

## No footage of Babri demolition: TV guidelines

*New Delhi:* News channels must neither show any footage of the demolition of Babri Masjid nor broadcast any visuals of celebrations or protests on the issue of the disputed site in Ayodhya, according to guidelines issued on Wednesday by the News Broadcasting Standards Authority, a self-regulatory organisation for television news.

The NBSA issued nine specific guidelines on the “Ayodhya matter”, keeping in mind the “sensitive nature” of the issue, and asked all editors part of the organisation, in an advisory, to ensure these are followed by all news channels, besides the Code of Ethics and Broadcasting Standards.

The NBSA advisory stated, “The reporting of the Ayodhya issue...is one in which extra care and caution needs to be exercised to ensure that the telecast of any news relating to it should not be sensational, inflammatory or provocative.” **ENS**

## No leave for UP field officials till November 30

*Lucknow:* The UP government on Wednesday issued an order saying officials on “field duty” will not be granted leave till November 30. The instructions come on the last day of the Supreme Court hearing in the Ayodhya land dispute case. The official order, however, attributed the decision to the festive season. Officials considered to be on field duty include police officers posted at the district and lower levels, as well as district magistrates.

In the order, Additional Chief Secretary Mukul Singhla said the government decided that in view of the coming festival season, no official should be granted leave, unless in the most unavoidable circumstances, till November 30. The order also directed officials to remain present at their respective headquarters. **PTI**

# J&K govt revokes PSA against Shopian minor

## Family had challenged detention under PSA in J&K HC

**ADIL AKHZER**  
SRINAGAR, OCTOBER 16

THE JAMMU and Kashmir government has informed the High Court that it has revoked the Public Safety Act (PSA) slapped against a minor from South Kashmir’s Shopian district.

The boy’s family had challenged his detention under the PSA in the J&K High Court. With this, the J&K government has revoked the PSA in all the four cases where the families had approached the High Court and said those detained were minors.

In its dossier on the boy, the Shopian Police had mentioned his age as “20 years”. However, the judicial inquiry ordered by the J&K HC in September, concluded that he was 14 years old.

After submitting a habeas corpus petition, the boy’s family members had submitted a school certificate stating that he was a minor.

On September 25, Justice Ali Mohammad Magrey had asked the Registrar Judicial, HC, to conduct an inquiry and “take such

# Now, Bench will write its ruling



THE BENCH: Chief Justice of India Ranjan Gogoi, Justice SA Bobde, Justice DY Chandrachud, Justice Ashok Bhushan, Justice SA Nazeer

## As the five-judge Constitution Bench concludes the 40-day hearings on appeals, Ananthakrishnan G summarises the key arguments and SC’s observations

### — RAMLALLA VIRAJMAN —

■ Material unearthed by ASI points to presence of a “massive structure with features distinctive of a temple” beneath the ground on which the Babri Masjid stood. A significant discovery is a “*pranala*” — a discharge outlet attached to the sanctum sanctorum in Hindu temples — on the northern wall of the structure.

■ ASI report establishes that Babri Masjid was not built on vacant or agricultural land, but on land on which a “massive structure”, dating back to at least 2nd Century BC, stood.

■ History books establish there was a temple. It is the unshakeable faith of believers that this is the birthplace of Ram. That itself is the greatest evidence.

■ Both Hindus and Muslims consider Ayodhya as the birthplace of Ram and there is no difference of opinion regarding this.

■ The birthplace of Ram too is a juristic person and there are judgments which show that something which is not in idol form can also be a juristic person. God is all-pervading, so the manifestation of the divinity is also worshipped. The whole of Ayodhya is divine for Hindus and therefore everything connected to it is a juristic person.

■ Allahabad HC held the disputed site is deity. If that is so, awarding joint possession is bad in law.

■ Accounts of foreign travellers and historians establish beyond doubt the location of Ram Janmabhoomi, and that the temple there was demolished to make way for the Babri Masjid.

■ Inscriptions on a stone slab “recovered” from the rubble of the demolished Babri Masjid pointed to existence of a 12th Century Vishnu temple.

■ Divinity of Ram Janmabhoomi was not lost, though the Babri Masjid was built over the temple which pre-dated it, hence nobody can claim title over the site by adverse possession.

■ Lime-*surkhi* mixture as building material was used in India much before the arrival of Muslims, and its presence on a 50-metre long wall, discovered beneath the disputed structure, does not indicate that the wall was an Islamic structure.

■ A district court in Faizabad had concluded in 1886 that a mosque was built on land considered holy by the Hindus in Ayodhya, and it was for the Muslim side to show that this finding was wrong.

### — UP SUNNI CENTRAL WAQF BOARD —

■ Examining historic rulership and legitimacy of actions of emperors like Babur and Aurangzeb will open a Pandora’s box.

■ Archaeological Survey of India report at best an “opinion” and “cannot be accepted as evidence” to decide the case.

■ Lime-*surkhi* was brought to India during the Islamic period and its traces on the wall show it was part of an Idgah.

■ Alleged placing of idols of Hindu deities in the central dome of the Babri Masjid on the intervening night of December 22-23, 1949, was a planned, surreptitious attack and an illegal usurpation.

