**Call for input to a thematic report: freedom of religion or belief (FoRB) and sexual orientation and gender identity (SOGI)**

*January 15, 2023*

*A report by Kailash Union*

**1. What are the actual or perceived points of tension (if any) between the right to manifest one’s freedom of religion or belief, and freedom from violence and discrimination based on sexual orientation and gender identity? Are there any areas in which they are mutually exclusive?**

1. The actual or perceived points of tension is that the right to manifest one’s freedom of religion or belief may prevent freedom from violence and discrimination based on sexual orientation and gender identity.
2. Anti-discrimination law has been portrayed by some groups as conflicting directly with the right to freedom of religion or belief. Such arguments are increasingly couched in terms of the asserted ‘right’ of religious individuals conscientiously to opt out of providing goods or services to same-sex couples or to express views that might be considered by others to be homophobic or transphobic.[[1]](#footnote-0)

**2. Are there any ways in which the right to freedom of religion or belief, and freedom from violence and discrimination based on sexual orientation and gender identity are mutually reinforcing?**

1. Sanatana Hindu Dharma (“Hinduism”) recognizes eleven genders[[2]](#footnote-1) and allows same sex marriage[[3]](#footnote-2). As per the Vedas and Agamas, the holy scriptures of Hinduism, and as revealed by the Supreme Pontiff of Hinduism (SPH) Bhagavan Nithyananda Paramashivam, gender is the totality and the various permutations and combinations of our identification with the physical body, psychological layer, physiological existence and individual consciousness.
2. As per the Hindu scriptures, sexual attraction has nothing to do with the gender of the opposite person. Attraction is due to the grace the other body radiates.[[4]](#footnote-3)
   1. The freedom to exercise the Hindu religion and belief mutually reinforces freedom from violence and discrimination based on sexual orientation and gender identity.
   2. However, for over 7 centuries, the silent and unacknowledged double genocide of Hindus have prevented Hindus from authentically practicing their religion.
   3. For over a decade, the Hindu Aboriginal Indigenous Agricultural Tribes (AIAT)[[5]](#footnote-4), including its leader The Supreme Pontiff of Hinduism (SPH) Bhagavan Nithyananda Paramashivam, was under constant attack[[6]](#footnote-5) in Asia by Hindumisic extremists, for advocating Hinduism’s progressive stance on gender identity.
   4. Despite the persecution, The SPH Nithyananda Paramashivam has successfully revived the ancient enlightened Hindu civilization in the sovereign land of the United States of KAILASA, where **all** beings have the right to be treated as divine[[7]](#footnote-6).

**3. Are there examples where gender and sexual diversity has been used in religious, traditional, or indigenous narratives or values in a manner which promotes the acceptance of LGBT+ individuals, or protects LGBT+ individuals from violence and discrimination? Has this informed any legal interventions or public policies?**

1. Yes. Ardhanarishvara (the Hindu deity which represents the perfect union of feminine and masculine qualities) is the ultimate symbol of the completion of gender identity; liberation from gender crisis. It’s a beautiful form Paramashiva[[8]](#footnote-7), the Ultimate Hindu Divinity, takes to show the completion of gender identity.[[9]](#footnote-8)
2. There are records of great Hindu enlightened mystics just with the will and freedom of their ‘*pratyagatma chaitanya*’ (the individual consciousness) have aligned their gender identification in the level of psychology, physiology and physical and changed their gender and sex.[[10]](#footnote-9)
3. The festival of Chamayavilakku[[11]](#footnote-10) at the Kottankulangara Sree Devi Temple is an important festival for the transgender community.

**4. What are the key trends or significant instances of discriminatory or abusive practices by individual providers of goods or services in the public sphere against LGBT+ and gender-diverse persons that rely on religious narratives?**

