

**7792**

**IN THE HON'BLE HIGH COURT OF JUDICATURE AT  
ALLAHABAD**

**LUCKNOW BENCH, LUCKNOW**

**O.O.S. NO.1 OF 1989**

**In RE:**

**R.S.No.2/1950**

**Gopal Singh Visharad (Deceased)**

**Rajendra Singh .....Plaintiffs**

**VERSUS**

**Zahoor Ahmad and others ...Defendants.**

**STATEMENT OF D.W. 1/2  
SHRI KRISHNA CHANDRA SINGH**

**IN THE HIGH COURT OF JUDICATURE  
AT ALLAHABAD  
LUCKNOW BENCH LUCKNOW**

O.O.S. NO.1 OF 1989

In RE:

R.S.No.2/1950

Gopal Singh Visharad (Deceased)

Rajendra Singh ..... Plaintiffs

VERSUS

Zahoor Ahmad and others ... Defendants.

**MAIN STATEMENT AFFIDAVIT BY SHRI KRISHNA  
CHANDRA SINGH DW 1/2 UNDER ORDER 18 RULE 4 OF  
CODE OF CIVIL PROCEDURE**

I Krishna Chandra Singh, age about 79 years, son of Late Chhedi Singh alias Mrityunjay Singh, resident of Haripur Jalalabad, Tehsil Sohawal, District Faizabad make the following statement under oath-

1. I am the resident of the Village and Post Office Haripur Jalalabad, Tehsil Sohawal, District Faizabad. I got my primary level education from the primary school in the Village Raipur adjoining to my village.
2. After my primary education I studied upto middle level in Government Model School Haidarganj, Faizabad City. Thereafter, I passed High School Examination from ManoharLal MotiLal High School, Faizabad in 1945. I passed by Inter Examination from Allahabad and B.A. examination from Saket Degree College Faizabad.
3. After completing my education upto Graduation level I was appointed as teacher in R. D. Inter College, Suchitaganj, Faizabad in 1956 and I retired from service from there in 1985.

4. That my family is Ram devout Vaishnav family and our household diety is Shri Ram who is worshipped in our family and I and my family members have been performing Darshan-Pooja (sight-worship) and Parikrama (religious go-round) of Lord Shri Ram's Janambhoomi (birth-place) at Ayodhya from time to time.
5. On the occasion of Sawan Jhoola Mahotsav (festival), Panchkoshi and Chaudah Koshi Parikrama in the Hindu month of Kartik, Ram Vivah Utsav (Ram wedding ceremony) in the month of Aghan and Lord Shri Ram Janma Mahotsav (birth festival) on Shri Ram Navami in Chaitra Shukla (moonlit half of the Lunar month), Shradhalu (Trustful) Ram-Bhakta (devotees) from the whole of Avadh area certainly come to Ayodhya.
6. On the above special occasions lakhs of people come to Ayodhya from within the country and abroad and entire Ayodhya echos with the applausive shouts (Jaykara) of Sita-Ram. All the ways and lanes, temples etc. are crowded with Ram-devotees, pilgrims and those who are keen to have Darshan (viewing of the Lord). Jingle of bells and sounds of Conch Cells (Sankh) are heard on all sides.
7. I have had Darshan of Nageshwarnath, Hanuman Garhi, Kanak Bhawan, Bari Chhawani and Shri Ram Janambhoomi many times with my father after taking bath in River Saryu.
8. When I became a little grown up and sensible in 1932 I gained more information from my father about the temples. I had come to Ayodhya in 1932 on the occasion of Shri Ram Vivah with my father and after taking bath in River Saryu when I went for the first time for Darshan of Shri Ram Janambhoomi, my father told me that on the land under the middle dome of the

building having three domes, our adorable Lord Shri Ram incarnated and here itself is Shri Ram Janambhoomi.

9. To enter Shri Ram Janambhoomi there was a main door towards the East famous as Hanumatdwar (door). In this door there were two pillars of black touchstone on which broken idol of Jay-Vijay were there. At Hanumatdwar itself one more stone was affixed on which Number-1 and "Janambhoomi Nitya Yatra" was written.
10. Southwards to the main entry gate – Hanumatdwar, an idol of Lord Varah was affixed on the wall which was in broken state. On entering inside through Hanumatdwar on the left side i.e. southwards there was Ram Chabutara (Platform) on which there were idols of Ram Darbar (court) and Shri Ram Lala graciously seated. At the south-west corner of that platform Neem and Pipal tree were there at the same place where there was a semi-circular Chabutara (platform). On the Chabutara there were idols of Shiva, Parvati, Ganesha, Kartikeya, Shivlinga and Nandi graciously seated.
11. To the right of the Hanumatdwar i.e. on the north there was Bhandargraha (store house) in which cereals, utensils etc. were kept and saints and hermits used to live. Saints and hermits were present at Shri Ram Janambhoomi all the time and non stop devotional singing continued for 24 hours.
12. There was also a door towards the North of the Shri Ram Janambhoomi known as Singhdwar. On the top of the Singhdwar there were two idols of lions with an idol of Garud (vulture) in between them.
13. On entering through the Singhdwar there was Sita Rasoi (kitchen) which is also known as Kaushalya



Rasoi or Chhatipoojan Sthal (site). Chauka belan, Chulha and Charan Chinnah (foot marks) were made up there.

14. Towards the west of Ramchabutara (platform) there was a wall having big iron railings on it and this was called the wall having bars (Seenkhon Wali Deewar). There were two doors affixed to this wall having bars. One door was in front of Hanumatdwar and the other was a little northwards. On going inside through these doors the building having three dome called Shri Ram Janambhoomi was there. The very land under the middle dome of this building is regarded as the Janambhoomi of Lord Shri Ramchandra Ji according to traditional faith and belief.
15. In the middle door of the building having three dome, four pillars of black touchstone were there and in the door for going to south side dome from the portion of the middle dome also, four pillars of black touchstone were there. likewise, in the door for going to north dome-portion from the middle dome portion also, four pillars of black touchstone were there. thus there were 12 pillars in total on which Kalash, Flowers and Leaves were there as well as idols of Gods and Goddesses in Tandav Mudra (pose) and Padmasana Mudra.
16. Owing to traditional faith and belief Hindu faithful Ram devotees and my family members and me also performed Darshan-pooja and do salute in prostrate at the place where it is believed from time immemorial that Lord Ram had taken birth. Parikrama of the whole premise is done by the people of Ayodhya and the pilgrims coming to Ayodhya from within the country and abroad.

17. I have had Darshan and worship as well as done Parikrama of Janambhoomi many times. In 1934 there were Hindu-Muslim riots in Ayodhya because many Muslims of Faizabad and that of outside had assembled with intentions to occupy Ram Janambhoomi. Thousands of Hindu Ram Devotees and ascetics scared them away by beating them. The Government levied riot-tax on Hindu population of Ayodhya as penalty and collected thousands of rupees.
18. After 1932 no Muslim could enter the Janambhoomi premises. Question of offering Namaj in the premises does not arise because no Muslim dared to go to Ramkot village (Mohalla) near Janambhoomi owing to fear and terror of the ascetics.
19. If any Muslim mistakably was seen coming towards Shri Ram Janambhoomi premise the ascetics used to run to beat him and scare him away. No Muslim was seen coming towards Shri Ram Janambhoomi premise between 1932 to 1949. Because of the fear and terror of ascetics no Muslim used to come towards Shri Ram Janambhoomi premise.
20. Likewise from 1949 to February 1986 i.e. upto the unlocking of the Shri Ram Janambhoomi by order of District Judge Faizabad, I did not see any Muslim coming towards the Shri Ram Janambhoomi premise and neither did I hear about it. The question of offering Namaj by Muslim inside Shri Ram Janambhoomi premise or near it does not arise.

Lucknow

Dated : 28.7.2003

Swearer

Sd/-

Shrikrishna Chandra Singh

D.W.1/2

7798

## VERIFICATION

I, Shri Krishna Chandra Singh, swearer do verify that Section 1 to 20 of this affidavit is true to the best of my knowledge and belief. Nothing has been concealed in it and no incorrect statement has been made. May God help me.

Lucknow

Dated : 28.7.2003

Swearer

Sd/-

Shri Krishna Chandra Singh

D.W.1/2

I, P.L. Singh, Advocate know Shri Krishna Chandra Singh who signed this affidavit before me.

Lucknow

Dated : 28.7.2003

Sd/- (P.L. Mishra)

Advocate

Before: Commissioner Shri Narendra Prasad, Additional District Judge/ Officer on Special duty, Hon'ble High Court, Lucknow Bench, Lucknow.

(Appointed Commissioner by Hon'ble full Bench Lucknow vides order dated 23.7.2003).

O.O.S. No.1 of 1989

(R.S. No.2/1950)

Gopal Singh Visharad (Deceased)

Rajendra Singh .....Plaintiff.

Vs

Zahoor Ahmad and others .....Defendants.

**Dated 28.07.2003**

**DW.1/2 Shri Krishna Chandra Singh**

Affidavit of main examination of Shri Krishan Chandra Singh, age about 79 years, son of Late Chhedi Singh alias Mrityunjaya Singh, resident of Haripur Jalalabad, Tehsil Sohawal, District Faizabad from page 1 to 6 presented which was taken on record.

