

Parzianā

The Religious Vote

Shiavax R. Vakil

From the manner in which a particular section of our community has been behaving one is inclined to come to the conclusion that this section believes Parsis to be a chosen race. Whenever a social issue arises, they drag religion into the picture to give the issue a colour of piety.

Consider for instance the question of Prohibition. When during the British regime prohibition was introduced, it was the Parsis who wished to be exempted on the ground that their religion enjoined use of alcoholic drinks to be offered during prayers when remembering the dead. 'Sharbat' was changed to 'Sharab'. What was the result thereof? The Trustees of the Parsi Punchayet, Bombay, were authorised to issue liquor permits 'for religious purposes' to Parsis. Meetings of Parsis were organised where prohibition was attacked on the ground that it trespassed on our religious rites.

The same is the case with adoption. A meeting of the Trustees of the Parsi Punchayet was held and a retired Law Secretary addressed the meeting and suggested an amendment to the Adoption Bill. There was a group of Parsis who did not agree and sought an interview with the Prime Minister which was duly given to them. This interview was compared to the interview which Shehanshah Akbar had with Dasturji Meherji Rana!

They begged of the Prime Minister to

exclude Parsis from the purview of the Bill (while another group simultaneously vehemently made a request to include them in the bill). Out of those protagonists who are opposing inclusion there is at least one who has given his opinion in writing that Parsi Law recognises adoption whereas the fact of the matter is otherwise.

Recently a seminar on adoption was held at which there were various speakers and naturally non-Parsi speakers complained about the attitude of Parsis. When a report of this seminar was published one gentleman criticised inclusion of Parsis and apprehended again that it would be an inroad to our religion in danger. If the report is correct, Mr Dadi Engineer stated that if a referendum was taken, Parsis would vote against their inclusion. I could never expect a more untenable argument from a lawyer who is the next trustee designate of C.E.R. for the Parsi Punchayet.

Are social legislations dependent on plebiscites? When prohibition was introduced, was a plebiscite taken? When Jawaharlal Nehru introduced the Hindu Code, was a plebiscite taken? When Nehru introduced the Hindu Marriage & Divorce Act, was a plebiscite taken? When Muslim ladies were given a right of divorce in 1939 under certain circumstances was a plebiscite taken?

When certain laws like removal of untouchability are promulgated, is a

plebiscite taken? When India became independent, was a plebiscite taken whether India should continue to be under the British Rule or become independent. If any plebiscite was taken on this issue, I am quite certain that a majority of Parsis would have voted for continuation of the British Raj.

Lastly, may I put a poser to those who advocate a plebiscite: If adoption is a religious issue, is a religious issue to be determined by plebiscite? I have never understood how the Adoption Bill is detrimental to the cause of the community and nobody has pointed this out yet except for making vague allegations.

There can be nothing like a community's point of view when the Parsis on every question affecting the community are sharply divided. Let the community realise that there are so many matters requiring immediate attention, but neither the leaders of the community nor the followers have time to think seriously about them.

Is 'religion in danger', the only sheet anchor of our bigots? What unlimited social tyranny can be perpetrated on the community in the name of religion. When once I discussed a similar issue with the Late Dasturji Daboo, he quipped, "What community? Where is the 'Com', and where is the 'unity'?"

Abridged and edited from the Bombay Samachar, 2 May 82. S.R. Vakil, legal adviser to the House of Tatas, is a former trustee of the Bombay Parsi Punchayet.

The Parsi Punchayet Case

Petit vs Jeejeebhoy X

The Tenets of the Founders

THE JUDGEMENT SO FAR

In 1903 R. D. Tata married according to Parsi rites, a French lady, after having her navjote performed. Tata claimed his wife "had become a Parsi professing the Zoroastrian faith and consequently she was entitled to participate in all the charitable and religious Funds and Institutions of the Parsis" including the right to enter fire temples and have her body consigned to the Towers of Silence.

Thus the scene was set for the historic court case of Petit vs Jeejeebhoy, also known as "The Parsi Punchayet Case."