1. The spiritual head of AIAT, the SPH Nithyananda Paramashivam, has publicly declared himself to be transcendental gender[[12]](#footnote-11) and possessing multiple gender components. The neo-Hindutva extremists see LGBTQ+ rights as immoral. The AIAT freely ordains women into Sannyasa (the monastic order), recognizes 11 genders, and performs specific temple rituals for gay marriage, as per more than 5000-year-old indigenous spiritual scriptures. The AIAT represents one of the most progressive ideologies and is a target of persecution by the neo-Hindutva extremists.
2. Bhagavan Nithyananda Paramashivam is the Supreme Pontiff of Hinduism (SPH) which comprises two billion Hindus and the reigning spiritual emperor (Jagat Guru Mahasannidhanam - JGM) of 17 ancient traditional Hindu kingdoms. The revival of Hinduism through the civilizational nation of Kailasa globally irked vested interests of atheistic terrorist militant elements, caste supremacist terrorists and other anti-Hindu forces who executed a massive persecution and genocide on SPH and His followers on 2 March 2010 that continued for the next whole decade and comprised of over 70 assassination attempts, over 250 sexual assaults on SPH and his monks and disciples, lawfare of 120 false cases over 10 years, massive hate propaganda in electronic media of over 14,000 hours and print media of over 25,000 articles in 5 years, destruction of heritage properties worth over 27 million USD, and the continuing ethnocide and genocide of over 80 million Hindus worldwide since 7 centuries.
3. Specifically, the lawfare involved:
   1. Delegitimizing SPH by hate propaganda, disenfranchising Him of His civil and human rights, prejudicing Him from fair representation and fair trial
   2. Repeated illegal imprisonment, with brazen torture, custodial assassination attempts, supported by system justification in various forms, including the common processes of bureaucracy, indifference, self-deception, diffused responsibility, and has resulted in continued systemic complicity with torture, murder and genocide
   3. Well-planned multi-layer false hate propaganda by the ‘fourth estate’ media sustained by moral disengagement, leaving the broader public in a state of wilful ignorance, motivated denial, victim blaming, dehumanization and bystander apathy to even genocide.
4. The enforced disappearances of the SPH and His community are acts of terrorism, criminal violence forcing the government to comply to their terror. Generally, terrorists target people due to the high value most governments give to human life, and use the media to draw attention to its cause and magnify its limited power, both attributes seen in the persecution of the SPH and His community. The AIAT community lives in fear every moment not knowing the type, extent, timing, or precise locale of the next attack, and rendering it impossible to defend itself.
5. The enforced disappearances were supported and implemented by:
   1. Keeping the whereabouts and fate of the SPH concealed from His followers and disciples
   2. Beating and kidnapping of the initiated monks of the SPH
   3. Delegitimizing the SPH by hate propaganda, disenfranchising Him of His civil and human rights, prejudicing Him from fair representation and fair trial
   4. Repeated illegal imprisonment, with brazen torture, custodial assassination attempts[[13]](#footnote-12), supported by system justification in various forms, including the common processes of bureaucracy, indifference, self-deception, diffused responsibility, resulting in continued systemic complicity with torture, murder and genocide
   5. Well-planned multi-layer false hate propaganda by the ‘fourth estate’ media[[14]](#footnote-13) and Hindumisic extremists[[15]](#footnote-14) sustained by moral disengagement, leaving the broader public in a state of wilful ignorance, motivated denial, victim blaming, dehumanization and bystander apathy to even genocide.
6. On 22 Apr 2010, 9 PM, the SPH was subjected to ‘medical test’ in police custody. Witness accounts record that an excessive amount of blood was withdrawn in the name of testing. On 26 April 2010 morning, the SPH was forced into another medical torture done under police custody at an undisclosed location[[16]](#footnote-15). This was reported by the media, however, all such newspaper evidences were destroyed, and print copies of these are available only in some libraries in India. On 26 and 27 April 2010, the SPH was subjected to water-boarding in the guise of another medical examination[[17]](#footnote-16) in Jayadeva Hospital.
7. On 8 September 2014, the SPH was forced to yet another ‘medical test’. The test was not done in a room with privacy; it was done in an open ward[[18]](#footnote-17). The SPH was violated and abused physically to ridicule his gender identity and religious stature as the Supreme Pontiff of Hinduism and leader of 2 billion Hindus[[19]](#footnote-18).
8. The media propaganda “I am not a man”[[20]](#footnote-19) was aimed at not just delegitimizing SPH for being publicly outspoken of His transcendental gender, but also to delegitimize practising Hindus and the LGBTQ community and therefore arrest not just the SPH but the revival of the liberal gender identity framework of Hinduism.
9. On 26 March, 2010, the Karnataka State Police - CID unlawfully sent letters to the banks holding the accounts of the public charitable Trusts of the temple-monastery of the SPH Nithyananda Paramashivam, illegally ordering them to freeze all the bank accounts of these Trusts.19 No debit transaction was allowed20, making the main source of food and basic amenities for the residents of the Aadheenam (temple monastery complex) a huge struggle. There was no food in the monastery. The residents were pushed to crisis, and were forced to survive by drinking rain water which collected under-ground, and living by sorting good grains out of the rotten ones. When they appealed to the Court to seek relief, the judge made a mocking statement in the open court, ‘*If there is no food, eat air*.’ Several residents and full-time volunteers fled the monastery due to starvation. Several social welfare and spiritual services of the monastery had to be discontinued.
10. The indigenous education of the Hindu Aboriginal Indigenous Agricultural Tribes (AIAT)[[21]](#footnote-20) was under constant attack[[22]](#footnote-21) for over a decade by the Hindumisic extremists who also interfered in indigenous religious matters and succession process of children[[23]](#footnote-22) [[24]](#footnote-23). In July 2013, a Salesian clergy named Father Edward Thomas and neo-Hindutva extremist B. Shivaraj Gowda executed a vexatious investigation on Kailasa’s Nithyananda Gurukul to harass the students and their parents and force a shutdown[[25]](#footnote-24). The lawfare continued over the years as multiple deep state elements attacked the indigenous institution[[26]](#footnote-25). AIAT children including declared successors to various ancient spiritual kingdoms have also been subjected to sexual abuse by cult leaders[[27]](#footnote-26) like Sarah Landry[[28]](#footnote-27).

**5. Has the State adopted, in public policy, legislation or jurisprudence, norms purportedly based on protecting freedom of religion or belief that promote, enable and/or condone violence and discrimination against individuals based on sexual orientation or gender identity? If so, please give examples, with commentary as needed to explain context, scope, and application.**

1. As mentioned in question 2, the protection of the right of Hindus to freely exercise their religion and culture promotes the freedom from violence and discrimination based on sexual orientation or gender identity. The constitution of the United States of KAILASA, the First Sovereign Nation for Hindus, is in alignment with the injunctions of the ancient sacred Hindu scriptures, the Vedas and Agamas and recognizes the 11 genders and same sex marriage, and advocates for the rights of all sex and genders, including women and the LGBTQ+ community.

