

News

Jharkhand High Court: Ban non-vegetarian travel and tourism on Parasnath Hill, a Jains' sacred site



In order to guarantee that the bans are implemented effectively, the court ordered the Giridih Police Superintendent to enhance the number of home guards on the hill.

The State government was given numerous directives by the Jharkhand High Court on Friday to guarantee the preservation of Parasnath Hill's sacredness, which is extremely important to the Jain community's religious beliefs.

Judge Deepak Roshan and Chief Justice MS Ramachandra Rao's bench requested that

the State strictly enforce an office memo and a Central government notification that forbade the serving of non-vegetarian food, the sale or consumption of alcohol and other intoxicants, and the infliction of harm on animals on the hill.

Additionally, it requested that the State stop the planned tourism operations on the hill.

A public interest litigation (PIL) plea to preserve the sacredness of the Parasnath Hill in the Giridih area was being heard by the court.

According to the Court, prohibitions on particular behaviors or events in locations with religious significance are not a recent development. It further stated that courts have upheld these limits in a number of occasions.

It added that the State government is unable to advertise the hill as a tourist destination or authorize mining operations there due to the Central government's OM.

"When the 2023 Office memorandum has stayed both tourism and eco-tourism activities, we fail to understand how the State Government can act contrary to it and continue to treat the Parasnath Hill as a Tourist place on the basis of its notification dt.22.02.2019 and allow/propose the above activities."

Regarding the ban on alcohol and non-vegetarian food on the hill, the Court stated,

According to the responders, they are educating the local population about the 2023 Office Memorandum's ban on the consumption of alcohol and non-vegetarian cuisine. However, we believe that simply alerting certain residents and tourists to the Parasnath Hill to the limitations imposed by the 2023 Office Memorandum might not be enough. Tough enforcement is required.

Additionally, the Court ruled that non-vegetarian food cannot be served to pupils at the hilltop primary schools.

"The State Government is expressly instructed to strictly enforce the prohibition on the consumption of non-vegetarian food products on Parasnath Hill by the Office Memorandum dated 02.01.2023. It is forbidden to eat non-vegetarian food, such

eggs, at such schools and Anganwadis that are situated on the Parasnath Hill.

It further stated that since the OM forbids harming animals, the State is thus unable to allow hunting and animal sacrifice on the hill.

The Court instructed the Secretary of the District Legal Services Authority, Giridih, to visit the Parasnath hill in light of the findings in order to determine,

1. Are there any anganwadis or schools on Parasnath Hill, and are there any mining operations taking on there?
2. The number of buildings that have been built on Parasnath Hill and their type (residential or commercial, public or private).
3. Whether such constructions were built legally following the issuance of the necessary building permits.

The Court further noted that only 25 home guards are available to execute the 2023 OM's and the 2019 notification's limitations.

Given that the hills span at least 16,000 acres, it was noted that a tiny number of Home Guards could not be expected to guarantee adherence to the regulations.

In order to ensure that the 2019 Notification and the 2023 OM are implemented effectively, the court ordered the Giridih Police Superintendent to enhance the number of home guards on the hill.

The religious trust "Jyot," with its headquarters in Ahmedabad, Gujarat, and under the guidance of Jainacharya Yugbhushansuri, filed the PIL before the court. The trust was represented by Percival Billimoria and senior lawyer Darius Khambata.

In addition to being one of the most well-known and important sites of devotion, they maintained that Parasnath Hill is a crucial component of the Jain faith.

"It is to Jainism, what Ayodhya – Ram Janma Bhoomi is to Hindus, Bodh Gaya to Buddhists, the Golden Temple to the Sikhs, Mecca to Muslims and the Vatican to

Catholic Christians; and since times immemorial, persons professing Jainism have been worshipping the entire Parasnath hill as a most sacred and sanctified place of worship,"

they stated to the Court.

They called attention to the numerous alleged sacrilegious activities that are common on the hill, such as the State's promotion of tourism-related activities, and they asked for guidance on how to preserve the hill's religious holiness.

Advocate **General Rajiv Ranjan** argued during last month's hearing that Parasnath Hill is also an important religious location for the worship of Marang Buru, the Santhal tribals' hill deity.

He claimed that the Jain community was trying to obstruct the hill's tribal religious rights and traditions under the pretense of this PIL. But the Court didn't think this argument had any merit.

"We find no merit in the aforementioned argument because the petitioner has not raised any objections to the religious practices of the Santhal tribal people anywhere. Conversely, the petitioner's learned Senior Counsel promised that the Jain community had no such purpose and would fully respect the Tribals' religious customs, since they also visit Parasnath Hill to worship their deity,

the statement read.

The case will be heard again on July 21 to ensure that the instructions are followed and that the Secretary of the District Legal Services Authority in Giridih files a status report.

The petitioner was represented by **Senior Advocate Darius Khambata and Percival Billimoria**, as well as Advocates Indrajit Sinha, Prerna Jhunjunwala, Shubham Kataruka, and Khusboo Kataruka.

Advocate Piyush Chitresh and **Advocate General Rajiv Ranjan** represented the State.