The question before the two judges of the Bombay High Court, Justice Frank C. O. Beaman and Justice Dinshaw Dhanjibhoy Daver, was whether a person born in another faith but converted to Zoroastrianism was entitled to the benefits of certain community trusts.

The plaintiffs (Sir Dinshaw Maneckji Petit; Tata and others) contended Zoroastrianism enjoins and practises conversion and that converts are entitled to all the benefits provided. The defendants (Sir Jamsetji Jeejeebhoy and others) while admitting that Zoroastrianism permits conversion state that "ever since their (Parsis) advent into India (they) have not admitted a Juddin (Person belonging to another religion) into their fold. They admit, however, that children born of a Zoroastrian father by an alien mother have been admitted into the fold by the performance of the Navjote ceremony."

Daver in his part of the judgement stated that while Zoroastrianism permitted and enjoined conversion, not a single case of conversion in India was proved before the court. In the last instalment he tried to ascertain the views of the founders of the trust in regard to converts.

The Defendants called a number of leading members of the Parsi Community—members of well-known Parsi families who had made contributions to some of the Charity Funds. They all said it was never their intention that Juddin converts should profit by their benefaction; in fact, they said such a class was not present to their minds till the present controversy arose. If this is true of present times, it must be true of remoter times and of people of former generations, who appear to be much more fervent, not to say bigoted, in their religious beliefs and observances than Parsis of the present day.

All the materials available for the purpose of ascertaining the tenets of the Founders tend to show that they never could have intended their benefactions to be for the use of Juddin Converts. One can gather the tenets of the Founders by ascertaining the tenets of their predecessors, their contemporaries and their descendants; and taking all the surrounding circumstances of the times into consideration I find that all the indications most unmistakably point out that the idea of admitting a Durvand to their religion must at all times have been repugnant to the Parsis of the olden times. It is only on the advent of "reformers of religion," such as Mr. Sheriarji and possibly the birth of the reforming Subbha he served, that has instilled this idea of Durvand conversion in the minds of a very small section of the Community.

If the Plaintiffs believed that the tenets of the Founders were as was stated by their Counsel, why did they not venture to come forward and give evidence in support of their contention? Not one single Plaintiff of the seven on the record came forward to give evidence in the case, and I venture to think that if what was urged on their side was their belief, they could have given valuable evidence on their own behalf.

Take, for instance, the 1st Plaintiff,

Sir Dinshaw Petit. His grandfather, whose name—a name revered and cherished by every member of the Community—he bears, was the Founder of one of the Institutions in question in the suit. The old Baronet and the members of his family have made most munificent donations to some of the Charitable Funds. A palatial Sanitarium for Parsis and an Orphanage for Parsi boys owe their origin to the 1st Plaintiff's family. The first Baronet was alive till within a very few years from now. He was alive years after the 1st Plaintiff attained to years of discretion. As grandson and heir, he must necessarily have been in constant touch with his grandfather.

Who could have deposed to what the tenets of the late Sir Dinshaw Petit, the Founder of one of the Sagdis and one of the largest contributors to Parsi charities, were with greater knowledge and authority than the 1st Plaintiff. If he could have told the Court that the tenets of his grandfather were in favour of Juddin conversion; that his grandfather approved of admitting Bhangis into the Parsi Community; that he had no objection to Dubras being converted to Zoroastrianism and their dead bodies carried to the Towers of Silence; that he would have looked upon a Mahar Zoroastrian attending religious ceremonies at Atash Behrams with himself with approval, he would have advanced the case of the Plaintiffs much more efficiently than it was advanced by the evidence of witnesses such as Sorabji Punthakey and Sheriarji Bharucha, called on behalf of himself and his co-Plaintiffs.

Take, again, the case of the 2nd Plaintiff, Sir Cowasji Jehangir, who bears the name of his great uncle and adoptive father—a name always honoured in the Community. The late Sir Cowasji contributed largely to Parsi charities. The present Sir Cowasji has himself given a piece of land adjoining the Towers to the

What is to prevail? The tenets of the religion or the ancient usage of those professing the religion?