**6. Has there been any legal challenge to these policies/provisions under any domestic, regional, or international human rights provisions? If so, state the outcome and rationale of the case. If not, provide your opinions as to why such a challenge has not yet been brought.**

1. In India, the revival of the ancient enlightened Hindu civilization and ancient Hindu treatises that promote gender equality for all eleven genders have faced continuous and persistent backlash by Hindumisic elements, where the AIAT community is systematically persecuted for reviving and preserving this indigenous tradition and culture.
2. In India, the colonial rule criminalized same sex intercourse through Article 377. In terms of women dis-empowerment, the colonial rule in India, dis-enfranchised women from their property rights (*Stri-Dhan* - exclusive women's wealth) and inheritance rights.
3. Traditionally, as seen in case of Hindu incarnation Queen Devi Meenakshi, women exercised their right over the throne as per Hindu law by assuming the role of the “Pautrika” - a situation when the female offspring assumes the role as the political heir on a Hindu empire in absence of a suitable male heir. However during the colonial era, Hindu Queen of Jhansi Rani Laxmi was not allowed to exercise her rights over the throne, nor any female offspring was to be allowed to do so. After the death of her husband she was not allowed to continue to remain as queen according to the Colonial law, as she didn't give birth to a male-child. These examples demonstrate that the colonial civil and criminal laws were meant for oppression and subjugation and not for empowering Hindus.
4. While the British law practised in United Kingdom, legalized homosexual acts in 1967, the colonial laws left in place in India continued unaltered for a long time. After Independence of India, many of the archaic colonial laws survived and the colonial race-supremacist ideologies were replaced by the Hindumisic ideology which essentially parroted the same narratives under the guise of “modernity”.
5. What was once the state religion in 56 nations[[29]](#footnote-28), due to centuries of persecution and oppression, no country today other than the United States of KAILASA represents Hinduism and its great enlightenment science and its principles of peace and co-existence.
6. Today, the United States of KAILASA, established by the SPH Nithyananda Paramashivam, is the only nation that has Hinduism as its state religion and the *Vedas and Agamas* as its constitution.

**7. Are there any examples of State restrictions based on preventing violence and/or discrimination against LGBT+ persons that prohibit or limit practices undertaken in the name of the religion or spirituality, such as public accommodation non-discrimination protections? If so, have they been legally challenged on the basis of freedom of religion or belief? If yes, explain the outcome and rationale of the case(s).**

1. In the name of preventing violence, in 2010, the SPH was illegally banned from preaching[[30]](#footnote-29).
2. On 11 June 2012, State triggered by deep state elements who wanted to eliminate the SPH and the progressive AIAT seized the temple property, sealed the Monastery, enforced curfew against the AIAT. On 13 June 2012, The SPH came to Court to apply for anticipatory bail for a crime that He was framed on illegally – breach of peace. On the contrary, His monastery complex was trespassed into by Hindumisic terrorists who barged into the monastery and attempted to murder the administrator of the monastery and raped female monks, and assaulted male monks to murder them. This was broadcast live on television. But the police slapped a case of breach of peace and assault against The SPH instead. When the SPH came to apply for anticipatory bail in this false case, the police arrested Him and took Him into custody. They again attempted to assassinate The SPH taking Him to an undisclosed location. They kept Him in police custody in the night where he was again deprived of food and given poisonous food thereafter. On 14 June 2012, The SPH Nithyananda Paramashivam was granted bail. But the SPH was immediately arrested in yet another false case. A 600 battalion police force was used to arrest and take Him into custody. Public money to the tune of 30 million INR was used and The SPH was paraded in the streets of the city, showcasing him as if He was a most wanted terrorist and enemy of the State. Ironically, the District Commissioner in the guise of protecting the SPH arrested Him. Even if the false charges under which the SPH was arrested were considered to be true, were a bailable offense, even if, which show the extent of the illegality of the government’s actions.

**8. Where State legislation or policy requires the reasonable accommodation of religious beliefs, practices, and/or institutions, are there instances where such laws or policies limit freedom from violence and discrimination against LGBT+ and gender-diverse persons? These may include but are not limited to exemptions from non-discrimination legislation, and/or accommodations within the workplace, educational institutions, healthcare-settings, the justice system, etc. Are there reports of violence, spiritual abuse, and/or other forms of discrimination against LGBT+ and gender-diverse persons because of these practices?**

Answered in Question 5.

**9. Good Practices:**

1. **Provide any examples of good practice – at the international, national or local level – where State and non-State actors (including faith leaders, groups and organisations, international organisations, civil society organisations, and the UN human rights system) have taken effective measures to protect and promote freedom of religion or belief of LGBT+ and gender-diverse persons, and made efforts to prevent, mitigate and respond to any violence and/or discrimination justified in the name of religion.**
   1. The Sanyas Sampradaya (monastic order) established by the SPH is unique in that it freely ordains women and allows women to perform temple rituals. Moreover, women constitute 80% of the leadership in KAILASA, thereby establishing his vision of Hinduism as not just orthodox, but also highly progressive and committed to gender equality. The SPH has also ordains men and women from the Scheduled Caste, Scheduled Tribe and Dalit communities which have been discriminated and sidelined. Ma Nithya Supriyananda Swami[[31]](#footnote-30) is the world’s first Woman Dalit Hindu AIAT Sanyasi (monk) in the contemporary era, initiated by the SPH.
   2. The SPH has also revived the Rudrakanya tradition. In Hinduism, all women are not merely respected as equal to men, rather worshiped as a manifestation of Devi Parashakti (supreme primordial cosmic divinity). In Hinduism, young girls are worshiped from infancy as an incarnation of Divine mother Goddess as worship of it is considered to bring fortune and well-being[[32]](#footnote-31). In the 56 ancient Hindu nations, some young girls, who cognized themselves as a manifestation of Divine Mother, chose to never marry any human and dedicated themselves to the administration of Hindu temples and worship of the Deity of the temple. There were many such monastic traditions, such as the Rudrakanyas.
   3. The SPH is the most watched spiritual leader in the world on the internet platform of Youtube with over 93 million views, holds the Asia Book of Records records of delivering the maximum number of public talks[[33]](#footnote-32) for almost 300,000 hours on over 7400 topics, including on the 11 genders and gender identity; publishing the maximum number of books[[34]](#footnote-33) at 1123 books available for free download as digital books.
2. **Provide any examples of measures by State or non-State actors to ensure effective participation of people with diverse gender identities and sexual orientations in religious, cultural, social, and public life. Please provide relevant examples where LGBT+ people have asserted their individual or collective rights to access (or establish) religious or spiritual frameworks and institutions.**
   1. The SPH has revived the science of enlightenment of Hinduism, which recognizes eleven genders and has brought and shared this science with the international community thereby encouraging acceptance of the LGBTQ+ communities.