Cross examination on behalf of defendant No.11 Nirmohi Akhara by Shri Ranjeet Lal Verma Advocate starts under oath:-

xxx

xxx

xxx

xxx

Where I live i.e. Haripur Jalalabad is at a distance of five Kos (10 miles) from Ayodhya. When I passed High School my age was 16-17 years. I was born in 1924. At the age of seven-eight years I had started to understand things like temple and mosque etc. My father used to take me to Ayodhya for Darshan of temples etc. from 1932. I

have passed High School from Manohar Lal Inter College which is in Faizabad. Earlier this College was only upto High School. I had not read Ramayana in High School. Whether I had read Tulsidas or not I do not remember. I went to Hanumangarhi at Ayodhya for the first time when my age was 8-10 years. At that time I had gone there with my father. When I was studying at Government model School Haidarganj, Faizabad I lived in hostel and during that time I went to Hanumangarhi at Ayodhya for Darshan alone for the first time. At that time my age would have been 13-14 years. At this age I went alone for the first time to Kanak Bhawan, Bari Chhawani Mandir, Chhoti Chhawani Mandir and Nageshwar Nath Mandir. At that very age I had taken bath in river Saryu with my classmates. The Nageshwar Nath temple at Ayodhya is situated on the bank of Saryu. After this I used to go one or two times to these temples every year for Darshan. I used to go to Ayodhya mostly on the occasion of fairs such as Chaitra Ramnavami or Sawan Jhoola, Ram Vivah, Parikrama in Kartik, Panch Kosi and Chaudah Kosi. I know that Nageshwar Nath Temple is the most ancient temple. Nageshwar Nath temple would be in the south direction from Hanumangarhi and it would be at a distance of one or one and half kilometer from there. Nageshwar Nath Temple is two-three feet below the main road and Ram Janambhoomi is at a height from the road. There are roads on all sides of Ramkot Mohalla (village) and this village is at height from the road. Again said, Ram Janambhoomi is at a height from the road. I can not state whether Kanak Bhawan is at height from Gorakhpur – Faizabad main road or not. I have gone Kanak Bhawan many times. When I go by a vehicle, I get down at Hanumangarhi cross way and after having Darshan of Hanumangarhi I go to Kanak Bhawan by road. The road to Kanak Bhawan from Hanumangarhi is at height that is to say the way is ascending. In my view Ram

Janambhoomi is at height in comparison to Kanak Bhawan, Janambhoomi is towards south from Kanak Bhawan, then said it is at the corner of south – west and the distance between both would be about 3 furlong. In this distance of about 3 furlong, other temples are also there. I do not remember whether there is any temple within the distance of one furlong towards the south of Ram Janambhoomi or not. On the west side of the Ram Janambhoomi there is no temple rather it is plain and there is a slope. On the north side of Ram Janambhoomi there is Janma Sthan (Birth place) temple and there is road in between the both. It is the same road which goes upto Dorahi Kuan locality from Hanumangarhi. I do not know whether there is Sita Rasoi (kitchen) in Janmasthan temple or not. I know only Janmasthan temple. I would have gone to Janmasthan temple once or so which is towards the north of the road. I can not state whether the Janmasthan temple to the north of the road and Kanak Bhawan are at the same level or one is at height from the other. Manas Bhawan is on the road leading to the western crossway and is at slope and connects to curved road of the market. Janambhoomi is at a little height from Janmasthan temple but what is that height I can not say. I can not say, that it is at the height of two-four feet. Then said it can be at the height of four-six feet. I do not remember the name of Vashistha Kunda. Then said on his own, he knows Gokul Bhawan. In Hanumangarhi where Hanumanji is placed, to the north of that place in the verandah of Hanumangarhi, there is a small temple of Ram Janaki. The Ram Janaki Temple is 10-12 feet north in the veranda from the place where Hanumanji is placed. To the west and south side of this place people do worship etc. by keeping idols there. There is a Mahant (head priest) of Hanumangarhi Temple and a Panchayat of it, which manages the temple. The management of Hanumangarhi temple is Panchayati but the

members of the Panchayat are Ramanandi ascetics or not I do not know. In the course of B.A. I had taken Hindi, Samaj Shastra (social science) and one more subject, but I do not remember that subject now. After B.A. I did not do any Degree or Diploma. The managing committee of the R.D. Inter College, Suchitaganj appointed me as a teacher in 1956. I was appointed teacher in C.T. grade. There after I got no promotion. Upto 1985 i.e. till I was in service I taught the students of class 6 to 8. Sometimes I taught the students of High School also. I taught Hindi and History. I do not remember even now the third subject I had taken in B.A. I taught Hindi to the students of High School and History to the students upto class 8. I was knowing about Tulsidas Ji and his Ramayana before I started teaching to the students and till teaching them. The name of Tulsidasji's Ramayana is "Ramcharitmanas". I have read Ramcharitmanas. I do not remember which History I used to teach to the students. I retired in 1985 and upto 1985 I taught History. I am not the member of any cultural and social institution such as Rastriya Swayam Sevak Sangh but I know about R.S.S. I am not the member of any political party also. My father was a land lord. Our cultivation was in Haripur Jalalabad. Earlier there was 40 bigah Pukhata Araj (Permanent land) in the name of my father. I do not remember in which year I went to RamJanambhoomi for Darshan alone. Whenever I went there for Darshan, I saw people from various States there. The Devotees used to offer flowers, Prasada, Batasha etc. at Ramchabutra there.

At this point cross examination Advocate showed Photo No.9 of coloured Album paper No.200 C-1 to the witness. On viewing the witness said, it is the photo of Hanumatdwar. I see Home Guard standing in it and on the left side there is a tin shed. There was no Kirtan

(devotional songs) that took place in the Chabutara (platform) under the tin shed. Priests used to sit on it. On seeing the photo No.57 of this very Album the witness said that it is the photo of Ramchabutara Temple. I do not see thatch on the roof in this photo. On viewing the photo No.56 of this Album the witness said, the thatched roof is seen in this photo and Ramchabutara temple is seen below and in front of Ramchabutara temple tin shed is seen in this photo. On seeing photo No.57 of this Album the witness said, I do not see any cave under the Ramchabutara in this photo. I do not see the two doors downwards in this photo. Again said that something black is visible in this photo downside on the right but it does not seem to be a door. On seeing photo No.58 of this Album the witness said, I see idols in this photo. At the south and east corner of Ramchabutara there was Shiv Darbar which is seen in photo No.59 and 60. On seeing photo No.61 the witness said, it is also the photo of the Shiv Darbar. On viewing the photo No.62 of this Album the witness said that a spot is seen in this photo resembling Hawan Kunda. On entering through Hanumatdwar on the right side thatched roof is there supported on the wall. At that place a supporting pillar was there but I do not remember whether that was covered with bamboo cage or not. In the Bhandargrah (store house) 20-25 ascetics used to live. The thatched roof started from the right of the Hanumatdwar and it ended before the wall towards the north. I do not remember as to what was its length. Towards the north where the thatched roof ended, to the east of this place there was no Chhati Poojan sthal. The northern wall was at how much distance from where the thatched roof ended, I do not know. Roughly this distance would have been be 10-12 feet. That northern wall curved towards the west and Singhdwar is in between and the thatched roof was kept on the eastern wall towards the west. On the west side of Singhdwar there is



Sita Rasoi (kitchen) and Chhati Poojan sthal. On viewing photo No.71, 72 and 73 of the very coloured Album the witness said that Chhati Poojan sthal is visible in these photos. On seeing the photo No.77 of this Album the witness said that the wall with railing and its one door open is seen in this photo. Towards the west of the wall having railing there was the building having three domes and in between there was a little open courtyard bhagwan Ramlala was not there earlier under the building having domes. Bhagwan Ramlala graciously appeared there in the year 1949. when I went there earlier, Ramlala was not there at the place under the dome. I do not remember properly but from the time I went there the first time and till 1949 I had gone there 6-7 times. I do not remember as to how many times I had gone to the disputed site before the year 1949. Before 1949 when I went to the disputed site for the last time, my age would have been 24 years. At that time I was studying in Intermediate at Allahabad. Before 1949 when I went for the first time to the disputed site it was seen that the devotees used to salute at the site below the dome considering it Janambhoomi. They did not use to offer Prasad, flowers and coins etc. At that time the devotees used to salute from the wall having bars and did not go inside. Charanamrita was not offered there at that time, it was offered only at Ram Chabutara. No ascetic lived at the site below the dome at that time. I do not remember whether there was any ban on going in through the door having bars or not. Before 1949 whenever I went there I saw the same procedure and I myself saluted lying prostrate. Before 1949 whenever I went to the disputed site I did never try to go inside through the door having bars. Whenever I went there before 1949, sometimes the door of the wall having bars used to remain closed and sometimes open. I do not remember when the door was closed, it used to be locked or how it was closed. During

this time when I found the door open, there used to be a constable or guard. Whenever I went there and I found the door open, then only one constable was seen standing there. I do not remember whether any constable lived in the disputed site or not but constables were there at Hanumatdwar. I do not know as to how many constables were there at Hanumatdwar. Whenever I went to the disputed site five-six times before 1949 I saw the same set up there.