Parsi Community. What were the tenets of the late Sir Cowasji, and what are his own tenets?

Surely, when Counsel on Plaintiffs' behalf succeeded in letting in a large amount of hearsay evidence on the ground that his witnesses had formed independent opinions from what they had heard, the 2nd Plaintiff, even if he had no personal knowledge of his adoptive father's tenets, could still not pretend that he had not formed some opinion about the tenets of the late Sir Cowasji from what he must have heard of his convictions, opinions, and beliefs. Did the late Sir Cowasji hold as his tenet that Durvands and Juddins, Bhungis and Dubras should be admitted into the Community and have access to Fire Temples, and be carried after death to the Towers, and generally participate in his benefactions? Why does not the 2nd Plaintiff state what he surely must know?

The 3rd Plaintiff's grandfather, the late Mr. Byramji Jijibhai, has endowed many permanent charities, some of which are purely Parsi charities. Was it his intention to give the benefit of the Parsi charities to Juddin Converts? Why did not Mr. Rustomji Nanabhoy Byramji Jijibhai give the Court the benefit of his evidence?

The tenets of the Founders of the Charitable Institutions in question could, with great advantage, be ascertained from the tenets of the Founders of similar Institutions in other places. I find that the late Mr. Nusserwanji Tata, the grandfather of the 4th Plaintiff, built and consecrated a Tower of Silence at Navsari. A full description of the ceremony of laying its foundation in 1877 and of its subsequent consecration in 1878 is given in the book very largely used before us at the hearing—Parsi Dhamsthalo.

I find from the same book that in 1884, Mr. Nusserwanji Tata built and dedicated to charity a Parsi Agiary at Bandora.

What were his tenets? If a grandson cannot tell us that, who can? Surely he knew. And yet Mr. Ratanji Jamsetji Tata, the 4th Plaintiff, did not favour the Court with his evidence!

Mr. Jivanji Mody, in his evidence, made a telling point against the Plaintiffs, by stating that the French wife of the 6th Plaintiff, who is a prominent member of the Tata family, was not allowed to enter the Agiary built by the head of the family at Bandora. Who could have given an effective answer to this, if not true, than the 4th Plaintiff? He might also have told us whether there was any objection to the body of a Juddin Convert being disposed of in the Tower built by his grandfather at Navsari.

Plaintiffs' Counsel appealed to the Court and asked: "Now that this lady had eschewed her own religion and adopted Zoroastrianism, where was she to go for religious worship; and, in the event of her death, where was her body going to be disposed of?" The obvious answer seems to be: "Why should she not make use of the very Institutions founded by the late head of the family of which she has become a member. The Bandora Agiary and the Navsari Tower, founded by the late Mr. Nusserwanji Tata, should be at her disposal, if the contentions of the 4th Plaintiff, Mr. Ruttonji Jamsedji Tata, are correct. He gave us no opportunity of ascertaining from him what the tenets of his grandfather were—tenets which surely he must know."

All the materials show that the Founders never could have intended their benefactions to be for the use of Juddin Converts.

The grandfather of the 5th Plaintiff, the late Mr. Framji Nusserwanji Patell, was a prominent member of the Parsi Community, and so was his father. It might have thrown some light on the questions before us if he had taken the trouble to enlighten the Court as to their tenets.

The 7th Plaintiff, I believe, belongs to the priestly class. He could have shed some light on the tenets of his forefathers, and generally of the priestly class of the Parsis, if he had wished to do so.

I am constrained to believe that if the Plaintiffs' case on this head was based on convictions, they would have come forward and given evidence, and their absence can lead only to one very clear conclusion: they knew the tenets of their forefathers, they knew the tenets of the Founders; those tenets they knew were not the tenets their Counsel contended they were; they abstained from venturing to go into the witness-box, because they knew their evidence could not help their case—they knew their evidence would be destructive of the contention put forward on their behalf.