1. <https://ilga-europe.org/files/uploads/2022/04/right-freedom-religion-belief-its-intersection-other-rights.pdf> [↑](#footnote-ref-0)
2. Discourses on gender fluidity and the eleven genders by the SPH

   <https://www.youtube.com/watch?v=CxBjGq-jGM4&t=103s>

   <https://www.youtube.com/watch?v=ZtWMsoS3plA&t=49s>

   <https://www.youtube.com/watch?v=6bDe4uRu27c> [↑](#footnote-ref-1)
3. The Manusmriti, the cosmic laws codified, Verse 3.49 states:

   पुमान् पुंसोऽधि के शुक् रे स्त्री भवत्यधि के स्त्रि याः ।

   समेऽपुमान् पुं।स्त्रि यौ वा क्षीणेऽल्पे च वि पर्ययः ॥ ४९ ॥

   pumān puṃso'dhike śukre strī bhavatyadhike striyāḥ |

   same'pumān puṃ|striyau vā kṣīṇe'lpe ca viparyayaḥ || 49 ||

   A male child is born when the man’s seed is in excess, and a female child when the woman’s (is in excess); when the two are equal, there is born either a non-male or a boy and a girl; when it is weak and small in quantity, there is a failure (in conception). [↑](#footnote-ref-2)
4. Grace is always directly the quantity of the integrity that a person's physical, physiological, psychological and conscious identities enjoy. The more their gender identification is integrated, the more grace they will manifest and radiate. Grace is all about us being completely comfortable with our physical, physiological, psychological, and conscious identities. All attraction is towards grace and not towards any gender or person. The Hindu holy scripture, the Upanishad says, “You love your husband or wife, not because he is male or female or husband or wife; he is or she is a reflection of your integrity with your identity.” [↑](#footnote-ref-3)
5. The Ādi Śaiva Vēḷāḷar community is one of the Hindu Aboriginal Indigenous Agricultural Tribes (AIATs) of India, who belong to the Śaiva (followers of Bhagavān Śiva) sub-tradition within the vast spiritual architecture of Hinduism, practicing Hinduism in its most authentic form deeply rooted in Vedas (<https://en.wikipedia.org/wiki/Vedas> - the source scriptures of Hinduism that is unadulterated by modern imperialist interventions and consumerist dilutions) and Agamas (<https://en.wikipedia.org/wiki/Agama_(Hinduism)>). These indigenous communities share several cultural, linguistic and religious similarities with Mesoamerican indigenous civilizations and several Canadian indigenous First Nation tribes and their whole identity has been grossly violated through disinformation about their lifestyle, culture, tradition, and their very existence over centuries (<https://nctr.ca/records/reports/#trc-reports>). In Paramananda Agama (2nd Chapter, Verse 7-10), Paramashiva in form of Bhairava reveals the total number of Agamas in Hinduism for all Hindu Sampradayas (Sects) as - “शृण्वत्र ते भिधास्यामि तन्त्राणां गणनां प्रिये॥ ट्सहस्राणि तन्त्राणि वैष्णवानि महेश्वरि ॥७॥ शैवानि दशसाहस्रसंख्यानि परिगण्यते। शतसाहस्रसंख्यानि शाक्ततन्त्राणि वै पुनः ॥८॥ गणेशस्य सहस्राणि सौराणि द्विगुणानि तु। मदीयानि तु तन्त्राणि सप्तसाहस्रकाणि वै ॥६॥ अन्यानि द्विसहस्राणि यक्षभूतादिसाधने। कानिचिद्यामलान्यत्र सिद्धान्तार्णवसंज्ञया ॥१०॥” Vaisnava Sampradaya - 6000 Agamas; Saiva Sampradaya - 10,000 Agamas; Shakta Sampradaya - 100,000 Agamas; Ganapatya Sampradaya - 1,000 Agamas; Saura Sampradaya - 2,000 Agamas; Bhairava Sampradaya - 7,000 Agamas, etc. [↑](#footnote-ref-4)
6. <https://kailasa.hindunation.org> [↑](#footnote-ref-5)
7. Hindu nations had multilateral treaties based on Hindu principles such as ‘Vasudeva Kutumbhakam’ (‘वसुधैव कु टुम्बकम्’) – ‘Entire world is my family’ (अयं बन्धुरयंनेति गणना लघुचेिसाम्। उदारचररिानां िुवसुधैव कु टुम्बकम्॥ Maha Upanishad Ch. 6, verse 71-73. Translation of the Maha Upanishad Chapter 6 verses 71-73, *“Only the denigrated small-minded with a very pathetic outlook of life discriminate between kin and a stranger; while for the magnanimous, the entire world is a family.”*) , ‘Oneness’ (‘Advaita’) manifesting as many (Ekoham bahushyamaha ), every being is divine (i. Amrutasya putraha – sons of Immortality ii. Brahmanyam Bahuputratam – Favorite inheritor of the Cosmos) [↑](#footnote-ref-6)
8. <https://kailasa.hindunation.org/0:/for%20UN%20report/ardhanarishwara.jpg> [↑](#footnote-ref-7)
9. Paramashiva declares in the Śatarudra-saṃhitā of Maha Shiva Purana:

   nandīśvara uvāca I

   śṛṇu tāta mahāprājña vidhikāmaprapūrakam I

   arddhanārīnarākhyaṃ hi śivarūpamanuttamam

   Nandīśvara said:

