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HALĀYUDHANIBANDHA ON LEGAL PROCEDURE

By

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In two previous issues of this Journal (Vol. III, pp. 328-344, and Vol. IV, pp. 13-32) about a hundred fragments from Halāyudhanibandha have been collected on the subject of the *vivādapadas*. To be complete, this list had to be supplemented by another series of fragments regarding *vyavahāra* proper, *i e.*, legal procedure. The latter fragments have been brought together in the present paper.

As to the scope and structure of this collection of fragments the reader may be referred to the introductory notes in the said article on the *vivādapadas*. A few additional remarks only will be necessary here.

First of all, in order to differentiate the present fragments from those on the *vivādapadas*, they have been numbered with Roman numbers.

Secondly, one cannot fail to be struck by the absolute disproportion in the number of fragments on substantive law and adjective law, respectively. This may be due to various causes, but to a certain extent it must also be accounted for by the nature of the sources available in both cases :

1. The largest number of quotations on substantive law have been taken from CAṆDESVARA'S *Vivādaratnākara*, whereas its counterpart, the *Vyavahāraratnākara*, could not be made use of for the quotations on adjective law.
2. VARDHAMĀNA'S *Daṇḍaviveka*, which also was an important source for the *vivādapadas*, does not actually treat of legal procedure.

move away elsewhere.<sup>61</sup> The Śṛṅgavat mountain is their exercising ground.<sup>62</sup> The dark half of a month is their day and the bright half is their night.<sup>63</sup> They, who are the *pūrvadevatās*,<sup>64</sup> are Soma drinkers.<sup>65</sup>

The Amāvāsyā<sup>66</sup> is dear to them as on that fateful day, Amāvasu pitṛ of enchanting beauty disdained the passionate longing by the power of his enviable fortitude and hence that very memorable day came to be known after him as Amāvāsyā.<sup>67</sup>

The *pitṛs* are ever worried and apprehensive whether any one would be born in the family who would offer water-libations, especially from the rivers full of cool water, who would offer a *śrāddha* with milk, roots and other edibles and water mixed with sesame seeds, offer libations of *pāyasa* (milk-rice) mixed with honey and ghee on the thirteenth day in the Varṣā and Maghā, a *śrāddha* with flesh of rhinoceros once with care, with *kālaśāka*, *mahāśāka*, honey and the food of ascetics. The *pitṛs* relish the rhinoceros without horns till the sun shines. (204.3 ff.). The *pitṛs* have a liking for the ardent devotee of Viṣṇu, the hide of a black antelope, a gift of a cow with a young one to the best of a Brahmin, the letting loose of a bull of white or blue hue, the gift of gold, silver and land with devotion, the construction of tanks and gardens. They like the learned and the donor of the Dharmasāstras according to rites etc. (204.11 ff). This short survey gives a glimpse into their family, nature, likes, dislikes etc.

(To be concluded)

<sup>61</sup> MP. 126.66 ff.

<sup>62</sup> MP. 114.85.

<sup>63</sup> MP. 141.78.

<sup>64</sup> Vide fn. 61 above; MP. 17.36.

<sup>65</sup> पितृणां सोमपायिनाम्, MP. 141.21

<sup>66</sup> Vide Goldstücker, "Sanskrit Dictionary." s. v. Amāvāsyā; Dikshitar V. R. R., op. cit., Vol. I, p. 83.

<sup>67</sup> तिथावमावसुर्वस्यामिच्छं चक्रे न तां प्रति ॥ धेयेण तस्य सा लोकैरमावास्येति विश्रुता । पितृणां बलमा तस्मात्तरयाक्षयकारकम् ॥ MP. 14.7-8

## DISCOVERY OF THE GENUINE ĀGNEYA-PURĀṆA

By

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It is well known that the present *Agni-purāṇa*, which has been printed repeatedly in different parts of India, is a spurious work written about the ninth century A. D. Vallālasena said that this Purāṇa (as well as a few others named by him) was compiled by the Tantriks with a sectarian motive and was consequently rejected by him as apocryphal.<sup>1</sup> With the spread of Tantricism this spurious work attained great popularity, and the genuine *Āgneya-purāṇa* had to save itself from extinction by assuming a different title, viz., '*Vahni-purāṇa*'. As modern scholars did not know the real nature of this '*Vahni-purāṇa*' occurring in Manuscripts, they took it to be an Upapurāṇa of minor importance and believed that the genuine *Āgneya-purāṇa* had been lost for ever. Fortunately in 1951 I came across a wrongly described Ms. in the collection of the Asiatic Society (Calcutta) and found out that the earlier *Āgneya-purāṇa* was still surviving under the title '*Vahni-purāṇa*'. Being sure of the identification I collected a few more MSS. of this work and began to prepare a critical edition of the same. I also contributed to "*Our Heritage*" (a half-yearly Bulletin of the Research Department, Sanskrit College, Calcutta) an extensive article covering more than one hundred typed pages in which I made a critical and intensive study of the various problems connected with this work. As this article is still awaiting publication, I deal in the following pages very briefly with the questions of the identification, present form, and date of the so-called *Vahni-purāṇa* mainly on the basis of the Asiatic Society Ms.