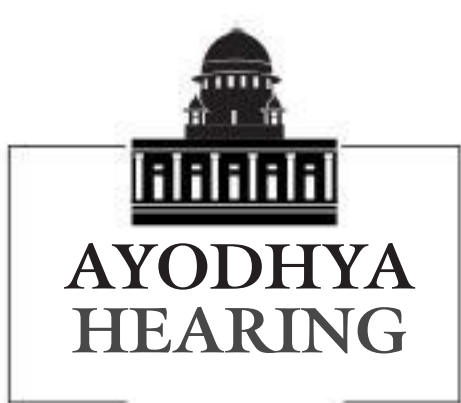
■ Some photographs of 1950 show “Allah” was inscribed on the inside walls of the masjid in Arabic calligraphy.

■ There were idols of Hindu deities in the Ram Chabutra, but Hindus did not have title over the place, only the right to pray.

■ Babri Masjid was used for prayers by Muslims even after the 1934 communal riots which damaged a part of it.

■ Babri Masjid had an Imam who led the prayers and a Muezzin who recited the Azaan.

■ Concept of Ram birthplace treated as a juristic person was



“invented in 1989” for the purpose of the suit filed by Ramlalla Virajman that year.

■ Ram Janmabhoomi Nyas has no locus standi in the matter, nor can it be party to any suit. Suit by Ramlalla Virajman was only a “socio-political vehicle” for Nyas, which was created in December 1985.

■ Disputed premises has always been a mosque, since the day it was constructed.

■ No evidence of demolition of a temple, gazetteers relied on by the temple side to prove their case not authentic proof of history.

■ High Court did not consider report of four historians which rejected claims that the site was the birthplace of Ram.

■ The demolished (Babri Masjid) building belonged to us... the right to reconstruct it also belongs to us. Nobody else has the right.

### | NIRMOMHI AKHARA |

■ We were in possession of inner courtyard and Ram Janmasthan for hundreds of years. Outer courtyard having ‘Sita Raso’, ‘Chabutra’, ‘Bhandar Grah’ was in our possession, never part of dispute in any case.

■ Our suit was filed within the period of limitation. We are seeking rights to management and possession of the area.

### | SUPREME COURT’S OBSERVATIONS |

■ Has a question like the present one (on the birth of Ram) been raised about the birth of a prophet or whether Jesus was born in Bethlehem, in any court anywhere in the world?

■ The presence of the Chabutra in close proximity with the iron railings put up by the British post-1855, to separate the Babri

Masjid from outer courtyard, assumes significance.

■ It is very difficult for the Uttar Pradesh Sunni Waqf Board to question the belief of the Hindu community in Ram’s birthplace, given that even a Muslim witness had attested to the significance of Ayodhya for them.

■ Archaeological Survey of India’s report not just an opinion, but expert opinion and will have to be given due weightage.

■ Oral evidence on record that there was an idol at the “*garbhagriha*” (sanctum sanctorum) below the central dome of the Masjid even prior to 1949, and that Hindus had prayed to it.



An Army jawan during the encounter, in Anantnag, ANI

# Three LeT militants killed in Anantnag

**ADIL AKHZER**  
SRINAGAR, OCTOBER 16

THREE MILITANTS affiliated to the Lashkar-e-Taiba (LeT) were killed during an operation by joint forces in South Kashmir’s Anantnag district on Wednesday.

Police officers said a cordon-and-search operation was launched at Pazzalpota, Bijbehara in Anantnag. Around 5 am, militants fired at the security forces, triggering an encounter.

Kashmir Police said on Twitter that three militants were killed in the encounter. The slain militants were identified as Nasir Chadru, Aqib Hajam and Zahid Hussain.

“Affiliated with proscribed

terror outfit LeT. Involved in terror crimes as per police records. Arms and ammunition recovered. Case registered,” police tweeted on Wednesday evening.

J&K Police stated in a release on Wednesday that DGP Dilbag Singh visited Anantnag to commend the police personnel and security forces for the successful operation in Bijbehara.

The operation was the first in South Kashmir after mobile phone services returned to the Valley.

On October 8, two militants of the LeT were killed in the first encounter between militants and security forces in south Kashmir since the Centre’s decision to scrap J&K’s special status on August 5.

# Day after, J&K releases 13 women held during protest

**BASHAARAT MASOOD**  
SRINAGAR, OCTOBER 16

A DAY after they were arrested for trying to stage a silent sit-in in Srinagar to protest against the Centre’s decision to revoke special status to Jammu and Kashmir, the J&K administration on Wednesday released 13 prominent women from the Valley, including the sister and daughter of Lok Sabha MP and former chief minister Farooq Abdullah.

After more than 30 hours in Srinagar’s Central Jail, the activists were released after they signed a mandatory bond assuring that they would “not commit breach of peace”.

“Yesterday they asked us to sign a bond to apologise (for the protest). We refused,” said Muslim Jan, retired editor of Kashmir University students’ newspaper who was among those arrested.

With Srinagar Central Jail running short of space, they were locked up in a room in the jail’s new administrative block.