The 6th Plaintiff had a grievance against the Defendants, because he believed they acted in a spirit of partisanship in excluding his wife. He proposed to fight the Defendants. The other Plaintiffs sympathised with him, and, in a spirit of chivalry, agreed to join him in the fight if the fight included their grievance; and hence a combination of two suits into one and a combination of two sets of Plaintiffs actuated by different considerations.

With the 6th Plaintiff, Mr. Ratanji Dadabhai Tata, I have the keenest sympathy. His conduct has been throughout open, straightforward, and manly; and it has cost me no little regret to be driven to conclusions which defeat the claims he makes on behalf of his wife. After marrying the lady, he brought her to India, and she went through the forms of admission into the Zoroastrian reli-

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gion. He obtained the approval to his wife's admission, though in guarded terms, from Mr. Jivanji Mody and from Dastoor Darab, the two principal witnesses for the Defendants, on this part of the case.

The social reasons they now urge against her admission seem to me to be frivolous. If social reasons urged by these witnesses were the only reasons urged against her admission, I should have felt no hesitation in summarily brushing them aside. Besides their being too trivial, the Court in adjudging of the rights of parties would not be governed merely by social reasons such as were urged by the witnesses.

For the reasons I have recorded above, I come to the conclusion that even if an entire alien—a Juddin—is duly admitted into the Zoroastrian religion after satisfying all conditions and undergoing all necessary ceremonies, he or she would not, as a matter of right, be entitled to the use and benefits of the Funds and Institutions now under the Defendants' management and control; that these were founded and endowed only for the members of the Parsi Community; and that the Parsi Community consists of Parsis who are descended from the original Persian emigrants, and who are born of both Zoroastrian parents, and who profess the Zoroastrian religion, the Iranies from Persia professing the Zoroastrian religion, who

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come to India, either temporarily, or permanently, and the children of Parsi fathers by alien mothers who have been duly and properly admitted into the religion.

I ought not to conclude the consideration of this branch of the case without referring to two cases relating to Parsis, decided by our Courts, which have, I think, a most important bearing on the present question. The Plaintiffs say: the Zoroastrian religion permits and enjoins conversion, therefore admit Juddins. The Defendants say: the usage of 1200 years is not to admit such Juddins, although the religion may allow of such admission. What is to prevail? The tenets of the religion or the ancient usage of those professing the religion?

In *Peshotan Hormusji Dastoor v. Meherbai*, the late Mr. Justice Scott held that usage must prevail over tenets. He says:—

"The Zoroastrian system would seem not to have contemplated marriage in infancy. The marriage ceremony of Ashirvad includes a prayer or exhortation to the parties which would be senseless if it were not addressed to persons capable of matrimonial union in every sense. The Zend Avesta contains many passages which exclude the idea of infant marriages.

"But custom seems to have wandered from the pure doctrine of the Zend Avesta; and the law, whether English or Persian, can only be applied subject to any well-established usage."

"When the Parsis settled in Western India eleven hundred and seventy years ago, they probably brought with them a system both of law and custom from Persia. But it was all unwritten and gradually fell into desuetude, and this mere handful of Persian strangers gradually and naturally adopted much of the law and usage that obtained in the Hindu community, in whose midst they were forced to dwell."

The effect of this judgment is that, although—according to the tenets of the Zoroastrian religion, as gathered by the learned Judge from the Zend Avesta, the Ravayats of which he speaks as the opinions sent by the wise men of Persia and from other sources—infant marriages were not permissible or legal, a usage had sprung up amongst the Parsis of performing infant marriages, and he allowed usage to prevail over the tenets of the religion and held an infant marriage to be legal and binding, though not permissible or legal according to the tenets of the Zoroastrian religion.

There are very clear authorities for holding that a well-established and ancient usage prevailing amongst a community must over-ride such of the tenets of their religion as are shown to have fallen into desuetude and conflict with ancient usage prevailing in the community.

The result is that I hold that the Plaintiffs are not entitled to any of the reliefs claimed by them in this branch of their case, and I would dismiss their suit so far as it seeks relief on all points relating to the conversion of Juddins and their right to participate in the Charitable Funds and Institutions in the possession and under the management of the Defendants.