Before 1949, besides my father I knew about Ram Janambhoomi and Shri Gopal Singh Visharad from other saints and ascetics also. I do not know whether Gopal Singh Visharad was a advocate or not. He lived in Ayodhya but at which place he lived I do not know. I met him on the road ahead of Rajsadan. I do not remember as to who introduced me to Gopal Singh Visharad but he was a famous person and I had met him. Before 1949, Gopal Singh Visharad was a famous person of Ayodhya. Then said he was a famous person about RamJanambhoomi. Before 1949 Gopal Singh Visharad was considered a good person in Ayodhya. When I met Gopal Singh Visharad for the first time in front of Rajsadan, in 1949 which month or season it was, I do not remember. I do not remember the year also. When I met Gopal Singh Visharad for the first time before 1949 our Country was not independent. What was my age at that time, I do not remember. I was a student of High School at that time. When I met Gopal Singh Visharad at that time discussion about Ram Janambhoomi was held. I told him, if needed I shall also cooperate. At that time Gopal Singh Visharad was fighting a case and I told him that I would co-operate him in that case. Gopal Singh Visharad did not seek any co-operation from me, I on my own offered co-operation. What was my sense of co-operation i.e. was it physical, mental or

monetary, I do not remember I did not know against whom Gopal Singh Visharad had filed the case but I knew that the case was about Ram Janambhoomi. I do not know, the case in which I am a witness was filed against whom by Gopal Singh Visharad, I also do not remember now, whether the case in which I am a witness, has been filed against Hindus or Muslims. When I met Gopal Singh Vishrad for the first time in front of Rajsadan before 1949 and I had offered my co-operation in the case may be it is the same case in which I am witness today. I knew it that Gopal Singh Visharad had filed a case regarding Ram Janambhoomi but it was filed in which court, I do not know.

Question: When you met Gopal Singh Visharad for the first time in front of Rajsadan did he tell you that he was fighting the case of Ram Janambhoomi temple or not ?

Answer: He told me that he was fighting the case of RamJanambhoomi Temple.

All the temples that I have seen in Ayodhya, have the idols of Lord Rama. The household deity of me, my family and all Hindus is Lord Rama and Lord Rama is worshipped in both form and formless image. My family members and I worship the form image of Lord Rama. In the temple of a God. Where He is worshipped there is his image in some form. There was a courtyard towards the west of the wall having bars and after the courtyard towards the west of the building having three domes there was Parikrama Marg (way) and thereafter was a slope and waste land and towards the east of that land there was Hanumatdwar and its wall. Towards the east of the said area there was a place with thatched roof, Ramchabutara and towards the east of that there is Hanumatdwar and the wall attached to

it.

Question : If it is said that towards the east of above area there is Bhandar (store house) of Janambhoomi and Chabutara, is it right or wrong?

Answer : It is true but this is inside the eastern wall.

Towards the north of this area there is Sita Rasoi (kitchen) which is also known as Shasthi Pooja Sthal (site) and towards the south of southern wall of above area there is a waste land.

In 1934 when riot broke in Ayodhya I was ten years old. Then I was in Bari Chhawani with my father and I came to know that a cow has been slaughtered in Shahjahanpur Mohalla and some Muslims from outside with Muslims of Faizabad had come for occupying Ram Janambhoomi. Knowing this, Nagas and ascetics went there and made the Muslims run away by beating them. From the place of my stay also, Saints and Ascetics and Nagas went there with arms. Hermits and ascetics lived at Ram Chabutara and Muslims had come to occupy the Chabutara. When I used to go to the disputed site before 1949, there at Ram Chabutara, Pooja, Archana-Aarti (forms of worship) were performed. At the time of ringing of bells I never went there. I do not remember whether I had gone there at the time of Aarti or not. I had taken Charanamrita there. There used to sit a priest at Ramchabutara and he gave Charanamrita. I can not say whether the priest was one of those ascetics who lived in the Bhandar or not. When I went there during the fair there was good rush of people. At that time devotees used to offer Prasad and flowers there and who ever offered Prasad, he got Prasad in return also. At Shiv Darbar devotees used to offer

flowers and leaves and at Chhati Pooja Sthal (site) Prasad was not offered, only flowers etc. were offered there. I did not see people offering money only at Shasthi Poojan site and Shiv Darbar during the fair. I had seen devotees offering money at Ramchabutara. I do not remember whether I had seen any board at Ramchabutara or not. I do not remember that before 1949 whenever I went to Ramchabutara, whether Danpatra (donation box) was kept there or not. I also do not remember that before 1949 whether there was any donation box near the wall having bars or not. Bari Chhawani is a big Chhawani, and there is a temple and a Mahant (head priest) is also there and many ascetics lived there. The Guru Gharana of my father was in Bari Chhawani and I had gone there with my father at the time of riots in 1934. The Mahant there at that time was Vishwanath Das Ji. At the time of riot in 1934 the ascetics from Bari Chhawani had gone to the disputed site with canes, axes and spears and I came to know that a large number of people from all other temples also went there. I know Digambar Akhara in Ayodhya. I have gone there. I have not heard the name of Nirvani Akhara and I do not know the place where it is. I do not remember as to when did I go to the Digambar Akhara for the first time. This is also not in my memory whether I had gone there before 1949 or afterwards. When I went to the Digambar Akhara, I do not remember whether I had met any Mahant (head priest) or not. After several days of the riot in 1934, I went to the Digambar Akhara. I do not remember as to when I went to the Digambar Akhara for the first time and because of this I can not state my age at the time when I went to the Digambar Akhara for the first time. When I went to the Digambar Akhara for the first time I was not with my father but some other people were with me. I do not remember who these people were and also whether there were my classmates among these people or not. I had gone to

Digambar Akhara three-four years ago also. There I met Paramhansji. His full name is Paramhans Ram Chandra. I do not know whether Paramhansa Ramchandra suffix Das to his name or not. I had met Paramhansa Ramchandrajji three four years before he was physically unwell. I have met Paramhansa Ramchandrajji two times. I have had no deliberation with him about Ram Janambhoomi Temple. When discussion on RamJanambhoomi started, it was known that Paramhansa Ramchandrajji is specially interested in it. I had come to know about Digambar Akhara from Nritya Gopal Das Ji Maharaj, who is our Guru (religious teacher). Ram Janambhoomi was not discussed with Nritya Gopal Das. When Ayodhya was discussed with him, he told me about Paramhansa and also said that Paramhansa Ji lives in Digambar Akhara. I do not remember when did Nritya Gopal Das Ji told me these things and also what was my age at that time when he told me about this. He told me this after 1949. I also do not remember that he told me this when I was studying or when I had become a teacher. Nrityagopal Das Ji told me this fact in Chhoti Chhawani Temple. When I got Gurumantra (initiatory) from Nritya Gopal Das Ji. I do not remember what was my age at that time. I my wife and my brother were going to Jagannath Ji at that time for Darshan. At that time I had a son. I do not remember the age of my son at that time. My son did not go to Jagannathpuri with us, he had come to see me off to Ayodhya and he was an adult at that time. At present the age of my son is about 40 years. At the time I got Gurumantra (initiatory) from Nritya Gopal Das Ji he was the Mahant of Chhoti Chhawani. I do not know whether the site inside the bars having three domes was ever attached or not. I have heard that Ram Ji appeared in 1949 and all ascetics and saints had assembled there in 1949 in thousands. I was not a teacher in 1949, I was studying then. I do not remember in which

year I passed by B.A. but I passed B.A. after 1947. I had passed Inter in 1946-47. The day when Ramji appeared in 1949 at the disputed site, I went there the next day of the event. It was orally known from the people that such an event has occurred and on hearing so I went to the disputed site the next day where thousands of ascetics – saints and rural people had assembled. I do not remember at what time I reached at the disputed site the next day. I do not recall whether I reached there in the morning or in the noon. After that day when did I go there the next time, I do not remember. I do not maintain any diary, therefore, I can not state after how many days or years I went again after I had gone to the disputed site on that day. I have got the affidavit of my main examination written on the basis of my memory, not on the basis of any diary. I only wrote diary about the dates of the case. I am fighting 4-6 cases. These 4-6 cases are in the process for the last seven-eight years which are related to land property. I do not remember when did I met Gopal Singh Visharad the last time. The next day after the event of 1949, whenever I went to the disputed site, whether police was there or not I do not remember. At that time people were not going inside through the gate having bars. From the next day of the event of 1949, whenever I went to the disputed site, no body could go inside through the door having bars thereafter. The priest used to offer Prasad from there and I also used to do Pranam (salute) from there I did not know the whereabouts of the priest and who had appointed him. It is also not known to me whether the priest was appointed by the Government or not. The wall having bars had two doors. After 1949, whenever I went there, I do not remember whether the doors of the wall having bars remained opened or locked. After the event of 1949 also I saw worship etc. being performed at Ramchabutara but I did not see the idol of Ram Lala there. I came to know that

the idol was inside. The idols of Sita, Ram etc. were at Ramchabutara. After the event of 1949 the idols of Ram, Laxman and Sitaji were there at Ram Chabutara, whether there was the idol of Hanumanji or not I do not remember. The idols of Ram, Laxman and Sita were already there. How did the idol of Ram Lala went inside from the Ram Chabutara I have no knowledge, but the idol of Ram Lala was seen inside where Sinhasana (throne) was built and this throne was at least two- three feet in height. It was made of wood or something else. Over the throne there was a Chandwa (small canopy) of cloth. At that time under the middle dome there was only the idol of Ram Lala I do not remember the height in inches of this idol of Ram Lala. The idol of Ram Lala was of Astadhatu (an alloy of eight metals) which was shining very brightly. I do not remember the colour of the idol but the idol was shining. The idol of Ram Lala was in the form of a boy but I can not state whether it was in standing or sitting pose. That idol was not clothed. It was wearing a Karghani (a girdle) and Kangan (a bracelet) only. I do not remember which metal was used in this idol for making the eyes of the God. It is wrong to say that under the middle dome there were idols of Shligram and Hanumanji. Puttu Lal Mishra who is my advocate asked me to be a witness in this case. I never heard the name of Nirmohi Akara. It is incorrect to say that the idol of Ram Lala was graciously seated below the middle dome before the year 1934. The lock which was opened in 1986, was at which place, I do not know. I do not remember whether before 1986 I had seen the disputed site locked at any place or not. It is a fact that because of old age my memory has become weak and I am unable to tell the time of many things. It is incorrect to say that I have also forgotten something about the facts. I do not know what Gopal Singh Visharad has said in this case. Due to this I can not say that I am making statement



according to his statement or different to that. I consider Gopal Singh Visharad a trusted man. It is incorrect to say that I am concealing something about the presence of idols inside the disputed bars.