The arrested people included National Conference president Farooq Abdullah’s sister Suraya and daughter Safiya Abdullah. Among the others arrested are Delhi-based activist and head of Centre for Dialogue and Reconciliation Sushoba Bharve, academic Hawa Bashir, who is

### RAM JANMABHOOMI-BABRI MASJID DISPUTE

## WHEN IT BEGAN



In Ayodhya, Wednesday, PTI

possession of the site

1986: Local court orders the government to open the site for Hindu worshippers

1989: Allahabad High Court orders maintenance of status quo at the site

DEC 6, 1992: Babri Masjid demolished

1993: ‘Acquisition of Certain Area at Ayodhya Act’ passed for acquiring land of the disputed area by the Centre

2002: High Court begins hearing on determining who owns the disputed site

2003: SC says no religious activity of any nature be allowed at the acquired land

2010: In a 2:1 majority, the High Court rules three-way division of the disputed area between Sunni Waqf Board, Nirmohi Akhara and Ramlalla

2011: SC stays High Court’s verdict

2017: Supreme Court constitutes three-judge bench to hear pleas challenging the verdict of the Allahabad High Court

SEP 27, 2018: SC declines to refer the case to a five-judge Constitution bench

DEC 24, 2018: SC decides to take up petitions for hearing on January 4, 2019

### THIS YEAR



Outside SC. File

JAN 8, 2019: SC sets up a five-judge Constitution Bench, headed by Chief Justice of India Ranjan Gogoi and comprising Justices S A Bobde, N V Ramana, U U Lalit and D Y Chandrachud

JAN 10: Justice U U Lalit recuses

JAN 25: SC reconstitutes 5-member Constitution Bench comprising CJJ Ranjan Gogoi and Justices S A Bobde, D Y Chandrachud, Ashok Bhushan and S A Nazeer

JAN 29: Centre moves SC seeking permission to return the 67-acre acquired land around the disputed site to original owners

MAR 8: SC refers the dispute for mediation by a panel headed by former apex court judge F M I Kallifulla

APR 9: Nirmohi Akhara opposes Centre’s plea to return acquired land around Ayodhya site to owners

MAY 9: The three-member mediation committee submits interim report to the SC

JUL 18: SC allows mediation process to continue, seeks outcome report by Aug 1

AUG 1: Report of mediation submitted in sealed cover to SC

AUG 6: SC commences day-to-day hearing on the land dispute

OCT 4: SC says it will wrap up hearing on October 17

OCT 16: SC concludes hearing; reserves order

Source: PTI



Farooq Abdullah’s sister and daughter were among the 13 women who were arrested. Express file

wife of former Chief Justice of J&K High Court Bashir Ahmad Khan, and activist Qurat-ul-Ain.

The police did not register an FIR; they were arrested under Section 107 of CrPC for defying prohibitory orders under CrPC Section 144.

“We wanted to send out a message with this protest — that people of J&K are not happy with the abrogation of special status to the state — and we have been successful in sending that out,” one of the women said.

In a statement issued at the time of their arrest, they had said that they are individuals from different fields and “disapprove of the unilateral decision taken by the government to revoke Article 370, 35A and downgrade and split the state of Jammu and Kashmir...”

We feel betrayed, humiliated and violated as people...” Hawa Bashir’s son, actor **WITHENS, MUMBAI**

Aamir Bashir, told *The Indian Express* earlier in the day in Mumbai that even though he was proud of his mother and his aunts, who were arrested, he was worried since they are old and frail. “At the same time, I know thousands of people are in a worse condition, or in a condition that we don’t even know about. Their family members don’t know where they have been taken. Compared to them, my mother comes from a privileged background... So I can’t say my mother is suffering (but) my mother is asthmatic, suffers from arthritis and both her knees were replaced. My elder aunt has cardiac ailment.”

He also said, “My mother had called me while she was being taken to the jail. When I expressed my concerns, she laughed it off.”









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**TODAY'S HAPPY TIMES** Q1.Which company launched its Pixel phones on Tuesday? **READ** Q2.Who did Spain draw with in the Euro qualifiers on Tuesday? **WIN** Play daily for a chance to win **5500 TIMESPOINTS**, thrice a week.

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# Muslim parties ready to drop claim to Ayodhya land: Mediation panel

## Nyas, Jamiat Not Party To Settlement

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**New Delhi:** The court-appointed mediation panel on Wednesday informed the Supreme Court about achieving a groundbreaking settlement to the vexed dispute over the 2.77-acre Ramjanmabhoomi-Babri

**FULL COVERAGE: P 14**

Masjid land in Ayodhya under which the Muslim parties have agreed to give up their claim on the land for the construction of the Ram temple.

Parties which signed the settlement were the Sunni waqf board, the Nirvani Akhara, a representative of Nir-

## Hindu outfits offer land for harmony

Nirvani Akhara and Pudu-cherry's Aurobindo Ashram have written letters to the SC-appointed mediation panel offering large plots owned by them in Ayodhya for setting up a national institute for social harmony. Sources close to Akhara said Mahant Dharam Dass has offered a plot of 1 lakh square feet for the institute, while Aurobindo Ashram has offered a three-acre plot adjacent to the 2.77-acre disputed land.

mohi Ani (parent body of all eight Nirmohi Akharas), the Hindu Mahasabha and the Ram Janmasthan Punarudhar Samiti, sources told TOI.

The settlement, while seeking to facilitate a Ram temple, also seeks strict implementation of the 1991 law that lays

## 3 POINTS OF SETTLEMENT

► Implementation in letter and spirit of Places of Worship (Special Provision) Act, 1991. This act does not apply to Ramjanmabhoomi-Babri Masjid dispute

► Muslims to give up claim. Government to take up repair and restoration of all mosques in Ayodhya. UP Sunni waqf board to construct a mosque at an alternative site

► Select a few mosques under ASI management to be opened up for worship to Muslims after a court-appointed committee hears the parties

► **SC RESERVES VERDICT, JUDGMENT BY NOV 17, P 14**

► **SUNNI WAQF BOARD DENIES WITHDRAWING APPEAL, P 14**

down status quo for all places of worship that existed on August 15, 1947, repair of all other mosques in Ayodhya and, importantly, construction of a mosque at an alternative site by the waqf board.