Next issue: Justice Beaman's Judgement

Aek Atmakatha

The Bangalore Cemetery Controversy

The Life of Dastur Dhalla - XXVI

Aek Atmakatha is the autobiography of the late Dr. Maneck Nusserwanji Dhalla, high priest of the Pakistan Parsis and a scholar of world repute. This is the 26th edited and condensed extract from the book "Dastur Dhalla - The Saga of a Soul" — an English translation by Gool and Behram Rustomji of the original Gujarati, published by the Dastur Dhalla Memorial Institute, Karachi.

THE STORY SO FAR

Born to a poor Dastur family in Surat on 27 August 1885, Dhalla moved with his family to Karachi three years later. He was married to five-year-old Cooverbai when he was eight years old. After failing his matriculation, Dhalla sought employment while educating himself in religious matters. With the assistance of the Karachi Parsis, Dhalla studied Iranian languages in Bombay and then proceeded to Columbia University in New York, where he was awarded a Ph.D. in 1908. On his return to India he was nominated head priest of Karachi in which capacity he tried to critically evaluate old religious beliefs and customs in the light of his broadened outlook.

This approach caused him to clash with the more orthodox section of the community and he became involved in several religious and social controversies.

But despite the opposition, Dhalla proceeded with his efforts to educate the community and resolve old conflicts.

One of Dhalla's prime concerns was the intellectual, spiritual and financial condition of the priesthood. In the last three issues of Parsiana Dhalla spoke of "the accident of birth creating our dastors and our mobeds," and of the steps taken to create a more enlightened priesthood.

In the last instalment Dhalla wrote of the problems a liberal priest faces in tending to an orthodox following.

In our community since some time a new awakening and a fresh vitality is apparent amongst a group of people known as the reformist party. Three decades ago the *Rast Goftar*, the powerful instrument of the reformist party, the *Parsi* and similar reformist monthly magazines had to close down. Old newspapers giving publicity to orthodox views gathered strength and new journals supporting them came into existence. The only reformist organization, the Rahnumai Mazdayasnan Society, on reaching its seventies was withering with age, whereas a couple of new associations were born which propounded orthodoxy. With the demise of the Zoroastrian Conference the reformist group disintegrated while the members of the orthodoxy, through their societies, and the regular publication of their newspapers and magazines have formed the only consolidated body.

In the absence of an organization or a constituted body, the reformists were unable to unite and adopt their resolutions, yet their opposition and dislike of the orthodox party is ever on the increase. Due to their irritable temperament they have now lost patience and have become aggressive. They are eager to give vent to individual outbursts.

Since a long time there have been stray cases of people not wearing the sudreh and kusti, but that was in private. Today many people do not hesitate to speak and write and inform the masses that they have discarded this sacred symbol of the Zoroastrian faith. Those who formerly smoked in secrecy today blow puffs of smoke openly.

Those who silently regarded with contempt the system of disposing of the dead at the Tower of Silence, now publicly vilify it as an uncivilized and gruesome custom. They do not stop at vilifying it but have begun to take practical steps against it whenever opportunity arises.

Twice since the start of the century have they been unsuccessful in their move to dispose of the corpse by cremating and now they are turning their attention to burying the dead. It is obvious that the question of burial would not meet with as strong an opposition as that of crematorium. Although in utilizing the crematorium the fire does not touch the corpse at all, yet the majority believes that if not directly at least indirectly the corpse comes in contact with fire. As fire is the most sacred symbol of the faith, its use in disposing of the corpse in any way is accounted as a desecration of the holy fire and an unforgivable sin.

Since 2500 years the Vendidad lists cremation and burial as sins. Yet public feeling is stronger against cremation than against burial. There are two reasons for this. The first is that the corpse is considered to be the greatest impurity in the Zoroastrian religion and fire the purest of God's creations. According to science, fire burns and purifies the uncleanest and impurest thing. Nothing can make it impure, as it is God's supreme medium of purification. Yet, carried away by sentiment, Zoroastrians faithfully believe that the contact of fire and the corpse are sacrilegious. The other reason is that the community is accustomed to the traditional idea of burial wherever it is not convenient to have a Tower of Silence.