   O dear one of great intellect, please listen to the description of Śiva’s form half-male and half-female, than which there is nothing more excellent and which completes the work of the Creator. [↑](#footnote-ref-8)
10. The great Hindu spiritual master, Sri Ramakrishna Paramahamsa, demonstrated it. In Bengal, there is a particular group of people who believe that Lord Krishna is the only man and those who follow Him are all women no matter their sex. They look to Krishna as their beloved. They feel so intensely about this relationship that even the men dress like women. The enlightened mystic from Bengal, Ramakrishna Paramahamsa, followed this path also for six months. The hallmark of this great Master, Ramakrishna Paramahamsa, was that whatever he did, it was with totality and intensity. He used the same clothes as women not only at night, but also during the day because he felt he could not be one person during the day and another during the night. He actually started becoming a woman. It was not being like a woman, it was being a woman. His voice changed, his gait and manner of walking changed. The intensity was such that his breasts started growing. He even started having monthly periods. During the six months he was doing this practice, he just became a woman. It took almost six months after he stopped for the change to reverse and for him to become a man again. There was another great yogi, Madana Gopala Swami, also called Natana Nayagi Swamigal, who lived in South India. With his will power he just manifested all the female characters in his system. [↑](#footnote-ref-9)
11. <https://timesofindia.indiatimes.com/travel/destinations/the-kerala-temple-where-thousands-of-men-dress-up-like-women-every-year/articleshow/65402999.cms> [↑](#footnote-ref-10)
12. (i) <https://www.youtube.com/watch?v=PwSYdVulzq0> ; (ii) Saakshi, 30 April 2010, Page : 11, Title : I am not a man ; (iii) Times of India, 30 April 2010, I’m not a man [↑](#footnote-ref-11)
13. Report submitted to [OHCHR | A/76/168: Report on accountability for torture and other cruel, inhuman or degrading treatment or punishment](https://www.ohchr.org/en/documents/report-accountability-torture) [↑](#footnote-ref-12)
14. <https://www.ohchr.org/Documents/Issues/Expression/disinformation/2-Civil-society-organisations/Nithyanandeshwara-Hindu-Temple.pdf> [↑](#footnote-ref-13)
15. <https://kailasa.hindunation.org/0:/for%20UN%20report/Hindumisic%20Extremists%20and%20their%20Incitement%20to%20Genocide%20-%20Details%20of%20Hindumisic%20extremists.pdf>