Cross examination on behalf of defendant No. 11 Nirmohi Akhara by Learned Advocate Shri Ranjeet Lal Verma concludes.

Statement read and verified

Sd/-

Shri Krishna Chandra Singh

28.7.2003

The stenographer typed in open court as dictated by me. In this sequence for further cross-examination be present on 29.7.2003.

Sd/-

Shrikrishna Chandra Singh

Sd/-

Prasad)

(Narendra

Commissioner

28.7.2003

**Dated : 29.7.2003**

**D.W. 1/2 Shri Krishna Chandra Singh**

Before: Commissioner Shri Narendra Prasad, Additional District Judge / Officer on special duty, Hon'ble High Court, Lucknow Bench, Lucknow.

(Appointed Commissioner by Hon'ble full Bench Lucknow vide order dated 23.7.2003)

Cross examination on behalf of defendant No.1/1 by Shri Abdul Mannan, Advocate starts).

xxx

xxx

xxx

xxx

I passed Intermediate from K.P. Inter College, Allahabad and B.A. from Saket Mahavidyalaya (Degree College) Faizabad. I was appointed teacher in the year 1956. I searched for job between the time after passing my B.A. and before becoming a teacher. I searched for job for two, three years. I was appointed teacher in R.D. Inter College Suchitaganj, Faizabad. I used to teach mainly Hindi and History to the students upto class 8<sup>th</sup>. Besides that I taught other subjects also. The other subjects were English, Geography and Book craft. To the students upto 8<sup>th</sup> I taught ancient and modern history which were in their books. I do not remember the books from which I taught the students. I do not remember if I had taught the students upto 8<sup>th</sup> class the medieval history of India or not. I taught them what was prescribed in their course book. Whenever any teacher did not turn up and I had arrangement class then I taught the students of High

School. I do not remember the subject I used to teach the students of class 10<sup>th</sup>. I used to teach the subject of which the period was. I do not remember as to how many times I had the occasion to teach the students from their book itself. I do not remember which books were used in High School at that time and which books I taught. I do not remember whether the books used in High School were of ancient History and modern history or not. I remember that at that time barring the book of English other books of High School were in Hindi. I do not remember as to what was written in the History books which were in Hindi. I do not remember whether the History of Mughal Period was there in the books or not. I do not remember that in the books of History what were the subjects or what was written in them.

I do not know whether Babar had ever gone to Ayodhya or not. I have heard the name of Salar Gaji. Salar Gai had gone to Bahraich, but I do not know this properly. I do not know whether Salar Gaji had ever gone towards Ayodhya or not. Babar had got constructed no Mosque, this I have heard. As far as I remember there was no Mosque at the disputed site. I have heard that the Sipahsalar (chief or the army) of Babar was perhaps Meer Baki, who did not get any Mosque constructed at the disputed site. Himself said, I have heard that there was a temple and no mosque. In 1528 no Mosque was constructed there but they tried to demolish the temple unsuccessfully. I do not know whether Babar or his Army Chief Meer Baki got constructed any Mosque or not. There was no mosque. Therefore, question of offering Namaj there does not arise. Between 1528 to 1949 the disputed building was not a mosque and there was no five time Namaj and Namaj of Jumma offered. The Hindus did not recognize it as a mosque and they used to do Parikrama and Pranam considering that place the Janma Sthan (birth

place). In Hindus there are Brahmins, Kshatriyas, Vaishya and Harijan and the persons who consider themselves Hindus. Vaishya and Brahmins consider themselves Hindus and they infact are Hindus. Jains and Bauddh are also Hindus. Jain and Bauddh are also the sects of Hindu religion.

Question: I the Brahmin the highest class among the five classes of Hindus ?

(This question was objected by Shri Ved Prakash, learned Advocate of the Plaintiffs in other original suit No.5/89 that the question asked is not related to the facts of the case, and this has no case point. Therefore such irrelevant questions should not be allowed.)

Answer: In our Hindu Religion nobody is high or low. On the basis of knowledge and education they get their position and make a place for themselves.

Question: If the Brahmins are considered the highest class would you agree to that?

(This question was objected by Shri Ved Prakash, learned Advocate of plaintiffs in other original suite No.5/89 that similar question has been asked earlier and the witness has replied the question. To ask similar question to the witness time and again is wastage of the time of the court and causes trouble to the witness. Therefore, such questions should not be allowed.)

Answer: If any Brahmin is excellent, learned and religious and he has faith in God and also he is moralist I will regard him superior.

Question : Do Brahmins generally marry with non Brahmins ?

Answer: As far as I think this does not happen.

Generally Brahmins do not marry even Kshatriyas. As I know Brahmins do not marry in other castes and they do only endogenous marriage. I have already said Brahmins do not marry in other castes. Therefore, they don't marry with Sudras (low caste in Hindus).

Question: Are the four classes of caste in Hindus right or wrong?

(This question was objected by Shri Ved Prakash, learned advocate of the plaintiffs in other original suit No.5/89 that the question asked to the witness is not related to the facts of the case and neither related to the framed case points. It is asked because of ignorance. Therefore such question should not be allowed.

Answer: There are many opinions whether the four classes in Hindus are right or wrong.

I can not discuss much in this regard that which people call four classes in Hindus wrong, I have just heard about it. I am of the opinion that there are four castes in Hindus. I consider it right. These castes in Hindus are from ancient times. Earlier the caste were on the basis of Karma (work) and according to birth afterwards. I can not state that for how many years these castes are in Hindus, say for hundred years, one thousand years or five thousand years. I was a student of History upto B.A. My caste is Kshatriya. We have no grading as Kshatriya, Brahmins, etc. Generally Kshatriya do not marry to other castes. As far as I know Kshatriyas marry in their caste only. I have

married in Kshatriya caste itself. I was married when I was almost 16 years old. At present my age is 89 years. I did not teach history to B.A. classes or intermediate classes. No Mosque was ever built at the disputed site. I do not know whether any report was written in 1989 about the demolition of the Mosque or not. I have no knowledge whether S.O. Police Station Ayodhya had not written any report about the disputed Building or not in 1949.

The learned cross examination advocate showed paper No.125 included in the file of F.I.R. filed under section 145 criminal procedure code and it was asked, was he able to read that. Reading which the witness said, it is not clear who had written it. Therefore it does not appear certified. I have read this F.I.R. as much as I could. I could read some words in this F.I.R. but some words I could not read. But as to who had written this F.I.R. is not clear. The name of the person who had got it written is Thana incharge in it. At the end of this report 'Note' word is written and what is written after it is not clear and the full text of this report is not clearly legible. Many names are written in it among which Hansraj, Ramdas, Rambhagwan Das, Shubhman Das are also included. It is also written in this report that Mosque has been desecrated. Then said himself that this can be written by a Muslim only. Daroga can not write. It is incorrect to say that till December 22, 1949 there was a mosque there. From the F.I.R. it does not appear that there was mosque at the disputed site. If Brahmins or Kshatriya married with other caste, they were declared outcaste. If a Takur married in other caste he was not respected by Takurs. Similarly if a Brahmin married in other caste he was not respected by Brahmins.

It is incorrect to say that I am presenting wrong evidence.

(Cross examination on behalf of Plaintiff No.1/1 by Shri Abdul Mannan advocate concludes).

(Cross examination starts on behalf of defendant No.10 Sunni Central Board of Wakf by Shri Zafaryab Zeelani.)

xxx

xxx

xxx

xxx

Question: Haven't you ever heard the name of Babri Masjid?

Answer: I have heard the name of Babri Masjid from Muslims

Question: Have'nt you ever heard the name of Babri Masjid from any Hindu?

Answer : I have not heard it.

Question: Did you live at the same place on December 6<sup>th</sup>, 1992 the address which you have given in your main examination affidavit?

Answer: I lived at Haripur village at that time.

Question : Whether Haripur and Jalalabad are different places and you lived at Haripur?

Answer: Haripur Jalalabad is a Mauja (village) and Haripur is a part of it.

Question: This is to say that you lived at the same place on December 6, 1992 which you have mentioned in your main examination affidavit.

Answer:- Yes sir.

On 6<sup>th</sup> December I was at home the whole day. At that time we had no News paper in our village. News paper became available in my village 5-6 years earlier from now.