That the present *Vahni-purāṇa* is the same as the genuine *Āgneya-purāṇa* known to and used by the comparatively early authorities, can be established by a number of evidences, of which a few may be mentioned here. In the Mss.

<sup>1</sup> See *Dāna-sāgara* (India Office Ms. No. 719), fol. 3b-4a—  
tārkyam purāṇam aparaṁ brāhman āgneyam eva ca ।  
trayoviṁśati-sāhasryam purāṇam api vaiṣṇavam ॥  
ṣaṭ-sāhasra-mitam liṅgam purāṇam aparaṁ tathā ।  
dikṣā-pratiṣṭhā-pāṣaṇḍa-mukti-ratna-parikṣaṇaiḥ ॥  
mṛṣā-vaṁśānucaritaiḥ koṣa-vyākaraṇādibhiḥ ।  
asaṅgata-kathā-bandha-paraspara-virodhitaiḥ ॥  
tan mīnaketanādīnām bhaṇḍa-pāṣaṇḍa-liṅginām ।  
loka-vañcanam ālokya sarvam evāvarī (? dhī)ritam ॥

of the so-called *Vahni-purāṇa* the work has been called 'Agni-saṃjñita Purāṇa' (and not 'Vahni-saṃjñita Purāṇa' or '*Vahni-purāṇa*') in the body of the text,<sup>2</sup> and the title '*Āgneya Purāṇa*' occurs in the final colophons as well as in the colophons of Chapters 1-3 and 64 of all the Mss. we have got in our possession. It is remarkable that, in spite of the occurrence of the title '*Vahni-purāṇa*' in many of the chapter-colophons, even the scribes of these Mss. knew the work under the title '*Agni-purāṇa*'. This is shown by the occurrence of the syllables 'अग्नि°', 'अग्निपु°' or 'अ°पु°' (all being abbreviations for the name 'अग्निपुराण') in the upper corner of the left margin of the second page of all the leaves of all the Mss.). Such traditional identity of the genuine *Āgneya-purāṇa* and the *Vahni-purāṇa* explains why in some of the lists of eighteen principal Purāṇas the title '*Vahni-purāṇa*', '*Vahnija*' or '*Vāhna*' is found to occur in place of '*Āgneya-purāṇa*' or '*Āgneya*'. In commenting on *Bhāgavata-purāṇa* xii. 13. 4-8 Śrīdhara-svāmin, Vīra-rāghavācārya, Vijaya-dhvaṇa-tīrtha and Śukadeva take the name '*Vāhna*' to mean the '*Āgneya*' or '*Agni-purāṇa*'.

More definite evidence in favour of the identity of the so-called *Vahni-purāṇa* and the *Āgneya-purāṇa* is adduced by those comparatively early Smṛti-writers who have named and drawn upon the *Āgneya-purāṇa* in their commentaries and Nibandhas. It is remarkable that most of the numerous verses and extracts quoted from the '*Āgneya-purāṇa*', '*Āgneya*', or '*Agni-purāṇa*' in the works of Vallālasena, Halāyudha, Hemādri, Caṇḍeśvara, Mādhavācārya, Śūlapāṇi, Vidyāpati Upādhyāya, Vācaspatimiśra, Gaṇapati, Govindānanda, Raghunandana, and many others, occur in the present *Vahni-purāṇa* but not in the printed *Agni-purāṇa*.<sup>3</sup> It is true that a few of the verses quoted in some of the works of these writers are also found in the printed *Agni-purāṇa*, but this is due to the fact that this work retained some verses or groups of verses here and there from the genuine *Āgneya-purāṇa* which it tried to replace by imitating its title, form and contents.

The *Matsya* and the *Skanda-purāṇa* describe the '*Āgneya*' Purāṇa as follows:

"That [Purāṇa people] call '*Āgneya*' which was spoken out by Agni to Vasiṣṭha in connection with the affairs of the *Īśāna-kalpa*. This [Purāṇa] of 16,000 [Granthas or Ślokas] yields the fruits of all sacrifices to one who prepares a copy of it and gives it away in the prescribed

<sup>2</sup> See *Vahni-purāṇa*, Chap. 1, verse 18 (śrotum icchāmahe tvattaḥ purāṇam agni-saṃjñitam).