    <https://kailasa.hindunation.org/0:/for%20UN%20report/cult%20members.docx> [↑](#footnote-ref-14)
16. 27 April 2010 - The New Indian Express, Page 3 - Swamy Has Chest Pain<https://shrikailasa.github.io/persecution_evidences/Medical_'test'_forced_on_the_SPH_in_2010.jpg> [↑](#footnote-ref-15)
17. (i) 30 Apr 2010, Bangalore Mirror – “*Don't put me under knife: Nithyanand*”<https://bangaloremirror.indiatimes.com/bangalore/others/dont-put-me-under-knife-nithyananda/articleshow/21880163.cms> (ii) 28 Apr 2010, Bangalore Mirror – “*Normal Swami back to jail*” <https://bangaloremirror.indiatimes.com/bangalore/others/normal-swami-back-to-jail/articleshow/21881456.cms> [↑](#footnote-ref-16)
18. [Pg. 33 of “08.03 - certified copies of the medical report from victoria”](https://drive.google.com/file/d/1bcB_6hUCfdjKTuxvSRK5mW029cA6bd1_/view) [↑](#footnote-ref-17)
19. 8 September 2014, 8 am, special ward no. 1 second floor of Institute of Nephro-Urology Victoria Hospital. It was an open ward without any privacy. He was subjected to brutal sexual torture. This was narrated live in several local media channels in a defamatory way. Doctors tried to use female nurses for these tests and it was made sure this was narrated in the media. The eye-witness (Doctor) recalls female staff was made to parade in perverted ways in the open ward. These narratives were defamatory, hateful and extremely vulgar to ensure no sympathy was felt towards SPH. SPH was forced by the medical team to have tests done by female nurses, right from withdrawal of blood to everything else. It was emphasized repeatedly that SPH being a lifelong celibate monk and the religious leader of 2 billion Hindus should not be subjected to such treatment which is absolute violation of his religious and human rights. The media made caricatures with vulgar defamatory narratives and aired while the test was still in progress. The State medical team recorded this in their report, “*Sri Nithyananda Swamy refused to permit Audio-video recording of the tests which was conveyed to the investigating officer.*” justifying the demand for videography of venereal organs. The SPH was subjected to torture in the name of medical test for which he had clearly expressed his concern about life threat. [↑](#footnote-ref-18)
20. (i) <https://www.youtube.com/watch?v=PwSYdVulzq0> ; (ii) Saakshi, 30 April 2010, Page : 11, Title : I am not a man ; (iii) Times of India, 30 April 2010, I’m not a man [↑](#footnote-ref-19)
21. The Ādi Śaiva Vēḷāḷar community is one of the Hindu Aboriginal Indigenous Agricultural Tribes (AIATs) of India, who belong to the Śaiva (followers of Bhagavān Śiva) sub-tradition within the vast spiritual architecture of Hinduism, practicing Hinduism in its most authentic form deeply rooted in Vedas (<https://en.wikipedia.org/wiki/Vedas> - the source scriptures of Hinduism that is unadulterated by modern imperialist interventions and consumerist dilutions) and Agamas (<https://en.wikipedia.org/wiki/Agama_(Hinduism)>). These indigenous communities share several cultural, linguistic and religious similarities with Mesoamerican indigenous civilizations and several Canadian indigenous First Nation tribes and their whole identity has been grossly violated through disinformation about their lifestyle, culture, tradition, and their very existence over centuries (<https://nctr.ca/records/reports/#trc-reports>). In Paramananda Agama (2nd Chapter, Verse 7-10), Paramashiva in form of Bhairava reveals the total number of Agamas in Hinduism for all Hindu Sampradayas (Sects) as - “शृण्वत्र ते भिधास्यामि तन्त्राणां गणनां प्रिये॥ ट्सहस्राणि तन्त्राणि वैष्णवानि महेश्वरि ॥७॥ शैवानि दशसाहस्रसंख्यानि परिगण्यते। शतसाहस्रसंख्यानि शाक्ततन्त्राणि वै पुनः ॥८॥ गणेशस्य सहस्राणि सौराणि द्विगुणानि तु। मदीयानि तु तन्त्राणि सप्तसाहस्रकाणि वै ॥६॥ अन्यानि द्विसहस्राणि यक्षभूतादिसाधने। कानिचिद्यामलान्यत्र सिद्धान्तार्णवसंज्ञया ॥१०॥” Vaisnava Sampradaya - 6000 Agamas; Saiva Sampradaya - 10,000 Agamas; Shakta Sampradaya - 100,000 Agamas; Ganapatya Sampradaya - 1,000 Agamas; Saura Sampradaya - 2,000 Agamas; Bhairava Sampradaya - 7,000 Agamas, etc. [↑](#footnote-ref-20)
22. <https://kailasa.hindunation.org> [↑](#footnote-ref-21)
23. 3 May 2018 - the SPH Nithyananda Paramashivam was prohibited by Justice Mahadevan of the High Court of Madras from entering Madurai Aadheenam of which SPH is the successor. Though the order itself violates the constitution of India, the Court threatened the SPH that it would order His arrest if He did not resign from His responsibility as the 293rd Pontiff. As per the Constitution of India, a person is to be treated as innocent until proven guilty, and no one has the right to pass judgment on such a person. The SPH has never been convicted of any crime. Yet, He has repeatedly been treated in a prejudicial manner and presumed guilty. Justice Mahadevan went on to pass an order blatantly violating the fundamental rights of the SPH and on record said, "*I will see that your ashram is vanished. Hundreds of complaints are pending against the ashram.*" ([timesofindia.indiatimes.com/city/chennai/madras-hc-warns-of-issuing-arrest-warrant-against-self-styled-godman-nithyananda/articleshow/62692301.cms](https://timesofindia.indiatimes.com/city/chennai/madras-hc-warns-of-issuing-arrest-warrant-against-self-styled-godman-nithyananda/articleshow/62692301.cms)) The order was inconsistent with the prior judgment of the Supreme Court (In the Supreme Court of India, Ambalavana Pandara Sannathi v. State of Tamil Nadu And Anr, on 28 April, 1980, (AIR 1983 Mad 72)  <https://indiankanoon.org/doc/651773/> that held *“the appointment of junior pontiff is a right of a religious institution and the same cannot be interfered without proper cause.”*), it was also against the Division Bench (a higher authority than the single judge Justice Mahadevan) order of Madras High Court dated 31 Oct 2012, further the order was also against AdiShaiva AIAT custom, and tradition of Madurai Aadheenam documented in a historical record of trust procedures (as per section “*4. Particulars of important customs and usages pertaining to the institution”* and as per section *“2. Particulars of the scheme of administration which refers to government scheme R 5822.60 dated 29/Nov/1960”* ) that is also the authoritative legal reference on religious matters during the contemporary and colonial era.

    10 July 2018, the Madras High court validated the legitimacy of the SPH Nithyanananda Paramashivam’s accession to the throne as the 293rd pontiff of Madurai Aadheenam terming it *“irrevocable”*. This did not stop the state's persecution.

    Immediately after this, despite several court orders directly in favor of the SPH Nithyananda Paramashivam prohibiting the state from impounding His passport (*“The passport of the accused 1 (the SPH Nithyananda Paramashivam) be released into the custody of accused 1 for his interim custody till the disposal of this case”* in CC 204 of 2010 in the Court of Principle Senior Civil Judge Ramanagara dated 23 February 2012<https://shrikailasa.github.io/persecution_evidences/2012-Feb-23-CC204_order-to-return-passport.pdf> ), on 24 August 2018, the Government illegally and arbitrarily canceled the passport of the SPH(<https://shrikailasa.github.io/persecution_evidences/2018-Aug-24_illegal_mea_notice_without_even_signature.jpg> ). On 6 December 2019, the Ministry of External Affairs spokesperson informed (*On 6 December, the Ministry of External Affairs said Swami Nithyananda’s passport was cancelled before its validity was to expire in 2018 and that his application for a new one was also rejected because of the cases pending against him.“* <https://swarajyamag.com/insta/swami-nithyananda-as-many-as-12-lakh-people-have-applied-for-citizenship-of-kailasaa-nation> ) the passport of the SPH was canceled before its validity was to expire in 2018 and the application for the new one was rejected (“Cancelled Nithyananda’s passport, rejected application for new one: MEA” <https://www.youtube.com/watch?v=uPLdljsLgV8> ). With this illegal order, the SPH was pushed into *“de facto statelessness”* (Luingam Luithui And Ors vs Union Of India And Ors on 23 August, 2017<https://indiankanoon.org/doc/51490658/> ).