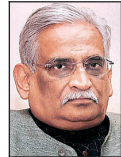
However, two main stakeholders — VHP-backed Ram

Janmabhoomi Nyas and Ram Lalla deity through next friend (suit filed by the deity includes Nyas as one of the plaintiffs), and a faction of Jamiat Ulema — did not participate in the negotiations.

► **Difficult to oppose, P 14**

## Dhavan tears up map of Ram's 'birthplace'

Reserving his best theatrics for the final day of the hearing, Muslim party counsel **Rajeev Dhavan** tore up a map which Hindu Mahasabha advocate Vikas Singh had cited as depicting the "location of Lord Ram's birthplace" in Ayodhya. Dhavan's action came after Singh told the CJI he wasn't relying on the map as evidence following which the CJI told Dhavan, who was doubting its veracity, "Since the Hindu party isn't relying on it and if you find it irrelevant, you can tear it off." Dhavan took him literally. **P 14**



# Punjab apple trader, migrant labourer shot dead in Valley

## Panic-Stricken Truckers Flee

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**Shopian:** An apple trader from Punjab and a brick kiln worker from Chhattisgarh were shot dead in separate attacks by terrorists in J&K on Wednesday, taking the number of civilian killings to three in as many days and sending a frisson of alarm that resulted in a procession of outstation trucks fleeing the Valley without picking up their fruit consignments.

The latest victims in the resurgence of terror attacks since Monday were Punjab-based Charanjeet Singh, who was killed during a business trip to Trenz in Shopian district, and Sethi Kumar Sagar, a resident of Besoli in Chhattisgarh employed in a brick kiln in Pulwama. Sanjeev Singh, who was accompanying Charanjeet, was critically injured in the attack.

► **Life is important, P 18**

## Show us administrative orders for placing curbs, SC tells J&K

The SC directed the J&K administration on Wednesday to place before it all orders imposing restrictions in the state after the withdrawal of its special status. Solicitor general Tushar Mehta assured that the administrative orders would be placed before the court but said they could not be shown to the petitioners as it involves national security.

The bench also asked the

state why it has not filed a reply on a plea by the wife of an NRI businessman challenging his detention, saying that it is a serious matter re-

► **Indian envoy updates US panel on K-roadmap, P 18**

lating to "personal liberty". Mehta said the affidavit is ready and will soon be filed. The apex court posted the matter for further hearing on October 24. **P 18**

## Soura unrest mastermind held

J&K police on Wednesday arrested Hyat Ahmad Bhat, believed to be the brain behind the unrest in Soura on the outskirts of Srinagar soon after the state's special status was withdrawn in August. Police said Bhat was "instrumental" in mobilising miscreants in and around Jenab Sahib Soura on Srinagar-Leh highway. **P 18**

## SC to hear plea on PMC Bank

The Supreme Court has agreed to hear a petition seeking directions to protect the interests of 15 lakh customers whose money is blocked in the beleaguered PMC Bank and posted the hearing on October 18. **P 13**

## Pak to remain on FATF grey list

Financial Action Task Force, the terror financing watchdog, has decided that Pakistan will remain on its grey list for the next four months and told it to check terror financing. **P 18**

## Can't let online Jane Doe play judge: HC

Cases where persons don't identify themselves but put out sexual harassment allegations online may need the court's intervention since the anonymous accuser becomes a judge and decides the guilt of the other person while the accused doesn't even get a chance to defend himself, the Delhi HC has ruled, reports **Abhinav Garg**. "...In such cases, suits have been entertained and ex parte orders issued to sites for taking down impugned content and disclose particulars of the uploader," it said. **P 12**

## City suffers season's 1st 'very poor' air day

TIMES NEWS NETWORK

**New Delhi:** Delhiites suffered the first "very poor" air day of the season on Wednesday, with the city's average air quality index touching 304, a clear deterioration from the AQI of 270 (in "poor" zone) recorded on Tuesday, according to the Central Pollution Control Board readings.

Most of the 37 air quality monitoring stations in Delhi recorded AQI in the "very poor" category even as satellite pictures showed the region under a haze of pollution.

The Centre-run System of

Air Quality and Weather Forecasting and Research (SAFAR) said Delhi's air quality was likely to remain unchanged or deteriorate marginally over the next two days. It attributed the dip in air quality to slow winds that were preventing pollutants from dispersing. It said the contribution from stubble-burning in neighbouring states was low at this time. However, the Delhi government said the foul air was largely because of crop burning taking place in Punjab and Haryana.

► **Quality may worsen, P 4**

## PSBs to bring services to your doorstep

State-run banks are set to implement doorstep banking for millions of consumers, including the facility to deposit and withdraw cash, making life easier for senior citizens and disabled, reports **Sidhartha**. While doorstep banking was prescribed by the RBI a few years ago, PSBs have come together to appoint a common service provider to handle the service for all customers. UCO Bank has floated a 'Request for Proposal' on behalf of all PSBs seeking private players to run the facility. **P 23**

# 8-day rule for whisky, vodka puts city resto-bars in a fix

Amin Ali & Atul Mathur | TNN

**New Delhi:** Resto-bars in the capital are crying foul over a new excise department order that says the contents of vodka and whisky bottles in the premium price range can only be sold within eight days of being opened and any unsold portion has to be disposed of.