On 6<sup>th</sup> December, 1992 there was no radio at my home. In my village, was there a radio in the home of anybody else I do not know. There is electricity in my village but on 6<sup>th</sup> December, 1992 it was not there in my village. My village was electrified 4-5 years earlier from now. I heard about the event of 6<sup>th</sup> December 1992 the next day.

Question: From whom you learnt about the event of 6<sup>th</sup> December on 7<sup>th</sup> December?

Answer: This I had heard in discussion but from whom I do not remember.

I had heard that the structure has been demolished. I had heard that the structure which is called Ram Janambhoomi by Hindu and Babri Masjid by Muslims was demolished.

Question: Whether the structure demolished on 6<sup>th</sup> December, 1992 was of Ram Janambhoomi or Babri Masjid.

Answer: We people, again said Hindus regarded the structure as Ram Janambhoomi, which had become very old.

Hindus regarded that as the structure of Ram Janambhoomi Temple. I do not know as to who demolished that structure. It is also not known whether it was demolished by Hindus or someone else. It is incorrect to say that I am telling a lie at this point. I do not know that it was well known in the whole India that Babri Masjid was demolished on 6<sup>th</sup> December, 1992.

History was a compulsory subject in Intermediate study which I had read. In the history of Intermediate I had read the names of Mughal Emperors from Babar to Aurangjeb. There was a mention of these emperors in the



books which I had read. Upto 1985 the History books from which I used to teach the students I used to read them also. Different books were prescribed for each class. For teaching history to the students of eighth class I read prescribed books only and, not from other books. I do not remember whether I had read any other book on History in my life time besides prescribed books. I did not read in any History book that Babar or Meerbaki got constructed a mosque after demolishing Ram Temple at Ayodhya. I have read the books on the subject of Hindi upto Intermediate but I do not remember whether I had read the books of Sanskrit subject upto Intermediate or not. There may be a mention of Shri Ram Chandra Ji in the books of Hindi, but I do not remember. In the prescribed books of Hindi subject upto intermediate, I have not read about Ram Janambhoomi Temple. I do not know if there is any Vaishnav, who is not a devotee of Ram. Again said who is a Vaishnav, should surely be a devotee of Ram also. I ever used to visit the disputed site before the year 1950 also for Darshan Pooja and Parikrama. When I used to go there, the place having dome called mosque by Muslims was regarded Janambhoomi by we people and we considered Lord Ramchandra to be present in person there so we used to offer Pranam (salute) to him.

Question: Upto 22<sup>nd</sup> December, 1949 you used to have Darshan and offered pooja to the idols kept at which place in the disputed premise ?

Answer: Before the appearance of the God on 22<sup>nd</sup> December, 1949, I considering the Lord to be present in visible form under the place of middle dome used to salute lying prostrate and worship him.

Question: Should I take it that you did not see any idol

paced at any place in the disputed premise upto 22<sup>nd</sup> December, 1949 ?

Answer:- I had seen another idol of Ram Lala and Ram Sita at Ram Chabutara and I used to offer Pranam there also.

To the place under the middle dome I used to offer Pranam lying prostrate by standing near the wall having bars, by chance I used to offer Pranam some times from inside the wall or sometimes from outside. Before December 22, 1949 when I went to the disputed site it was sometimes morning and sometimes evening. On 22 December, 1949 I did not go the disputed site. I do not remember whether on 23<sup>rd</sup> December, 1949 I went there or not but after two three days I went there and the date of visit I do not remember. I do not remember as to how many times I went to the disputed site between 24<sup>th</sup> December, 1949 to 31<sup>st</sup> December, 1949. whenever I went to the disputed site during day time before 22<sup>nd</sup> December 1949 the doors at the wall having bars were locked or open I do not remember. Before 22<sup>nd</sup> December 1949 I did not offer any offering at the place under the middle dome. Again said, I trustfully used to throw flowers etc. inside. Since I used to go to the disputed site in the morning before 22<sup>nd</sup> December, 1949, I can not state whether in the portion of middle dome there was electricity or not. From 1<sup>st</sup> December 1949 to 22<sup>nd</sup> December 1949 I would have possibly gone to the disputed site once or twice. I do not remember that I had gone to the disputed site in November, 1949. In the month of October, 1949 I would have possibly gone to the disputed site once or so. I can not say with certainly that I used to go to the disputed site once every month or not in 1949. I hear louder, that is to say I am weak at hearing. At the time I was appointed a teacher in 1956 in Suchitaganj, I used to live at my home in Haripur

Jajalabad and used to go to school from there. Whenever I went to Ayodhya upto 1956, I went from my home at Haripur Jalalabad. On the occasion of Ram Navami I had Darshan of the disputed site at Ayodhya once or twice. I do not recall as to how many times I had Darshan at the disputed site on the occasion of Sawan Jhoola. I would have had Darshan on the occasion of Sawan Jhoola two-three times in a period of ten years. I do not remember if I did not ever go to Ayodhya on the occasion of Ram Vivah Utsav (festivity). Again said, I do not recall had I gone to Ayodhya on such occasion or not. Volunteer that I have gone to Ayodhya on the occasion of Shri Ram Vivah Utsav but I do not remember how many times I had gone to Ayodhya on this occasion. In these last ten years I have gone to Ayodhya two-three times on the occasion of Shri Ram Vivah Ustava. The Utsav of Ram Vivah takes place in some temples during night and in some temples during day at Ayodhya. There had never been Ram Vivah Utsav at the disputed site. In all temples at Ayodhya, where such arrangement could be made, Ram Vivahotsav is celebrated. Ram Vivahostav is celebrated at distant places also besides Ayodhya. In Khaparadeeh at Faizabad the Raja Sahab (king) of that area celebrate the Ram Vivah Utsav with much fanfare. The Raja (king) of Kasi on the other side of Ganga to the east celebrate Ram Vivah Ustav with fanfare. In Haripur Jalalaad i.e. in my village there is temple, but Ram Vivahostav is not celebrated because of insufficient facility there. Marriage ceremony as generally takes place in we people i.e. fruits are offered, marriage party departs, Feras (taking rounds) take place, similarly the festivity of Ram Vivah is also celebrated. There is no restriction of time that is to say the festivity of Ram Vivah is celebrated during night or during the day also. The best celebration of Ram Vivah takes place at Ayodhya in Kanak Bhawan. Because the disputed site is disputed, therefore,

Ram Vivah festivity can not be celebrated there. The tithi (date) of Pachkosi Parikrama and Chaudahkosi Parikrama each take place only once in a year. Panchkosi Parikrama takes place on the Navami or Ekadashi in the Hindu month of Kartik and Chaudahkosi Parikrama also takes place in the month of Kartik. This Parikrama also takes place on Navami or Ekadshi but I do not remember exactly. Sawan Jhoola Mahotsava is celebrated in the second fortnight of the month Aghan. Shri Ram Vivahostava is also celebrated in the second fortnight of the month Aghan. Sawan Jhoola takes place in the second fortnight of Shravan month and festivity of Ram Vivah in the second fortnight of the month Aghan. I have said earlier that Sawan Jhoola takes place in the second fortnight of Aghan month. This is not so. I said so because I could not understand the question. The Sawan Jhoola festivity takes place in any temples of Ayodhya. Sawan Jhoola festivity is celebrated by those who can afford. The celebration of Sawan Jhoola festivity is expensive and because of this reason this festivity is not celebrated in all the temples. Sawan Jhoola Utsav is not celebrated at the disputed site. I do not know the reason as to why the festivity of Sawan Jhoola is not celebrated at the disputed site. I do not know again said that I do not remember whether festivity of Ram Navami is celebrated at the disputed site or not. I have seen that on the special occasion of Ram Navami the whole Ayodhya is full of people and because of this I suppose that on the above occasion lacs of people come there. In the affidavit of my main examination in para 6 I have mentioned about lacs of people coming to Ayodhya, by lacs I mean large number of people but I can not estimate whether this number is one lac, five lac or ten lac. I have remained in Ayodhya from ten to four-five P.M. on the occasion of Ram Navami. On the occasion of Ram Navami I have stayed in Ayodhya in Kanak Bhawan for most of the time among Nageshwar

Nath, Hanumangarhi, Kanak Bhawan, Bari Chhawani and Ram Janambhoomi temples. On the occasion of Ram Navami I have stayed for a maximum of two hours in Kanak Bhawan. This Utsav takes place at 12 Noon. Again said Utsav is celebrated the whole day but the birth of Ram Chandra Ji is celebrated at 12 noon. I do not recall whether I had heard it or not that when Ram Chandra Ji had come Ayodhya with Sitaji after marriage, first he went to Kanak Bhawan. I do not recall whether Kanak Bhawan has a mention or not in Ramayana or Ramcharitmanas. Kanak Bhawan is excellently managed temple of Ayodhya.

Question: Whether on the basis of any tradition or religious book Kanak Bhawan is related to the life of Shri Ram Chandra Ji and how?

Answer: I have no proof in this regard.

I had read Valmiki-Ramayana 30 years from now and not after that. I have forgotten most of its contents. I have certainly read Ramcharitmanas but I do not read it daily. I do not remember the contents of Ramcharitmanas fully. Besides Ramcharitmanas and Ramayana I have not read any epic or book on Ramchandraji.

Question : Have you read anywhere the mention of 'Ram Janambhoomi Temple' in Ramcharitmanas by Tulsi?