    The 10 July 2018 court order cleared the fact that the SPH Nithyananda Paramashivam was the 293rd pontiff (Hence this court is of the opinion that the Petitioner’s appointment is irrevocable and hence he [Sri Nithyananda Paramashivam] is the Junior Pontiff of the Mutt.”, order to CRP.(PD)(MD) 818 of 2018 and CMP(MD) 3630 of 2018 Before the Madurai Bench of Madras High Court, delivered on 10 July 2018, <https://shrikailasa.github.io/persecution_evidences/Order_to_Crp.(PD)(MD)_818-of-2018_and_CMP(MD)_3630-of-2018_Madurai_Bench_Madras_High_Court_dated_10-July-2018-(CRP_OS_1000).pdf> ). This was also backed by a Supreme Court order on a similar mattercxx. After the deep-state exiled the SPH, on 14 August 2021, the Tamil Nadu state HR&CE completely discarded the High court and supreme court orders and declared somebody else as the 293rd pontiff (<https://www.news18.com/news/india/we-worship-shiva-he-behaves-like-shiva-madurai-mutt-retorts-after-fugitive-nithyananda-claims-top-post-4100630.html>) [↑](#footnote-ref-22)
24. TheKanchee Kailasa Sarvajnapeetam Thondaimandala Aadheenam is one of the oldest AdiShaiva AIAT Hindu monasteries in the world (dated to at least the first century CE). On 20 Jan 1979, the State arbitrarily and illegally issued an order in HR&CE OA No.1 of 1978 and created a legally deceptive framework called Advisory Committee to politically control the appointment of the future Pontiffs. In 1988, the 230th Pontiff, Sri-La-Sri Gnanaprakasa Desika Paramacharya Swamigal identified the SPH Nithyananda Paramashivam (then known as A. Rajashekaran a young boy of fewer than 10 years of age) as the very incarnation of Lord Shiva and initiated, proclaimed, declared, and coronated Him as the future pontiff after performing all the initiations as per the customs and traditions. By 9 Jan 2009, the State appointed land grabbers as Advisory committee members and started systematically grabbing the rich hereditary land of the monastery. When the 232nd pontiff of Thondaimandala Aadheenam protested, the state completely took over the monastery by a suo moto proceeding in OA No.1 of 2010 (RC No.3972 / 2010 D-2) and issued a notice dated 31 July 2010 where the role of the pontiff was reduced to that of a consultant to the State. On 2 December 2020, the 232nd pontiff passed away. As per his will which he had reiterated in a video statement, he had exercised his religious and constitutional right to declare his successor, he declared the disciple of the SPH Nithyananda Paramashivam - Sri Nithya Sundareshwarananda as his successor 233rd pontiff. On 5 March 2021, the State based on their political interests, unconstitutionally and illegally appointed another pontiff and overridden the appointment done by the 232nd pontiff. [↑](#footnote-ref-23)
25. <http://archive.indianexpress.com/news/nithyananda-ashram-in-child-rights-row/1174496/> [↑](#footnote-ref-24)
26. 17 Sep 2013, the Karnataka State CWC officials forcibly, cruelly, and illegally interrogated children in the Gurukul. It was done without parental consent, without any video recording. CWC representative Radha. K acknowledging with a signed letter that she came to see gurukul with the police([http://shrikailasa.github.io/persecution\_evidences/gurukul/Letter\_CWC\_Representative\_Radhka.\_K\_17-Sep-2013.png)](http://shrikailasa.github.io/persecution_evidences/gurukul/Letter_CWC_Representative_Radhka._K_17-Sep-2013.png). This visit was after 7:30 PM late-night beyond the time permissible by law (6 PM). The State interrogators shamed, ridiculed, and humiliated the children, particularly girls for their traditional dress, pressured them to quit their spiritual-religious lifestyle.

    19 Sep 2013, FIR 340/2013 Bidadi PS dated 19-Sept-2013 IPC 186 against Ragasudha Vasundhara Shivanna, the legal counsel for the school and parents, for intervening in the violation of the rights of children and parents and reminding the police officers and CWC team members that it was not appropriate and illegal in fact to interrogate children in absence of their guardians that also after 6 PM (the official raided at 7:30 PM). For this, the government fabricated an accusation of IPC 186 which reads - *“Obstructing public servant in discharge of public functions. —Whoever voluntarily obstructs any public servant in the discharge of his public functions, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.*“

    21 Sep 2013, the Karnataka Government District Children Protection Committee (Women and Children Welfare Department) issued a show-cause notice181, wherein they made false allegations claiming that children were kept there illegally and ordered parents of all children to appear for interrogation. Parents from all over the country had to fly to meet the government demands, which they did.