The order, which came in-


to effect from October 1 with the aim of checking mixing of liquor and preventing serving of diluted or spurious alcohol, has made restaurants rethink their stock orders. The "time limit rule" applies to sparkling wines, champagne as well as imported vodka and whisky priced in the range of Rs 1,501 to Rs 4,500 (750 ml).

A restaurateur said eve-

ry bottle they open now will be with a prayer that it sells within the time limit to avoid losses. The restaurateur said he had to flush away most of the contents of two bottles each of three popular whisky brands this month.

Hotels with 4 star or higher ratings have been exempted from the rule.

► **Top brands off menu? P 7**




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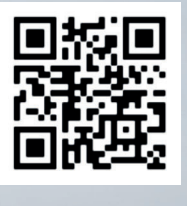
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# Countdown To Verdict In Ayodhya Case Begins

## SC Reserves Order After 40-Day Marathon Arguments

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**New Delhi:** The Supreme Court on Wednesday reserved verdict on cross-appeals by Hindu and Muslim parties litigating for last 70 years claiming ownership over 2.77 acre disputed Ram Janmabhumi-Babri Masjid land, and who have refused to accept the Allahabad high court's 2010 judgement dividing the land equally among Ram Lalla, Nirmohi Akhara and UP Sunni Waqf Board.

A bench of Chief Justice Ranjan Gogoi and Justices Sharad Arvind Bobde, Dhananjay Yeshwant Chandrachud, Ashok Bhushan and S Abdul Nazeer will have time till November 17 to deliver the verdict based on the 40-day long arguments by both sides which commenced on August 6 and spanned two months and 11 days. CJI Gogoi is scheduled to retire on November 17.

After reserving the judgement, all five judges decided to take up chamber matters and not regular hearings.

After promising each party that "no party's arguments would be curtailed" on August 6, the bench lived up to the promise and patiently heard submissions of counsel. The Hindu parties were K Parasaran, C S Vaidyanathan, P N Mishra, Ranjit Kumar, Sushil Jain, P S Narasimha, Vikas Singh and Joydeep Gupta, P V Yogeswaran and the Muslim side Rajeev Dhavan, Zafaryab Jilani, Ejaz Maqbool, Akriti Chaubey and Mohammed Nizam Pasha.

The Supreme Court asked the parties to file by Saturday written submissions on how it could mould relief granted by the high court, which on September 30, 2010 divided the disputed land into three equal parts and allotted the part under central dome to Ram Lalla (the deity); Chabutara, Sita Rasoi and Bhandara part of the mosque to Nirmohi Akhara and the rest, including the land on which the two domes stood, to Sunni Waqf Board.

The common thread of arguments by Hindu parties was the community's faith

### A 70-YEAR-OLD LITIGATION IN COURTS

**1885** | Mahant Raghubir Das files plea in Faizabad district court seeking permission to build a canopy outside the disputed structure. Court rejects the plea

**1949** | Idols of Ram Lalla placed under central dome outside the disputed structure

**1950** | Gopal Simla Visharad files suit in Faizabad district court for rights to worship the idols of Ram Lalla

► Paramahansa Ramachandra Das files suit for continuation of worship and keeping the idols

**1959** | Nirmohi Akhara files suit seeking possession of the site

**1981** | UP Sunni Central Waqf Board files suit for possession of the site

**Feb 1, 1986** | Local court orders the government to open the site for Hindu worshippers

**Aug 14, 1989** | Allahabad HC orders maintenance of status quo in respect of the disputed structure

**Dec 6, 1992** | Babri Masjid demolished



Ayodhya Varta Committee president Maulana Suhaib Qasmi and Mahant Ramdas outside the Supreme Court after the five-judge bench reserved its verdict on 'Ram Janm Bhumi Title dispute' on Wednesday

**Apr 3, 1993** | 'Acquisition of Certain Area at Ayodhya Act' passed for acquiring land by Centre in the disputed area

► Various writ petitions, including one by Ismail Faruqi, filed in Allahabad HC challenging various aspects of the Act

► SC exercising its jurisdiction under Article 139A transferred the writ petitions, which were pending in the high court

**Oct 24, 1994** | SC says in historic Ismail Faruqi case that mosque was not integral to Islam

**Apr, 2002** | HC begins hearing on determining who owns the disputed site

**Sep 30, 2010** | In a 2:1 majority, HC rules three-way division of disputed area between Sunni Waqf Board, the Nirmohi Akhara and Ram Lalla

**May 9, 2011** | SC stays HC verdict on Ayodhya land dispute

**Mar 21, 2017** | CJI JS Khehar suggests out-of-court settlement among rival parties

**Aug 7** | SC constitutes three-judge bench to hear pleas challenging 1994 verdict of the Allahabad HC

**Feb 8, 2018** | SC starts hearing the civil appeals

**Sep 27** | SC declines to refer the case to a five-judge Constitution bench. Case to be heard by a newly constituted three-judge bench on October 29

**Jan 8, 2019** | SC sets up a five-judge Constitution Bench to hear the case headed by Chief Justice Ranjan Gogoi. SC reconstitutes bench after Justice UU Lalit recuses himself

**Jan 29** | Centre moves SC seeking permission to return the 67-acre acquired land around the disputed site to original owners

**Feb 26** | SC favours mediation, fixes Mar 5 for order on whether to refer matter to court-appointed mediator

**Mar 8** | SC refers the dispute for mediation by a panel headed by former apex court judge F M I Kalifulla

**Aug 1** | Report of mediation submitted in sealed cover to SC

**Aug 6** | SC commences day-to-day hearing on the land dispute

**Oct 16** | SC concludes hearing; reserves order

Source: PTI

counsel MC Dhingra had created a flutter by saying it was the real owner of the mosque and that it was ready to give the disputed land to the Hindus for building a Ram temple. But, the Sunni Waqf Board termed the offer hollow saying Shias claim of ownership over the mosque was dismissed by courts more than 70 years ago.