<sup>3</sup> A complete list of these traced verses has been given in my article contributed to "*Our Heritage*".

manner in the month of Mārgaśīrṣa after furnishing it with a lotus made of gold and a cow made of sesamum."<sup>4</sup>

The *Saura-purāṇa* also says:

"The fruit of the Rājasūya sacrifice accrues eternally [to him who] chances to give the *Āgneya* [Purāṇa] on the first lunar day to [a Brahmin] who maintains the sacred fire (āhitāgni)."<sup>5</sup>

The Śiva-rahasya-khaṇḍa (2. 34) of the Śaṅkara-saṃhitā of the *Skanda-purāṇa* declares the '*Āgneya*' Purāṇa to be the only Purāṇic work in praise of Agni (agner āgneyam ekakam).<sup>6</sup> The *Padma-purāṇa*, Uttara-khaṇḍa, includes the '*Āgneya*' among the Tāmāsa Purāṇas,<sup>7</sup> and the *Matsya* and the *Skanda-purāṇa* inform us that the Tāmāsa Purāṇas are those which glorify Agni or Śiva.<sup>8</sup> From these statements of the different Purāṇic works we learn that the *Āgneya-purāṇa* known to them praised Agni (the Fire-god) as the highest deity, dealt with the sacrificial rites and conduct of the Āhitāgni Brahmins, was concerned with the events of the *Īśāna-kalpa*, had Agni and Vasiṣṭha as the principal interlocutors, and consisted of 16000 Granthas or Ślokas. As the present *Vahni-purāṇa* contains some of these characteristics, and not all, and as the printed *Agni-purāṇa* also frequently calls itself '*Āgneya Purāṇa*' in the body of its text and has Agni and Vasiṣṭha as the principal interlocutors, there arises serious doubt as to whether it is the *Vahni-purāṇa* or the present

<sup>4</sup> yat tad īśānakam kalpaṃ vṛttāntam adhikṛtya ca |  
vasiṣṭhāyāgninā proktam āgneyaṃ tat pracakṣate ||  
likhītvā tac ca yo dadyāddhema-padma-samanvitam |  
mārgaśīrṣyāṃ vidhānena tila-dhenu-samanvitam ||  
tac ca ṣoḍaśa-sāhasraṃ sarva-kratu-phala-pradam ||

*Matsya-purāṇa* (Ānandāśrama Press ed.) 53. 28-30a; and *Skanda-purāṇa* VII (Prabhāsa-khaṇḍa). i. 2. 47-48 (v. I. '*īśāna-kalpasya*' in line 1, and '*mārgaśīrṣe*' and '*tila-dhenu-yutaṃ tathā*' in line 4).

<sup>5</sup> āgneyaṃ pratipady eva pradadyād āhitāgnaye |  
rājasūyasya yajñasya phalaṃ bhavati śāśvatam ||

*Saura-purāṇa* (Ānandāśrama Press ed.) 9. 25.

<sup>6</sup> Eggeling, *India Office Catalogue of Sanskrit Mss.*, VI, Nos. 367172, p. 1363.

<sup>7</sup> See *Padma-purāṇa* (Ānandāśrama Press ed.) Uttara-khaṇḍa, 263. 81-85.

<sup>8</sup> *Matsya-purāṇa* 53. 68-69; and *Skanda-purāṇa* VII. i. 2. 87-88.

The *Skanda-purāṇa* adds, in verse 89, that among the eighteen principal Purāṇas four are given to the praise of Viṣṇu, two each to that of Brahmā and Ravi (the Sun), and the rest to that of Śiva (caturbhīr bhagavān viṣṇur dvā-bhyāṃ brahmā tathā raviḥ | aṣṭāśa-purāṇeṣu śeṣeṣu bhagavān śivaḥ ||).

*Agni-purāṇa* which is the genuine *Āgneya-purāṇa*. This doubt is set aside by Vallālasena who quotes a large number of verses and extracts from the genuine '*Āgneya Purāṇa*' without the least shade of doubt as regards its authenticity, but rejects the present *Agni-purāṇa* ('dealing with initiation, consecration, salvation of Pāṣaṇḍas, testing of gems, fictitious genealogies, lexicography, grammar, etc.') for its spurious character and Tantric elements. As most of these quoted verses and extracts, together with the interlocutors mentioned therein, are found in the present *Vahni-purāṇa*, and as, unlike the printed *Agni-purāṇa*, the present *Vahni-purāṇa* shows no trace of Tantric influence, it is sure that the *Āgneya-purāṇa*, drawn upon by Vallālasena, has come down to us under the title '*Vahni-purāṇa*.' We have already said that the great majority of the verses quoted from the '*Āgneya-purāṇa*,' '*Āgneya*' or '*Agni-purāṇa*' in the works of comparatively early Smṛti-writers are found not in the printed *Agni-purāṇa* but in the present *Vahni-purāṇa*, which, therefore, must be identical with the genuine *Āgneya-purāṇa* known to them.