Answer : Tulsidas ji has written at one place, Janambhoomi Mam Puri Suhawani Sarjoo Bah Uttar Disi Pawani Swarnmayee Lanka Na Sohate Mohe Laxman." (My birth place is a charming city, to the north of which river Saryu flows. The lanka made of gold I do not like as much as I like Laxman.)

Question: In the above Doha (Couplet) which word do you think, suggests "Ram Janambhoomi temple was there"?

Answer: In the above couplet Ram Chandra I himself say about Janambhoomi but Ram Chandraji will not talk himself about his temple I do not remember whether there is any other couplet in Ramcharitmanas about Janambhoomi or not.

Statement read and verified

Sd/-

Krishna Chandra Singh

29.7.2003

The stenographer typed in open court as Dictated by me. In this sequence for further cross-examination be present on 30.7.2003.

Sd/-

Krishna Chandra Singh

Sd/-

(Narendra Prasad)

Commissioner

29.7.2003

**Dated : 30.7.2003**

**D.W.-1/2 Shri Krishna Chandra Singh**

Before: Commissioner Shri Narendra Prasad, Additional District Judge / Officer on special duty, Hon'ble Hih Court, Lucknow Bench, Lucknow.

(Appointed Commissioner by Hon'ble full Bench Lucknow's vide order dated 23.7.2003)

(Cross examination on behalf of defendant No.10 Sunni Central Board of Wakf continues by Shri Zafaryab Zeelani Advocate.)

Some contents of Ramcharitmanas are different from Valmiki Ramayana. Himself said, Ramcharitmanas was written by Tulsidas Ji by taking the views of the Vedas and Puranas. I do not remember whether Dashrath Mahal or Dashrath Bhawan has a mention in Ramcharitmanas or not. Similarly I also do not remember whether Kaikeyi Bhawan, Kaushalya Bhawan, Sumitra hawan have any mention or not in Ramcharitmanas. I also do not recall whether there is any mention of Sita Koop (well) in Ramcharitmanas or not. I had read Valmiki Ramayana long time back so I do not remember whether the above places have a mention in it or not. According to my faith Ram Chandra Ji was born many lac years earlier in Dwapar Yug (Dwapar era). I do not remember whether Dwapar Yug has been described in Ramcharitmanas or not. Dwapar Yug comes after Treta yug. Volunteer I have erroneously state that Ram Chandra Ji was born in Dwapar Yug but the fact according to my knowledge is that he was born in Treta Yug. Treta Yug started how many years before from now I

can not count. According to my faith Valmiki wrote the Valmiki Ramayana in the era of Ramchandra Ji. I do not know that the Ayodhya of Ramchandra Ji was devastated and inhabited how many times after Ramchandra Ji. I have faith that Ramchandra Ji ascended to the heaven and at that time all the people of Ayodhya ascended to the heaven. Whatever is written in Valmiki Ramayana, Paper No.261C ½ I assume it to be right. I do not know whether after Ramchandra Ji, at the time of King Rishabh, Ayodhya was rehabilitated or not. I do not know who was Raja Rishabh. I remember that Vikramaditya had been once the king of Ayodhya. It is heard that he after surveying all the places got constructed all the temples and Ram Janambhoomi Temple also. Nageshwar Nath Temple is very old but I do not know whether that was got constructed by Vikramaditya or not. The oldest temple in Ayodhya is Ram Janambhoomi Temple. The witness on seeing the page 8 of his statement on 28.7.2003 – I know that Nageshwar Nath temple is the oldest – said that above statement is true. My today's statement that "Ram Janambhoomi Temple is the oldest temple in Ayodhya" is also true because both the temples are of the same time. I state this on the basis of the story etc. I hear from saints that Nageshwar Nath Temple and Ram Janambhoomi Temple are of the same time.

Question: Whether the disputed building having three domes which was demolished on 6<sup>th</sup> December, 1992, was got constructed at the time of Babar?

Answer : The building having three domes was a temple even before Babar. Meerbaki tried to demolish that and changed it into a mosque but he could not succeed. Hindus till today consider it as Ram Janambhoomi.



Before Meerbaki his building had three domes or only one dome I cannot state.

Question: Did Meerbaki not get constructed the disputed building fully de novo or was it after demolishing of some portion of the old building he let the rest remain in the demolished shape?

Answer: Meerbaki could not demolish the temple fully. By demolishing some portions he tried to give it the shape of a mosque without success as Hindus continued their protest.

The disputed building could not be constructed fully during the time of Meerbaki. From the time of Meerbaki and from time earlier to that till 6<sup>th</sup> December, 1992 the whole population of India has been considering the building as Ram Janambhoomi and people have been offering worship, Pranam and parikrama by going there. Whenever the Muslims tried to capture that building, the Hindus protested and maintained their occupancy and the conflict continued. As per my knowledge Muslims never went into the disputed building for offering Namaj.

I got 8 Bighas of Pakka land after partion. In addition I have gardens and orchards. The land which I possess is entered in Khasara, Khatauni, on the basis of which I am making this statement. I have no knowledge, the entry of the disputed land is in which name in the Government documents. If in Government Record, the disputed land has been entered as Babri Masjid, I will not agree to that at all because at that time it was British rule and they would have never written in favour of Hindus that it is Ram Janambhoomi. I do not remember whether any meeting was held at the disputed site before 22 December, 1949 or not. On the east side of the disputed building there was no graveyard known as Ganje Shahida, rather the devotees

used to sing the devotional songs there by making huts for themselves and discourses of saints and ascetics were held there. After 1949 to 1992 I had been visiting the disputed site many times every year. At this point the cross examining learned Advocate drew the attention of the witness to photo N.1 to 6 of black and white Album paper No.201 C-1, viewing which the witness said that these photos are of the disputed building. Photo No.1,2 and 3 are of which part of the disputed site, I am not able to state. Photo No.4, 5 and 6 are of which part of the disputed site whether northern part, southern part western part or eastern part, I can not state. I can only state that these photos are of the upper portion of the disputed building. On seeing the photo No.7 of the album the witness said that this photo appears to be of the Hanumatdwar. On viewing the photo No.8 of the album the witness said, this photo is of the disputed building, but of which portion, I am unable to state. The outer boundary wall of the disputed building was on north, east and south sides and on the west it was the wall of the building itself. In photo No.8 I see a wall and two pillars also. I can not state whether this wall is of eastern side or southern side of the building. The witness was shown the Photo No.11 and 12, on seeing these the witness said that these photos are also of the disputed building, but of which part, I am unable to state. In photo No.11, I see a wall and in photo No.12, I see a bars fitted window and wall. I can not state both these photos are of the outer southern wall of the disputed building or not. Upto 1992 I have gone many times around the disputed building but I can not state whether I had gone 100 times or less than or more than that or how many times exactly. From the time when I started going to the disputed site, I would have gone there surely at least once in a year. On seeing the photo No.13, the witness said that this photo appears to be taken from the west side of the disputed

building. I see all the three domes and wall in this photo. I do not see any path or some people walking on it. On viewing the photo No.14 the witness said that this photo is of the disputed building but of which part I am unable to state. On viewing the photo No.15 and 16 the witness said that both these photos are of the disputed building but of which part, I am unable to state. On seeing photo No.17, 18 and 19 the witness said that all the three photos are of the disputed building but of which part, I can not state. On seeing the photo No.23 the witness said, the photo is of the eastern side of the disputed building, again said it appears to be of the eastern side or northern side. Photo No.24 is of the disputed building but of which part, I do not remember. On seeing photo No.25 and 26 the witness said both these photos are of the disputed building and appear to be of the eastern part of the disputed building. On seeing photo No.27 the witness said this photo is of the disputed building but of which part, I can not state. On seeing photo No.28 the witness said, this photo is of some side of the disputed building but I can not state the side. On seeing the photo No.34 the witness said this photo is also of the disputed building but of which part, it is not clear. On seeing the photo No.35 the witness said this photo is also of the disputed building but of which part, it is not clear. On viewing the photo No.38 the witness said that this photo appears to be of the inner side of the disputed building, but of which part on the inside, I can not stat. On seeing the photo No.41 of this very black and white album paper No.201C-1 the witness said that this photo is also of the disputed building but it is not clear of which part it is. On seeing the photo No.43, 44 and 45 of this album the witness said, these three photos are of the disputed building but of which part, I am unable to state. On seeing the photo No.46 the witness said that this photo appears to be of any door of the disputed building but of

which door it is not clear to me. This photo is of one of the three doors under the disputed building having three domes. I am not clear whether it is the photo of the middle door or any of the side doors. On viewing the photo No.47, 48 and 49 of the album the witness said that these three photos are of the disputed building. Among these, photo No.48 is of the upper side of some door of the disputed site but of which door I can not state. Photo No.49 also appears, to be of one arch of the three arches. Photo No.47 is of which part of the disputed building I do not remember. On seeing the photo No.53 and 54 of this album the witness said, both these photos are of the disputed building. Photo No.53 appears to be of the Hanumatdwar and the photo No.54 is of which part of the disputed building I can not state. On seeing the photo No.67 and 69 of this album the witness said that both these photos are of the inner arch of the disputed building. In photo No.67 a picture is seen in which Gurudatt Singh is written. I do not remember whether this picture was there somewhere in the disputed building or not. On seeing the para 9 of this main examination affidavit the witness said that "two pillars of black touchstone were affixed on which broken idol of Jay-Vijay was there is written. Whenever I went there I saw the broken idols of Jay-Vijay on the pillar and I saw the idol once with close attention. After that I used to see the pillars till they were there. I did not pay attention to the idol every time. These broken idols of Jay-Vijay were in the middle of the pillars. The witness was shown photo No.55 to 66 and photo No.25 to 27 of this very black and white album paper No.201 C-1. On seeing these photos the witness said, I can not say the pillars seen in these photos are of which part of the disputed Building. I do not see the idol of Jay-Vijay in the pillars in above photos.