It is nearly 1,200 years since our forefathers came to settle in this sub-continent. The community's history of the first centuries is incomplete. Notes regarding the Tower of Silence can be found only in the beginning of the 14th century, while those on the system of burial at the end of the 18th century. In 1777, as plague broke out in Bombay, the proportion of deaths increased, so that the two existing Towers of Silence proved insufficient. As a result the Bombay Panchayat enclosed a piece of land near the Doongervadi by high walls, dug a hole in the centre and placed the excess corpses in it. The Panchayat asked for the opinion of the Navsari Anjuman whether this mode of disposing of the extra dead bodies was valid or not according to the religion.

Taking into consideration the unusual circumstances, the gentlemen at Navsari decided that it was justified.

It is to be noted that the Bombay Anjuman did not bury the excess corpses, but left them open to the elements near the Tower of Silence. This is worth keeping in mind. Is it possible that in those days, in places where there was no Tower of Silence, the custom was to leave the corpse open to the sun's rays on the top of a hill or mountain between four walls as mentioned in the sixth chapter of the Vendidad? For lack of sufficient evidence, it is impossible to pronounce an opinion with authority.

The first written comment to be found regarding burial is in 1793 when a pit was made near Talcheri along the Malabar Coast. From the middle of the 18th century our co-religionists started going to various parts of India and outside India to China, Colombo etc. for trade and commerce. Thereafter, wherever they went, cemeteries were established to bury the dead. Later, in cities whose population grew, a Tower of Silence was built and with its establishment the cemetery was no longer utilized.

Under somewhat strange circumstances an exceptional example has been noted at Madras. In 1796, a small 'Dakhma' was built there. But it is said that a superstition was circulated that it was necessary to place the corpse of a young girl, first in the newly-made Tower of Silence. Guided by this superstitious notion, the use of the Dakhma was avoided and the cemetery continued to be utilized.

Thus the practice of burying the dead in a cemetery was accepted as a last resort by the majority of the community in the absence of a Dakhma; although it is a sin to do so, God would bear in mind the desperate circumstances of those doing so and would forgive them. But those who are patronizing the cemetery since some years are doing so because of their personal disapproval of the Dakhma and their own love of burial, and they are eager to scorn that ancient custom.

Since a decade a small section of the community has started publicly opposing this age-old practice of placing the corpse in the Tower of Silence. So far no one had ventured to bury where a Dakhma existed. The first two examples occurred in Surat and Poona during the last decade. At the death of a wealthy lady at Baroda, her dear ones did not place her corpse in the existing Tower of Silence there, but took it to Godhra for

burial. During that period, those in favour of burial obtained from the government a plot of land near Poona on behalf of the community. On receipt of an objection from authoritative sources that those people had no right to ask for the land in the name of the community, the government withdrew its permit, so they challenged the legality of this action and managed to secure land elsewhere.

The new controversy of burying the dead even where a Dakhma was in existence reached its zenith in Bangalore. At an invitation from one party, my wife and I went to Bangalore in the beginning of 1941 to lend our humble services in cementing the rift there.

Approximately 300 Zoroastrians reside in Bangalore. There have been examples of establishing a Dakhma in cities that are inhabited by so many Zoroastrians, hence there was nothing surprising in leading, wealthy, co-religionists living there or those visiting Bangalore annually for business, making a move to establish a Dakhma there. The orthodox rich do charity in the name of religion or the middle-class give their share and believe they are reaping a reward of virtue. Such people attach prime importance to establishing Agyaris, Atashbehras, Dakhmas and similar religious institutions. This is the custom in all the communities of the world. As soon as the scheme of building a Dakhma at Bangalore was made known this large section welcomed it with open arms as a noble and pious enterprise and gladly acclaimed it as a practical scheme.