    15 Oct 2013, the parents of the children fought for their constitutional, religious, and human rights to have their children educated as per ancient AIAT tradition. The State Government officers claimed that the parents were fake and demanded them to produce all documents to prove they are the real parents. The parents established this by producing various documents such as state issued biometric-ids, passports, birth certificates, and other documents(<https://indianexpress.com/article/cities/city-others/nithyananda-ashram-produces-88-students-before-child-welfare-panel/>). However, the State Government officers maliciously maintained that the children were orphans. They criminally intimidated the children pressurizing them to leave the Gurukul and go with their parents or they will be taken away by the Government officers(<https://www.deccanherald.com/content/367261/nithyananda-ashram-scanner-child-rights.html>). The entire attack by the government was reported by various politically owned Kannada language news channels that re-iterated the false claims of the government such as the claim the children were orphans and even absurd claims such as that the parents of the children were fake (<http://shrikailasa.github.io/persecution_evidences/gurukul/Kannada_language_tv_news_channel_tv9_15-Oct-2013.png>). About 19 children and their parents were intimidated and harassed by the Government officers to the extent that they had no choice other than to leave (16 Oct 2013, The Indian Express, *"Nithyananda ashram produces 88 students before child welfare panel"* <http://archive.indianexpress.com/news/nithyananda-ashram-produces-88-students-before-child-welfare-panel/1183244/>).

    16 Oct 2013, it was published that the Karnataka State CWC Officer, Shivalingaiah said, *“We found the children brilliant”*. However, the Officer falsely claimed, *“But they are not receiving formal education. They (the ashram) do not have accreditation from any government agency, they do not follow the law of the land and do not have an authentic syllabus for the children.”* Several other Hindumisic newspapers such as the Deccan Herald also spread misinformation and justified the lawfare by falsely accusing the traditional school of child rights violation whereas in reality the state persecuted the children and their parents using vexatious proceedings (6 Nov 2013, Deccan Herald, *“Nithyananda ashram under scanner for child rights violation”* <https://www.deccanherald.com/content/367261/nithyananda-ashram-scanner-child-rights.html>). [↑](#footnote-ref-25)
27. https://kailasa.hindunation.org/0:/for%20UN%20report/cult%20members.docx [↑](#footnote-ref-26)
28. By 2016, the leader of a cult named Corpus Dei – Sarah Landry a Canadian citizen disguised as a spiritual seeker had entered the AIAT monastery at Bangalore. By January 2017, she had molested several Gurukul children, details of which came to be known to the community only much later.

    AIAT student Sri Nithya Sundareshwarananda and declared by the SPH to be the successor of the ancient spiritual kingdom of Thondaimandala aadheenam, and Sri Nithya Tattvananda were abused sexually by Sarah Landry. [↑](#footnote-ref-27)
29. List of 56 nations <https://docs.google.com/document/d/1H7OJADdrFjrdl8nR5KMuc7sJkG6zXOob0K6X5wbmBno/view> [↑](#footnote-ref-28)
30. After His illegal arrest in 2010 on false charges, the basic fundamental right to travel and the right to speech of the SPH were inexplicably suspended by the High Court of Karnataka by imposing ban on His preachings, while hearing His bail petition - Crl. P. 2328/2010 http://judgmenthck.kar.nic.in/judgments/bitstream/123456789/388329/1/CRLP2328-10-11-06-2010.pdf [↑](#footnote-ref-29)
31. Ma Nithya Supriyananda Swami, has faced intersecting discrimination for multiple reasons (1) AIAT origin (2) Dalit (socially marginalized community) origin (3) Female monk (nun). On 9 May 2010, she and her team were addressed as “sex slaves” by Tamil yellow Tabloid writer Charu Nivedita (The media targeted AIAT minor girls by publishing their pictures in the national newspapers with vulgar captions (2 Feb 2011, DNA India, *"*[*After Ranjitha, Nithya claims sex video was not of him*](https://www.dnaindia.com/bangalore/report-after-ranjitha-nithyananda-claims-sex-video-was-not-of-him-1502250)*"*, the picture shows a minor AIAT girl's picture. This news clip caused victimization of the child in school and neighbourhood for being captured in a vulgar news item while cheering for the SPH). Young AIAT female monks were sexually linked with their Guru (spiritual guide and leader), the SPH, by entire cover page and several pages of yellow tabloids being dedicated to malign sacred sentiments of disciple hood. The media published fake interviews of AIAT actress Ranjitha defaming her for being a disciple of the SPH. Nakkheeran Gopal and other media heads pressured Ranjitha to commit suicide and circulated false news of the same in media as a rumor (<https://www.mangaloretoday.com/titbits/It-rsquo-s-my-offering-to-Swamiji-Ranjitha.html>). She filed a defamation case against the magazine and writers, which was pending in the courts for a decade. [↑](#footnote-ref-30)
32. एवंयः पूजयेद्देवव प्रतिवर्षयिव्रिः ।र्ण्मास वा त्रिमास वा मासेमासेऽथवा वप्रये॥ ३७ ।।तिस्रो वा पश्चर्ा सप्ि पूजयेदेविाधिया ।सवैश्वयसमद्ृ िात्मा

    स भवदावयोः वप्रयः ॥ ३८ ॥ O My Beloved ! One who either every year or every six months, or every three months or every

    month worships three, five or seven young ladies or girls treating them as Devatās, obtains all splendours and also

    becomes a favourite of both of Us. Kularnava tantra, 10th Ullasa, Verse 37-38,

    <https://archive.org/details/Kularnava/mode/2up> [↑](#footnote-ref-31)
33. 289,984 public talks on 7407 topics <https://kailasa.hindunation.org/0:/for%20UN%20report/asia%20book%20of%20records%20awards/award%20for%20max%20number%20of%20public%20talks.jpg> [↑](#footnote-ref-32)
34. 1123 books - <https://kailasa.hindunation.org/0:/for%20UN%20report/asia%20book%20of%20records%20awards/award%20for%20max%20number%20of%20books%20published.jpg> [↑](#footnote-ref-33)