The witness was shown photo No.47 to 54 of the

coloured album paper No.200 C-1. On viewing which the witness said I do not see the idols of Jay-Vijay in the pillars seen in the photos as my eye sight is weak and I can not see properly. The witness was shown the part of his statement on 28.7.2003 in page No.11 and 12 – at this point by the cross examining advocate.....the wall having bars and its open door is seen". On seeing which the witness said that this statement of mine is correct. In the above part of my statement what I stated about the photos was on the basis of my guess. On 28.7.2003 also I had difficulty in understanding the photos but I stated according to my guess. On reading the paragraph No.15 of his main examination affidavit the witness said, whatever is written in it is correct. In the arched way for going to the southern part of the middle portion of the building having three domes there were four pillars of Kasauti (touch stone). I do not remember as to when I saw the four pillars of Kasauti for the first time. When I had a chance to go inside I saw the pillars once or twice. I got this chance much before 1986. I do not remember whether I had gone there alone at that time or some one else was with me. I also do not remember the time when I went there but it was day time. I had seen the pillars before 1949. Similarly , in the arch for going to the northern side from the middle dome I had seen four pillars of Kasauti before 1949. In the main entry gate under the middle dome there were also four pillars of Kasauti, which I had seen before 1949 and afterwards also from outside. These 12 pillars I saw for about 15-20 minutes. Before 1949 when I went inside the disputed building, I took permission from some one but whose permission it was I do not remember. The officer present there, whether of police or otherwise, I had their permission for going inside after requesting. I do not remember whether I had ever seen the pillars after 1949 from inside or not. Before 1949 when I had seen the 12

pillars, I did not write any diary to remember the flowers – leaves and Kalash etc. made on these pillars but I remembered them in my memory and on the basis of the memory I have detailed them in the para-15 of my main examination affidavit.

The learned cross examining advocate showed the photo No.55 to 66, photo No.71 to 77, photo No.87 to 91 and photo No.95 to 106 of the black and white album paper No.201 C-1 and asked do you see the idols of Gods and Goddesses in Tandav mudra and Padmasana in these photos. On seeing the above photos the witness said, I see the form of some idol in photo No.55 in the lower portion. In photo No.56, I see no idol of any god or goddesses. In photo No.57 the form of some idol is seen, the idol is seen in the middle of the pillar but it is not clear that it is in Tandav Mudra. Again said, it is in standing pose and it appears that it is scratched on the side. No idol is seen in the pillars in photo No.58, 59 and 60. In photo No.61 no idol is seen on the pillar whereas in photo No.62 the shadow of the some standing idol appears in the lower portion of the pillar. In photo No.63 and 64 I see no idol on the pillars. Due to weak eye sight I can not see whether there is any idol on the pillars in photo No.65 and 66 or not. Whether there is any idol in photo No.71 and 72 or not is not clearly seen. In photo No.73 the shadow of idol standing on the pillar is seen. No idol is seen on the pillar of photo No.74. In photo No.76 some idol is seen in Padmasana Mudra, again said it is seen standing, in the middle portion. I see no idol in photo No.75. In photo No.86 I see no idol made on the pillar. Because of weak eye sight I am unable to state whether there is any idol in photo No.87, 88, 89, 90, and 91 or not. In photo No.95 the shadow of a standing man appears in the lower part of the pillar. In photo No.96 I see no, idol on the pillar. In photo No.97, in the middle of the pillar, some shadow of a man is seen. In photo No.98 I see no idol on the pillar. In photo No.99 to 106 if there is any idol on the pillars or not, I can not see now because of weak eye sight.

The learned cross examining advocate showed to the witness photo No.104 to 127 of the coloured album paper No.200 C-1 and asked, "do you see the idols of Gods and Goddesses in these photos in Tandav Mudra or Padmasana Mudra. On seeing the photos the witness said, because of weak eye sight it is not clear to me whether there are idols of Gods and Goddesses in Tandav Mudra and Padmasana Mudra or not in the above photos. The witness was shown photo No.136 to 147, 157 to 167 and 176 to 200 of this very coloured album and it was asked do you see on the pillars in these photos the idols of Gods and Goddesses in Tandav Mudra and Padmasana Mudra. On viewing the above photos the witness replied that from the red paint seen on pillars in photo No.140 to 147, it appears that the idols or marks protruded on them have been scratched. On pillars in photo No.136 to 139 I see no idols. Similarly I see no idols on pillars in photo No.144 and 145. In photo No.146 the shadow of sitting idol is seen on lower side. Something scratched appears in photo No. 146 and 147. In photo No.157 to 167 I see no idol . In photo No.176 to 185 no idol of any God-Goddess is seen in Padmasana or Tandav Mudra. On viewing photo No.186 carefully I see a foot and some body portion of a person in Padmasana Mudra. In photo No.187 it appears to me that a person is in Padmasana Mudra. In photo No.188 to 200, I do not see any idol in Padmasana and Tandav Mudra. I do not remember the red colour seen in some pillars in the above photos was really there when I went to the disputed site or not. Again said, it was not there, at the time when I saw these pillars at the disputed site and the pillars were not scratched at any part. At that time my eye sight was sharp i.e. my eye sight was proper.

When I saw Ram Lalla in 1949 for the very first time at the place under the middle dome, there was an Asana on back side and Ram Lalla was graciously seated in it and a canopy was there over this Asana. I had Darshan of Ram Lalla while standing in the courtyard inside the wall having bars. I do not know whether

the door in the wall having bars was locked at that time or not. I saw no police inside there at that time, it may be outside, this is incorrect to say that I am telling a lie at this point because nobody was allowed to have Darshan by going inside the wall having Kathghara (bar dock).

The witness was shown photo No.152 to 155 of the coloured album paper No.200 C-1, on seeing which the witness said I had seen the Sinhasana (throne) seen in these photos before 1986 at the disputed site. This throne was kept towards the wall after the stairs. When I saw this throne before 1986 there was only idol of Ram Lalla in it. The witness was shown photo No.10 of paper No.154/13 and he was asked, whether he had seen the idol of Ram Lalla on the very stairs as seen in this photo. On viewing the photo the witness said that he had seen the idol of Ram Lalla after the stairs towards the wall. In 1949 I did not see the idol of Ram lalla kept on the stairs rather there was material for worship (pooja). I had seen the idol of Ram Lalla towards the west of these stairs touching the wall. I had seen the idol of Ram Lalla kept on the last stair seen in this photo. That Sinhasana (throne) is visible to me in this photo paper No.154/13.

Statement read and verified.

Sd/-

Krishna Chandra Singh

30.7.2003

The stenographer typed as dictated by me in the open court. In this sequence be present on 31.7.2003 for further cross examination.

Sd/-

Krishna Chandra Singh

Sd/-

(Narendra Prasad)

Commissioner

30.7.2003



**Dated 31.7.2003**

**D.W. 1/2 Shri Krishna Chandra Singh**

Before : Commissioner Shri Narendra Prasad, Additional District Judge / Officer on special duty, Hon'ble High Court, Lucknow Bench, Lucknow.

(Appointed Commissioner by Hon'ble full Bench Lucknow's order dated 23.7.2003)

(Cross examination on behalf of Sunni Central Board of Wakf, defendant No.10 by Shri Zafaryab Jilani continues under oath.)

The learned cross examining advocate showed the photo No.68 of the coloured album paper No.200 C-1 to the witness, on viewing which the witness said, I am not clear as to which part of the disputed building this photo belongs to . On seeing the photo No.77 of this very album the witness said that this photo is of inner side of the disputed building but of which part, is not clear to me. On seeing the photo No.75 of the album the witness said that this photo is of some outer part of the disputed building. Similarly on viewing the photo No.76 the witness said that this photo is of some part of the disputed building but of which part is not clear. The photo appears to be of the outer part of the disputed building. This photo appears to be of the outer boundary wall of the disputed building. I do not recall whether there was any Chabutara measuring 2-3 feet wide and 6-9 inches in height on the land outside the wall having bars or not. On seeing the photo No.68 of this album the witness said that some white smooth thing is visible to him in this photo but nothing like Chabutara is seen. On seeing the photo No.75 the witness said that he does not see any Chabutara or Chabutara like shape in it.

In both the photos i.e. photo No.68 and 75 I see a tree, door is not seen and a railing is also visible. I remember that there were two doors in the wall having bars. One was north and other on the south side. I do not remember whether any tree was there opposite the north side gate or not.

Question: Have you ever gone inside towards the building having three domes from the northern gate of the wall having Kathghara (bar dock)?

Answer: I went inside definitely but I do not remember whether I had gone from the northern gate or the southern gate.

I do not remember as to when I visited the spot below the dome through the door in the wall having bars for the last time before 6<sup>th</sup> December, 1992. Before 6<sup>th</sup> December, 1992 within the span of 10 years I had definitely gone under the dome through the door in the wall having bars, but I do not recall as to how many times I did go there during this period.