Never before has a move to establish a Dakhma met with such a persistent, vehement, systematic and constitutional opposition as was put forth by a small group known as the Aramgah party. Dissensions and disputes, speeches and articles for and against kept mounting. The Bangalore battle began to be fought in the Bombay papers. Those in favour of the Dakhma warned the community to beware of their opponents whom they termed as heretics, non-Zoroastrians, corpse burners etc. and to donate generously towards this religious and virtuous enterprise so as to witness its fruition. And the community from all quarters lost neither time nor energy in contributing double of what was needed.

The majority, both in Bangalore and in Bombay, was against the Aramgah party, but from the beginning the latter had managed to win the full sympathy

of the Divan. Moreover, even before a proper permission was given to build a Tower of Silence, they had constantly endeavoured verbally and in writing to secure a promise from the high authority of the government that even after the construction of a Dakhma, those who desired to bury their dear ones in the old cemetery may have the right to do so. Somehow when the Anjuman had first secured from the government land to use as a cemetery, a clause had been added that if in future that land was not utilized as a burial ground, the government had the right to reclaim its management. On the strength of this queer condition, the Divan comforted the Aramgah party that even after the Dakhma comes into existence those who wish to make use of the cemetery may continue to act according to their own inner beliefs without anyone's interference.

Similarly the Aramgah party insisted upon the Anjuman that even though the Dakhma be constructed and thrown open for use it would allow members of the opposition to follow their own inclination and use the cemetery as a burial ground. Fearing that the Divan would not grant permission to construct the Tower of Silence without such an assurance and consequently the scheme would fall through, and in the hope that once the Dakhma was built, the opposition party would respect the will of the community and deem it wise to withdraw their opposition, some of the office-bearers of the Anjuman in order to appease the advocates of the Aramgah, privately and publicly, unwittingly gave them half-hearted assurances to allow them to do as they pleased.

When the Dakhma was ready and its inauguration ceremony over, the Anjuman sealed the doors of the cemetery and announced that henceforth its use as a burial ground would cease. The Aramgah party immediately took up the cudgels and requested the government to take away the management of the Aramgah from the Anjuman and to hand it over to them. Before any decision could be arrived at, the government issued a warrant against the Anjuman warning them that should they refuse to grant anyone permission to use the cemetery, the government would, as per agreement in the documents, take over the management of the Aramgah. In addition the Aramgah party, exerting its influence, acquired a new plot of land adjacent to the city, so that just in case the old burial ground was not available,

the new land could be used and their aim could be achieved at any cost.

Never has such an occasion arisen before. In places where a cemetery existed, on the establishment of a Dakhma, without any opposition, automatically and with the unanimous consent of the Anjuman, the use of the cemetery has ceased. According to tradition, the Bangalore Anjuman had the right to close down the cemetery. But the assurance that it is supposed to have given that even after the Dakhma was inaugurated, those who desired may continue to use the cemetery; the clause included in the document at the time the government granted the land to the community that on the cemetery not being used as a burial ground, it

reserved the right of management and the Divan's—i.e. the government's—obvious sympathy towards the advocates of the Aramghah—all went against the Anjuman.

Viewed from any angle, the Tower of Silence had been established and, according to the practice of centuries, the cemetery should be closed. For, should it be otherwise, it would deal a severe blow to the sentiments of the extraordinarily large majority of the orthodox group of the community by the admission of a new custom of conflicting systems of disposing of the dead in a single city at one and the same time. Under the circumstances, my main job was to appeal to the good sense of the saner members of the Aramghah party to

exhibit a broad-minded attitude and to desist from hurting the community.

The ladies of the Aramghah party informed me that they did not wish to hurt the feelings of the majority of the Anjuman. They were not in any way obstructing those who wished to patronize the Tower of Silence in accordance with the dictates of their conscience and their own religious principles. But just as they viewed the sentiments of the majority with respect and tolerance, they asked for naught but a similar treatment towards the minority. Our community was educated and cultured and their only request was to be granted their individual rights.