Arguments on the emotive and religious issue saw tempers run high off and on during the 40-day-long arguments, but the five-judge bench managed to keep the proceedings under control by holding on to their patience and not interrupting repeated reiteration of arguments by parties.

## In latest theatrics, Dhavan shreds 'Ram birthplace' map

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**New Delhi:** Enacting a Bollywood courtroom scene in the Supreme Court, Muslim party counsel Rajeev Dhavan on Wednesday dramatically tore into pieces a map which Hindu Mahasabha had cited as depicting the "exact location of Lord Ram's birthplace" at the disputed site in Ayodhya.

Appearing for Hindu Mahasabha, senior advocate Vikas Singh was showing a map claiming to locate where Lord Ram is believed to have been born at the disputed site in Ayodhya. But, he ran into stiff resistance from Dhavan who doubted its veracity and the five-judge bench headed by CJI Ranjan Gogoi appeared to sustain his objection.

Singh clarified he is not relying on the map as evidence, but Dhavan continued to raise his voice. The CJI told Dhavan: "Since the Hindu party is not relying on the map, and if you (Dhavan) find it irrelevant, then you can tear it off." As if acting on the cue, the 73-year-old senior advocate dramatically tore the map to pieces to the surprise advocates who were present in good number in the CJI's courtroom.

Theatrics and brow-beating of the opponent's counsel, and even judges, is not new to Dhavan. If in Sahara case judgement of May 6, 2014, the SC adversely commented on his boisterous arguments intended to discomfit judges, the five-judge bench of CJI Gogoi and



(Front row from left) Advocates Ejaz Maqbool, K Parasaran and Rajeev Dhavan, who represented the two sides in the Ayodhya case, outside the SC after completion of arguments on Wednesday

Justices S A Bobde, D Y Chandrachud, Ashok Bhushan and S Abdul Nazeer had a first hand experience during the 40-day arguments in the case.

On the very first day of commencement of arguments on August 6, the CJI promised that each party will get adequate time to make their submissions. Dhavan replied, "I hope so." An irked CJI asked, "Do you doubt?" Dhavan asked, "Yes, some." CJI had asked him not to forget that he was an officer of the court who should keep the dignity of court in mind.

Few days into the hearing, Justice Bhushan asked certain questions when Dhavan was arguing. Disliking the questioning, Dhavan stumped the judges by asking, "Do I feel aggression in the tone?" The judges and counsel for Hindu parties made known their displeasure with Dhavan for accusing the judge of being aggressive when he had put a

question to him.

At another time, Dhavan disliked the questions being put to him on the claim of Muslim parties for ownership over the disputed site. He hinted bias. The bench had actually been putting questions to the Hindu parties right through the hearing. It did so the very next day; ie on Tuesday when, after directing a number of posers at K Parasaran, the CJI turned to Dhavan and asked, "Are we putting enough questions to them?"

But Dhavan had clearly reserved his best theatrics for the final day when he tore up the map in the morning session. In the afternoon session, he told the court that he spoke to a reporter who disputed his claim that the CJI had given him the go-ahead to tear the map. "The CJI said 'you find it irrelevant, then you can tear it off' and that is precisely what I said. I tore it with permission from CJI," he said.

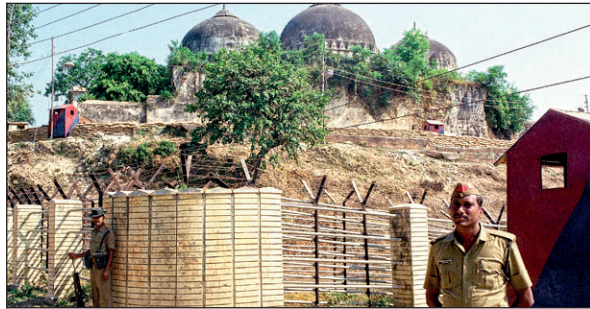
## It's conclusive proof of exact birthplace: Creator of map

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**Mumbai:** The man who prepared a pictorial map showing the Ram Janmasthan, ex-IPS officer Kishore Kunal, isn't surprised that lawyer Rajeev Dhavan, representing Muslim petitioners in the Ayodhya title suit, angrily tore off the page depicting its contours before the five-judge Constitution bench. "As a lawyer Dhavan knows if the map is handed over to the court, he'd lose the case," Kishore told TOI.

Kishore, who as officer on special duty in the home ministry in 1989-1990 facilitated and coordinated negotiations on Ayodhya between the Hindu and Muslim sides under the premierships of V P Singh and Chandra Shekhar, stated his confidence stemmed from the fact that the map, published in his 2016 book 'Ayodhya Revisited', is "conclusive proof" about the exact spot at which Ram was born. All along, he said, the argument of those opposing the temple has been that the Hindu claim about Ram's birthplace was based on "belief or imagination that Ram was born there" and that the Allahabad high court in its 2010 verdict too had stressed on this "belief".