A careful analysis of the contents of the present *Vahni-purāṇa* shows that originally this work praised Agni, the Fire-god (who was identified with Śiva, as the few chapters retained by it from its earlier form indicate), dealt extensively with the details of sacrificial rites and procedures, and had a good number of chapters on other matters characteristic of the ancient Purāṇas, and that in course of time most of these chapters were replaced by those derived from various ancient works such as the *Mahābhārata*, *Harivaṃśa*, *Viṣṇu-purāṇa*, *Rāmāyaṇa*, etc., and especially the *Viṣṇu-dharma*, from which the *Vahni* (or rather *Āgneya-purāṇa*) derived not only a large number of chapters on religious matters but also the sage Vasiṣṭha as one of the principal interlocutors. It is due to these mixed contents of the present *Vahni-purāṇa* that the genuine *Āgneya-purāṇa* has been described in the *Matsya* and other Purāṇas as a Tāmasa Purāṇa praising Agni or Śiva and as containing the interlocution between Agni and Vasiṣṭha. The absence of any mention of the *Iśāna-kalpa* in the present *Vahni-purāṇa* must be due to the replacement of a large number of original chapters of the genuine '*Āgneya-purāṇa*' with those derived from other sources.

As to the present extent of the *Vahni-purāṇa*, which is found to consist of about 12000 Granthas or Ślokas, it may be said that the Purāṇas themselves are not unanimous on this point. For instance, the *Matsya-purāṇa*, *Skanda-purāṇa* (Prabhāsa-khaṇḍa and Revā-khaṇḍa), *Devī-bhāgavata* (i. 3.9), etc. give the extent of the '*Āgneya Purāṇa*' as 16000 (Granthas or Ślokas); the *Bhāgavata* (xii. 13.5) and the *Brahma-vaivarta-purāṇa* (iv. 133. 14-15) give it as 15400 (Granthas or Ślokas); and the apocryphal *Agni-purāṇa* gives 12000 (Granthas or Ślokas) as the extent of the '*Āgneya*'. So, it can hardly be denied that extent of the genuine *Āgneya-purāṇa* was not the same at all times

and in all places and that it varied with the difference in time and locality. However, the mention of an extent of 12000 (Granthas or Ślokas) in the printed *Agni-purāṇa* is important in that this became the extent of the genuine *Āgneya-purāṇa* when the former was composed with an idea of replacing it by imitating its title, form and extent.

That a good number of chapters on sacrificial rituals and other matters characteristic of the early Purāṇas came to be lost from the so-called *Vahni-purāṇa* is shown by a Purāṇic work, published under the title '*Nāndī-purāṇa*', which claims to belong to the '*Vahni-purāṇa*' and pretends to continue the conversation between Agni (or Vahni, the Fire-god) and Vasiṣṭha, who, as we have already seen, appear as interlocutors in the present *Vahni-purāṇa* (i. e. *Āgneya-purāṇa*) in its Vaiṣṇavite form. At the very outset of this work Vasiṣṭha is found to request Vahni (the Fire-god) saying:

“ bhagavan deva devāgra vibho dharmādi-kāraṇa |  
tvat-prasādāc chrutāḥ sarve dharmā varṇāśramocitāḥ ||  
kuṇḍa-maṇḍapa-vedināṃ pramāṇaṃ ca yathā-śrutam |  
dikṣāṃ yajñādikānāṃ ca vāstu-śāstra-nirūpaṇam ||  
avatārān bhagavataś caturviṃśati-saṃmitān |  
mantra-dikṣā-vidhiś cāpi saṃskārān aṣṭa-saṃyutān ||  
catvāriṃśan-mitān sūrya-soma-varṇāśādi-varṇanam |  
etad anyac ca bhagavan chrutaṃ vistarato mayā ||  
adhunā śrotum icchāmi brahmāṇḍasya nirūpaṇam |  
saṃkṣepāt kathitaṃ yac ca purā hy etat tu vistarāt ||  
śrotum icchāmy ahaṃ vahne brūhi pralaya-kāraṇam || ”

(*Nāndī-purāṇa*, Chap. I, verses 1-6a).

