્તૃત બનાવવા સામ, દામ, દંડ અને ભેદ એ ચારે નીતિથી કામ લીધું.

કડુઆમતના શાહ કલ્યાણજી સં. 1685માં રચેલી પદ્માવલીમાં જણાવે છે કે, વિ.સં. 1679માં થરાદમાં કડુઆમત અને તપાગચ્છના શ્રાવકો વચ્ચે ઝગડો પડ્યો. આથી રાધનપુરના તપાગચ્છના યુવાન શ્રાવકોએ તોફાન કરી રાધનપુરના કડુઆમતનો ઉપાશ્રય તોડી નાખ્યો. કડુઆમતના જૈનોએ બાદશાહ જહાંગીર પાસે આની ફરિયાદ કરી દાદ માગી.

કદાચ બહુ તપાસણી થાય તો આ ઘટનામાં રાધનપુરના તપાગચ્છના જૈનોનો દંડ થાય એવી પરિસ્થિતિ હતી. આથી અમદાવાદના નગરશેઠ શાંતિદાસે રાધનપુરના તપાગચ્છના યુવાનોને જણાવ્યું કે, “જો તમે અમારા સાગરગચ્છમાં દાખલ થાઓ તો તમને સૌને બચાવી લઈશ” એ રીતે સૌને સાગરગચ્છમાં દાખલ થવાનાં વચન લીધાં.”

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I would like to conclude the third part by indicating that the facts mentioned in all three parts of my Nivedan are just the tip of the iceberg. The damages which occurred to Jain Shashan will be met with dire consequences for future generations, if not reversed. While we do not accept all the opinions by scholars, the facts noted by them are of grave concern.

It will not be out of place here to refer to Prabhudas Bechardas Parekh, who was a well-known Jain Pandit and was a devout Shrivak with an unparallel inclination towards Jaina Order. He has authored multiple articles with deep insights concerning Jaina Order. Those articles are full of multifaceted viewpoints for the subject matter of the article. He being a Shrivak was not authorised to study Jain Agams and, therefore, out of this ignorance, his articles might be prone to a few shortcomings. Yet, he swam into deep waters describing the nuances of internal Jaina systems (and even International World Order). The views expressed in his articles made the readers ponder. He has at multiple times denounced the representative authority of AKT which illegitimately seized the authority of Chaturvidh Jain Sangh. He has clearly opined that such usurpation of representative authority from Chaturvidh Sangh by Shrivakas are

પછી શેઠ શાંતિદાસે કડુઆમતના જૈનોને ખાતરી આપી જણાવ્યું કે, “તમે આ કેસ પાછો ખેંચી લો. હું રાધનપુરમાં તમારો નવો ઉપાશ્રય બંધાવી દઈશ.”

પરિણામે કડુઆમતવાળાએ કેસ પાછો ખેંચી લીધો. પછી રાધનપુરના તપાગચ્છના જુવાનો સાગરગચ્છમાં ભળ્યા અને શેઠ શાંતિદાસે રાધનપુરમાં કડુઆમતનો નવો ઉપાશ્રય બનાવી આપ્યો.

બીજી તરફ તપાગચ્છના યુવાનો સાગરગચ્છમાં ભળ્યા હતા. તેમણે ઉપાશ્રયને પોતાના અધિકાર નીચે લેવા ધાર્યું. આ રીતે રાધનપુરમાં તપાગચ્છમાં સં. 1680માં બે પક્ષો પડ્યા. સાથોસાથ ઉપાશ્રયના બે ભાગ પડ્યા.

-Jain Parampara no Itihas Prakaran 58,page no 130



extremely detrimental to Jaina Order as per scriptures. He has narrated how the actions of AKT have damaged the Jaina Order since the last few centuries.

His views were also echoed in the caution sounded by His Holiness Munipravar Mohjit Vijayji Maharaj Saheb. After analysing the legal history of Jain Tirths, H.H. Munipravar Mohjitvijayji M.S. had alarmed me over the trajectory with which the rights of Jain community over Tirths are lost due to the representation of AKT for Chaturvidh Sangh. While he was on his death bed, he had tasked me to remain vigilant for all opportunities of Tirth Raksha. Now, with the documents and evidence that have come to my notice, I can certainly, without an iota of doubt, conclude that the views expressed by late Prabhudasbhai and H.H. Mohjitvijayji M.S. are absolutely true in relation to AKT's role in damaging the Jaina Order.

All my actions and Nivedans towards AKT are not out of any personal differences or vendetta towards AKT or its dynastic ruling family. This family has been rich and affluent since the times of Shantidas Sheth. They have done numerous pious and religious deeds at different points in time by utilising their resources. I appreciate those good deeds.

But for their activities which are counter-productive to Jaina Order, we are duty bound to personally intervene and make our utmost efforts to rescue Tirth and Shashan, because the Tirthankars have devolved upon us the responsibility of Tirth Raksha and Shashan Raksha. I strongly believe that it is not advisable to publish such issues in public, unless necessitated and compelled to do so for protecting the interests of Jain Shasan. After



studying the legal history of Tirths I have come across a host of grave issues concerning Tirth rights. I have since decades tried to personally inform and pursue AKT regarding these issues with a prod to act. But all my efforts to make them adequately active to take actions for protecting our Tirth-rights went in vain. Yet, I bore the brunt of all the inactiveness of AKT silently while personally interacting with its Trustees, but never went in public till date.

However, in the present case, affidavits, annexures that formed part of the said Judgment were published in public and the judgment was projected as a great victory neglecting the dark side of it. This made all the errors of AKT public which can be easily deciphered by any legal expert. Since all documents were freely made accessible and available to the public, I too had to make the analysis public in order to make the Jain Sangh aware of the facts. My actions are backed by sound legal advice too.

At last, a small but a very relevant gospel for AKT which I would like to point out is that, if they would have pressed the very same ideas which exist in the annexures submitted by themselves before the Gujarat High Court in this case and illustrated hereinabove, then they could have got a judgment which would have reversed the centuries of old mistakes of usurping the Jaina Order. I hope the same will be taken positively even now and a proper rectification process will be initiated by AKT.

Actions and Nivedens against affluent businessmen in public invites big trouble and adversities, even for the Dharmacharyas in these times, still



with the driving force of Jinagna, I have been able to do this. My infinite vandan to Jinas, through whom we get such strength.

Acharya Yugbhushansuri

(Ga. Acharya Yugbhushansuri)

Note: All my Nivedans on analysis of Nilkanth Mahadev Temple Case were not made out of envy or disliking towards any other religion or their temples. The only pious intention is that the legal rights of significant places of worship of every religion must be allowed to be maintained and protected. The public awareness regarding this judgment was made so that legitimate rights of significant places of worship don't get snatched away and stay protected.