Five pieces of evidence were used by him to prepare the map, "which fits to scale", with the help of architects, Kishore said. The first was a police complaint filed in 1858 by Babri Masjid's muezin, Syeed Mohammed Khatib, when a team of 25 Sikhs from Punjab tried to capture the masjid. The complaint, Kishore said, noted that "in the middle of the mosque is the nishaan (marker) of janmasthan, which Hindus wor-



An October 1990 photo of the Babri mosque

shipped for centuries".

The second piece was the Latin account of an Austrian Jesuit priest, Joseph Tieffenthaler, who visited the Awadh region circa 1760. According to Kishore, Tieffenthaler described the "koti and kasauti pillars", two of 12 retained from the original structure "to support the mosque's interior arcades", and wrote that on the left of these two pillars "at the entrance" stood a square called the "Bedi (cradle)" by the Hindus because "this was where Vishnu took incarnation as Ram". The priest provided exact specifications of the "square box", Kishore said: its borders made of lime, it was "18 ft 9 inches in length, 15 ft in width and 5 ft in height".

The ex-official has in his book also quoted Tieffenthaler's work to profess the theory that the Ram temple was destroyed neither by Babur nor by his general Mir Baqi in 1528 but by Aurangzeb in 1660. Kishore said the Austrian priest had stated that "though Aurangzeb had demolished the place to deprive Hindus of their faith, they still came there, did parikrama (circumambulation) and prostrated on the floor". The fourth source used to delineate contours of the map was Faizabad assist-

ant commissioner P Carnegie's description in the 1870s which said "the janmasthan is near Sita rasoi", and the fifth was Francis Buchanan's 1813-14 survey of the area.

Kishore, at the same time, disputed the claim of historian D N Jha that he and three other historians who had visited Ayodhya and prepared a report were independent historians. He said the four historians — Jha, R S Sharma, Suraj Bhan and Athar Ali — were nominees of the All-India Babri Masjid Action Committee when he, as officer on special duty, had asked both sides to the dispute to give a list of 10 experts who could produce documents and speak during negotiations. The SC in September this year refused to give credence to the historians' report and called it "mere opinion". Kishore termed their report as "one-sided" and added it had "found fault only with Hindu documents and not commented on the AIBMAC's claims".

"There are a lot of documents on the Janmabhoomi which haven't been explored. Those that I referred to are part of the India Office records in the British Library, London, the Baroda Oriental Research Institute and the Benaras library," he said.

## Didn't drop appeal: Sunni Waqf Board

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**Lucknow:** The UP Sunni Central Waqf Board dismissed on Wednesday reports which claimed it had agreed to withdraw its appeal in the Ayodhya case.

Speaking exclusively to TOI, Sunni waqf board chairperson Zufar Farooqi said there was "no truth" in the reports, which started doing the rounds on Wednesday morning even as the Supreme Court continued to hear closing statements in the case.

On reports that he had handed over an affidavit to the mediation panel in this regard, Farooqi said since the apex court has directed all parties to maintain confidentiality with regard to their communication with the mediation panel, he would provide an "update" only after the SC allowed the parties to make public their interactions with the mediators.

"No truth in reports regarding withdrawal of appeals by the board. However, there is a confidentiality order of the SC regarding mediation. (We) will update you once it is lifted," Farooqi told TOI. The UP Sunni Central Waqf Board is a key litigant in the case.

### Litigants barred from TV debates

In another step to ensure law and order in the district ahead of Babri Masjid-Ramjanmabhoomi verdict, the Ayodhya administration on Wednesday barred news channels from inviting litigants in the case for debates. On Tuesday, the administration had banned TV debates on the case at public places in the temple town. The district administration has issued an application form, which TV channels will have to sign before hosting debate programmes in Ayodhya.

The third point of the application form states "litigants of the dispute will not be called". Murlidhar Singh, deputy information officer, confirmed to TOI that "litigants" referred to "litigants in Ayodhya case".

giant in the title suit since the Muslim litigants in the case have been claiming ownership of the disputed land in Ayodhya under the board.

Reports of the Sunni waqf board withdrawing its appeal went viral on social media on Wednesday.

## ‘Even Jamiat would find it hard to oppose’

► Continued from P 1

The sources said since the Muslim parties have agreed to give up their claim on the disputed land and agreed to allow the construction of Ram temple, the Nyas would find it difficult not to accept this settlement as this is the best they could get from the Supreme Court if it decides to rule in their favour.

Just two days back, the SC had ordered the UP government to provide adequate security to Sunni waqf board chairperson Zufar Ahmed Farooqi on being informed by one of the SC-appointed mediators, Sri Ram Panchu, that Farooqi has received a threat to his life. The points of settlement are:

■ Implementation in letter and spirit of Places of Worship (Special Provision) Act, 1991, which prohibits conversion of any place of worship and to provide for maintenance of the religious character of any place of worship as it existed on August 15, 1947, and for matters connected therewith or incidental thereto. This act does not apply to the Ramjanmabhoomi-Babri Masjid dispute.

■ Muslims to give up claim on the disputed 2.77-acre land in Ayodhya. The government to

take up repair and restoration work of all mosques situated in Ayodhya. UP Sunni waqf board to construct a mosque at an alternative site.