From these words of Vasiṣṭha we learn that, besides giving a brief account of the universe, the *Vahni-purāṇa* (i. e. the *Āgneya-purāṇa*) dealt elaborately (vistarataḥ) with the entire duties of the different castes and orders of life, and also with the construction of sacrificial pits, pandals and altars, consecration for and preliminaries to Vedic sacrifices, various matters relating to the building of houses, the twenty-four incarnations of the Bhagavat (i. e. Agni, who is considered to be identical with Rudra-Śiva), the forty-eight sacraments, the method of imparting initiatory Mantras, the accounts of the Solar, Lunar, and other dynasties, and so on (etad anyac ca). It should be mentioned here that in the *Vahni-purāṇa* (i. e. *Āgneya-purāṇa*) in its present form there are no chapters or verses on most of these topics; and this elimination was undoubtedly made by the Vaiṣṇavas not during their first recast of this work but in a subsequent one to which they must have subjected it in course of time.

As to the date of the present *Vahni-purāṇa* it may be said that this work, in its changed form, existed earlier than Vallālasena, the printed *Agni-purāṇa* (circa 8th century A.D.), and *Matsya-purāṇa*, Chap. 53 (which is to be dated

between 550 and 650 A.D.).<sup>9</sup> So, the *Āgneya-purāṇa* (i.e. the present *Vahni-purāṇa*) must have been recast by the Vaiṣṇavas not later than 500 A.D. As the *Viṣṇu-dharma*, from which the *Vahni-purāṇa* has borrowed a large number of chapters, cannot be dated earlier than 200 A.D. and seems to have been written some time during the third century A.D., the date of the Vaiṣṇava recast of the present *Vahni-purāṇa* is to be placed between 300 and 500 A.D. From its mention of Rāsis, 'Horā', etc. and from the absence of Kālidāsa's influence even in its Rāma legend it appears that the present *Vahni-purāṇa* was recast by the Vaiṣṇavas towards the beginning of the fifth century A. D. Thus, the *Vahni-purāṇa* in its original form must have been composed much earlier than the fourth century A. D.

## CONCEPT OF KĀLA AND ĀKĀŚA IN THE SĀMĀKHYA-YOGA SYSTEM

By

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### KĀLA—TIME

The Sāṅkhya-kārikā of Īśvarkṛṣṇa is the earliest available work of the Sāṅkhya System (3rd cent. A.D.). It does not say anything on the concept of Kāla. Among its commentaries only the Sāṅkhya-tattva-kaumudi incidentally touches it in the following passage :—

'According to the Vaiśeṣikas, Time is one (indivisible) and hence it cannot admit of such divisions as 'past', 'present' and 'future'. They attribute these divisions to certain 'accidents' (adventitious conditions) : but according to the Sāṅkhyācāryas, these same 'accidents' themselves may be regarded as the basis of the notions of 'future', 'present' and 'past', and there is no need for the postulating of an intervening entity as 'Time'. This is the reason why Time is not accepted as a distinct entity'. (Sāṅkhyatattva-kaumudi on the Sāṅkhya-kārikā 33.)

The Vyāsa-bhāṣya on the Yoga-sūtras of Patañjali, the commentaries of Vācaspati Miśra (Tattva-Vaiśāradi) and Vijñāna bhikṣu (Yoga-vārttika) on the bhāṣya deal with the concept of Kāla at some length. Thus the Vyāsa-bhāṣya (III. 51) says :—

'As an atom is a substance in which minuteness reaches its limit, so a moment is a division of time in which minuteness reaches its limit. Or a moment is that much of time which an atom takes in leaving the position in space it occupies and reaching the next point. The succession of moments is the non-cessation of the flow thereof. The moments and their collection do not fall into a collection of actual things. The Muhūrta, the day and night are all aggregates of mental conceptions. This time which is not a substantive reality in itself, but is only a mental concept, and which comes into the mind as a piece of verbal knowledge only, appears to people whose minds are given to out-going activities (द्यूत्थितदर्शनानां), as if it were an objective reality. The moment falls under the head of reality and is maintained by succession. This succession consists in the sequence of moments. The Yogīs who know time call this by the name of time.

Further two moments cannot co-exist. There can be no succession of two co-existent moments. It is impossible. The uninterrupted sequence of the first moment and of the one which follows, is what is called succession. For this there is but one moment existing in the present ; the antecedent and post-

<sup>9</sup> See R. C. Hazra, *Purāṇic Records on Hindu Rites and Customs*, pp. 39-41 and 176.