To be continued

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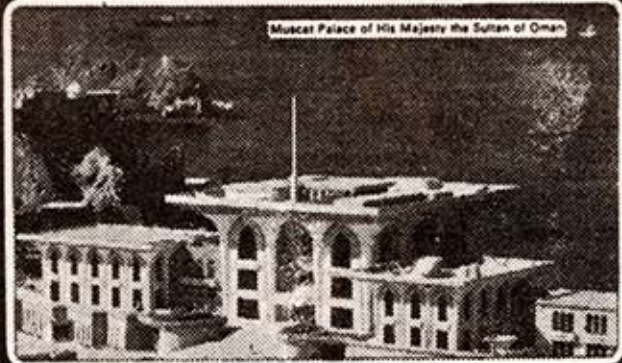
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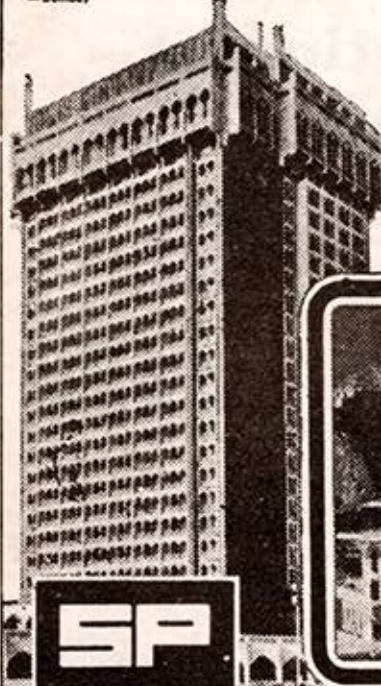
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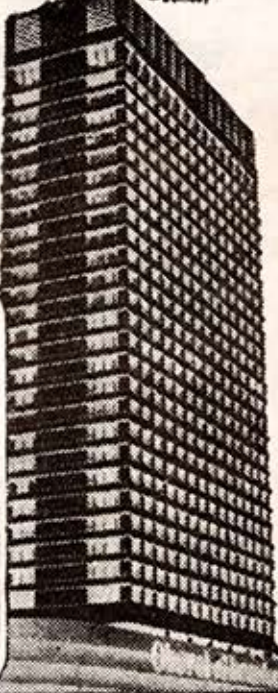


Muscat Palace of His Majesty the Sultan of Oman

Taj-Intercontinental Hotel
— Bombay



Oberoi-Sheraton Hotel
— Bombay

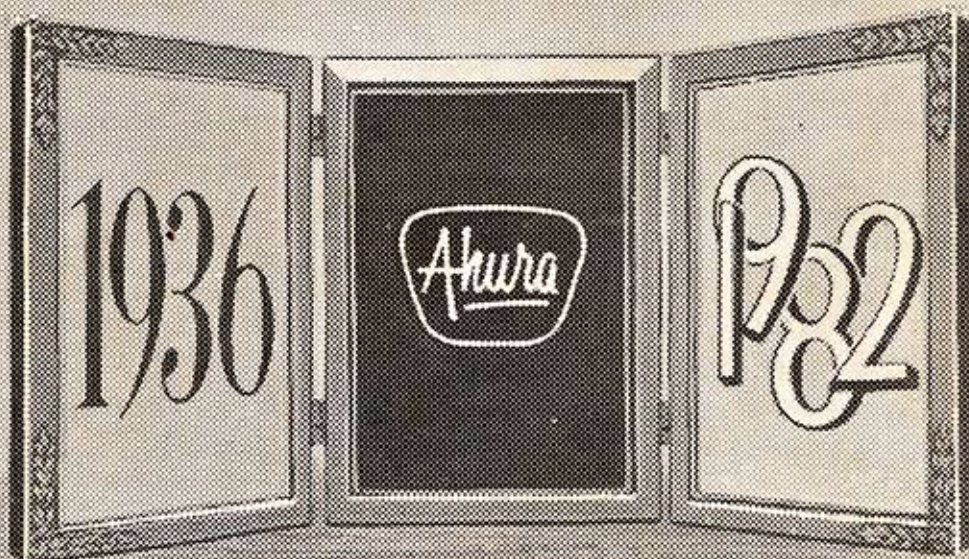


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