■ Select a few mosques under the Archaeological Survey of India management to be opened up for worship to Muslims after a court-appointed committee hears the parties and chooses the mosques to be opened for worship purposes.

Some of those who participated in the negotiation process, which was restarted on September 18 by the SC-appointed panel of Justice FMI Kalifulla, ace mediator and senior advocate Panchu and spiritual leader Sri Sri Ravishankar, told TOI that even the Jamiat faction would find it difficult to oppose the settlement.

Their argument was that even if the SC decides in favour of the Muslim parties, it will be the Sunni waqf board which would be entitled to the disputed land. Under Section 51 of the Waqf Act, the waqf board being the sole statutory body can consent to acquisition of the land under its control. "So, the waqf board, even if the Muslim parties emerge victorious, would be able to give up claim on the disputed land," they said.

## Kartarpur MoU set to be finalised on Oct 19; Pak drags feet on bridge

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**Dera Baba Nanak, Gurdaspur:** Barely three weeks before Kartarpur corridor connecting this part of Punjab and Kartarpur Sahib in Narawal, Pakistan is opened to pilgrims, the missing Pakistani side of the connecting bridge—that stands completed as an all-weather road on Indian side—arrests one's attention. In fact, devotees wishing to visit the gurudwara where Guru Nanak Dev spent the last 18 years of his life, must make do with an alternative, supposedly a makeshift slip road on one side of the bridge, as Pakistan remains non-committal on the time-frame for completing its

side of the bridge.

For now, the pilgrims will take the Indian road to the zero line, before boarding vehicles arranged by Pakistan to cover the rest of the distance to the passenger terminal complex on its side. Land Ports Authority of India chairman Govind Mohan on Wednesday claimed the Indian side of Kartarpur corridor was 80% complete and would be handed over to LPAI on October 31.

The Indian side of 4.2-km Kartarpur corridor is set to be inaugurated by PM Narendra Modi on November 8 ahead of 550th birth anniversary of Guru Nanak Devji. The first group of pilgrims (Jatha) will visit Kartarpur Sahib there-

after. Pilgrims may start registering online for the darshan from October 20.

"The online system of registration is expected to commence on October 20, after the memorandum of understanding is signed between the sides," said Mohan. The memorandum of understanding on Kartarpur corridor is expected to be finalised on October 19.

Mohan said negotiations are underway with Islamabad on the \$20 service fee it insists on charging pilgrims for 'darshan' at Kartarpur Sahib. Government sources said even if Pakistan remains adamant on levying the fee, it will end up being the one seen in poor light.

## Mortality from severe malnutrition at just 1.2%: Study

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Mortality from severe acute malnutrition (SAM) might be just 1.2%, much lower than the 10-20% estimated by the World Health Organisation based on older studies largely done in Africa, a study of two tribal districts in Jharkhand and Odisha has found. The findings strengthen the case for prioritising prevention through known health, nutrition, and multisectoral interventions in the first 1,000 days of life and raise doubts on a strategy based on combatting SAM through ready to use therapeutic food (RUTF).

The study done in two poor, rural tribal districts of Jharkhand and Odisha with high levels of child undernu-

trition included over 2,600 6-month old children and tracked them for 18 months.

The study authors suggested that one of the reasons for low mortality among the SAM-affected children could be because the children studied were six months old while the heaviest toll on children was in the first six months of life, before treatment with RUTF became relevant. In the trial area, 64% of all infant deaths occurred in the first month of life and 86% in the first six months.

This is in keeping with the overall trend in India, where neonatal deaths constitute 58% of under-5 child deaths and neonatal deaths are mostly caused by pre-maturity or low birth weight, noted the study. Pre-maturity and low birth weight reflect chronic

undernutrition over generations inflicted by poverty.

One of the authors, Dr HPS Sachdev, told TOI that there were multiple attempts to portray SAM as an acute emergency situation and to show that afflicted children will either die or never recover unless "magic therapeutic food" (RUTF or peanut butter

### MUCH LOWER THAN BELIEVED

composed food) is provided. "We have busted this myth through two published studies, including the current one, that clearly show that even without any programme for community-based management of acute malnutrition, mortality in SAM is very low (1.2%-2.7%) over six months to one-year

period, and that spontaneous recovery occurs in a substantial proportion," said Dr Sachdev, adding that current Indian evidence indicated that "the scare-mongering and hysteria" around SAM was unwarranted. "I may be having an extreme paranoid view, but the repeated advocacy for RUTF convinces me of attempts at commercialisation of development misery rather than saving of starving kids," said Dr Sachdev.

Dr Sachdev pointed out that after 32 weeks of starting RUTF, the recovery rates in the current study without any community-based management were broadly comparable to the rates seen in an earlier trial, which found augmented homemade food as good as RUTF. He explained that there was also

the cost argument against a scaled-up use of RUTF as ball park figures suggest the budget needed for it would be equivalent to the entire POSHAN (the government's nutrition scheme) budget.

Dr Sachdev said while helping severely undernourished children was an imperative, regional home-based food, nutrition counselling, care for illnesses and preventive actions including safe water and sanitation should be a greater priority than focusing on product-based solutions. Prevention Can Work—a recent intervention combining crèches, participatory meetings with women's groups and home visits—reduced wasting, underweight, and stunting among children under 3 in Jharkhand and Odisha.