At the time of riot of 1934 I was in Bari Chhawani. The reason of this riot was cow slaughter in Shahjahanpur Mohalla and there were other reasons also. In my view Shahjahanpur Mohalla is 2-3 km. Away from the disputed site towards the south. It is the eastern part of District Faizabad. When the news of the riot broke I was in Bari Chhawani with my father. I do not remember what time it was then but it was day time. It was noon, that is to say it was midday time.

Question: Does your power to remember improves in one minute as you had earlier said that you do not remember the time and after one minute you

stated the time?

Answer: On memorising and being asked time and again I could recollect.

The Muslims I have mentioned in page 16 of my statement, I do not know name of any of them till today. The Muslims had come in large number but what was their number at that time it is not known to me. This number I knew neither in 1934 nor do I know today.

Question: According to your statement can you state whether the number of Muslims allegedly coming from outside at the time of the riot of 1934 was 10-20 or 100-200 or one thousand – two thousand or more or less than this?

Answer:- I can not state their number but I only heard that Muslims had come in large number.

Question: Do you consider the number of 10-20 a large number on 100-200 a large number?

Answer:- I do not consider a number upto 100 a large number but more than hundred I consider a large number.

It is incorrect to say that no Muslim had come to the disputed site at the time of riot of 1934 from outside. It is also incorrect to say that Hindu saints and ascetics had attacked the Babri Masjid to demolish it. It is also incorrect to say that in the riot of 1934 one dome and a big portion of the rear wall of the disputed building was demolished but the reality is that no part of the disputed building was demolished. It is a fact that the Government levied punitive tax on Hindus at that time. It may be that by recovering the punitive tax the Government got constructed the demolished part of the disputed building on Government

expenses. I probably had gone once or so to the disputed site in 1934 after the riot of 1934. I did not get any report that some Muslims died in the riot or not. Again said I do not remember whether some Muslims had died in the riot or not. I do not recall whether Hindu saints and ascetics were sued in regard to the riot or not. On having the information that Muslims in large number are coming to capture the Ram Janambhoomi, Nagas and ascetics from every temple with their weapons and canes reached there. their number was big but how many were they I can not state. The number may be more than hundreds and people from whole of Ayodhya had gone there. At the time of the riot of 1934, the question of burning any Muslim towards the east, north, south or nearby of the disputed building does not arise. I do not know whether any Muslim was even buried or not near the disputed building before or after 1934. Volunteer-, no Mazar or Kabra (grave) was seen there. The learned cross examining Advocate showed photo No.2 of the paper No.154/5 to the witness, on viewing which the witness said that this photo appears to be of Singhdwar. It appears in this photo that the Singhdwar is on left side. On the right side of the photo a Chabutara is seen. It is neither a Kabra (grave) nor Samadhi but it is only a Chabutara. I have studied Urdu and Farasi languages and I have read these languages in middle school. Urdu was the main language. The witness was shown photo No.12 of the paper No.154/15, on viewing which the witness said that this photo is of the western wall of the disputed building. Again said, I do not remember whether it is of the western wall of the disputed building or not. The witness was shown photo No.11 and 12 of the paper No.154/14 and 154/15, on viewing which the witness said that these photos are not of the western wall of the disputed building but these are of the arch, these appear to be photos of arch of the disputed building. This arch is of which side I do not know. It is not

clear to me that the arch seen in this photo was in some wall or some dome. The witness was shown photo No.17 of the coloured album paper No.200 C-1, on viewing which the witness said that some wall of disputed building is seen in this photo but I can not state this photo is of which wall. On seeing the photo No.15 of this very album the witness said – this photo also appears to be of the disputed building, but of which part I can not state. On seeing para 10 of this affidavit the witness said, the mention of idol of the Varah Bhagwan made in it was of stone and of black stone. The idol was in broken state. I do not remember whether eyes, ears, nose of the idol were there or not. This idol may be there from the time the temple was constructed but I have no knowledge about its history. Varah Bhagwan is the incarnation of Lord Vishnu.

Question: According to your faith isn't Varah Bhagwan the incarnation of Lord Rama?

Answer:- To the extent of my knowledge, Varah Bhagwan is one of the ten incarnations of Lord Vishnu. Lord Vishnu incarnated in person as Lord Rama. To my knowledge Singh is known as Sher (lion).

Question: Is Sher (lion) also the incarnation of some God?

Answer: When Hiranyakashyap asked Prahalad as to where is his Bhagwan (God), in pillar, in sword, then Prahalad said that God is everywhere, he is present in every object then Hiranyakashyap asked him call your God. Hiranyakashyap had a boon that he would not die either inside or outside the house, neither in sky or in Patal (nether most world) and won't be killed by a person. Then Hirnakashyap picked his sword and wanted to kill Prahalad, at that very moment Narsingh Bhagwan appeared having the head

and paw of a Singh(lion) and rest of the body was of an ordinary animal. Narsingh put Hiranyakashyap at the door step and put him to death by tearing his heart apart. Narsingh appeared as a lion but he was not the incarnation of anyone. Again said I now remember, Narsingh was one of the ten incarnations of Lord Vishnu. Garud is not an incarnation but the Vahana (conveyance) of Lord Vishnu. I do not know whether Garud has any other name in Hindi or not. Garud is the form of a bird.

Question:- Garud is known in the form of which bird?

Answer: It is in the form a bird but in the form of which bird I am unable to state.

I had not seen thoroughly but the idol of two lions and Garud at Singhdwar appeared to be of stone. The witness was shown photo No.39 and 40 of coloured album paper No.200 C-1, on viewing which the witness said that these photos are of the disputed building and appear to be of Singhdwar. It is incorrect to say that two fishes are visible in these photos and lion and Garud are not seen.

Question: The place you have stated at Shashthi Poojan Stahl in para 13 of your affidavit, the Chauka, Choolha, Belan and Charanchinha allegedly kept there were of which age and how old?

Answer: I am not an archaeologist hence I can not count their age or state that how old they are. I know and according to my knowledge these would have been constructed at the time of the Temple.

Question: According to your statement the alleged temple

was constructed before the time of Babar, if so, were all these four things kept there before the time of Babar?

Answer: What I have heard is that the ancient RamJanambhoomi Temple was here and Sita Rsoi, Kaushalya Rasoi or Shashthi Poojan Sthan, would have been the part of Ram Janambhoomi.

These Chauka, Choolha, Belan and Charanchinha were not made of wood and clay but of white stone.

Question: The traditional trust and belief you have mentioned in para 16 of your affidavit is how old and since when it is in prevalence?

Answer: This tradition is in prevalence from the time of incarnation of Lord Rama.

Question: Since you have stated that Ramchandrajai was born lacs of years earlier so should it be understood that the said traditional trust and faith is also lacs of years old?

Answer: This trust and faith is in prevalence since the birth of Lord Rama.

I have written in para 18 of my affidavit that no Muslim could enter Janambhoomi premise after the year 1932. This I have written according to my knowledge viz. I wrote it after I came to know the fact. I have written in para 19 of my affidavit that if any Muslim was seen coming towards the Ram Janambhoomi premise unknowingly, the saints and ascetics would scared them away and made them fled. This I have written on the basis of what I heard from the people. In my view there is no house before Dorahi Kuan

road. I have heard the name of Dorahi Kuan but where it is I do not remember. The way from Hanumangarhi in the north of the disputed building leading to the west was towards which Mohalla (village), I do not remember. Towards the west of the disputed building there is habitation within half kilometer but I do not know whether it is of Muslims or Hindus.

It is incorrect to say that I am telling a lie and concealing the truth. It is absolutely wrong to say that the disputed building has been used as Babri Mosque till 22 December 1949. It is also incorrect to say that upto 22 December, 1949, Namaj of five times, Namaj of Jumma and Namaj of Tarawi were offered there. It is also incorrect to say that there had never been Ram Janambhoomi Temple at the disputed site. It is also incorrect to state that the disputed site was never Ram Janmasthan.

(Cross examination on behalf of defendant No.10 Sunni Central Board of Wakf by Shri Zafaryab Jilani, Advocate concludes).

(Cross examination on behalf of plaintiff No.7 of other original suit No.4/89 and defendant No.5 of other original suit No.5/89 by Shri Mustak Ahmad Siddiqui starts)

xxx

xxx

xxx

xxx

I have read the name of King Dashrath in Ramcharitmanas. He was king of Ayodhya. He was Raghuvansi Kashtriya. I do not know whether he was Raghuvansi Kashtriya or Suryavansi Kashtriya. I can not state whether King Dashrath was a Suryavansi Kashtriya or not. There are 20-25 classes of Kashtriyas and Suryavansi Kashtriya are also included in these classes. I am Baish



Kashtriya. I myself am not Raghuvansi or Suryavansi Kashtriya. The ancestor of Ramchandraji was King Raghu due to which he was called Raghuvansi Kashtriya. I am not clear whether Ramchandraji was a Suryavansi Kashtriya or not. There were many generations between King Raghu and Ramchandraji. They all were Kings but I do not remember the names of them all, however, I have definitely read about it. The rule of King Dashrath was quite long but I can not state as to how long it was. His rule may be upto one thousand years. Was it more than that or not I can not say. In Mauja (village) Haripur Jalalabad or nearby villages there is no Suryavansi Kashtriya. They are mostly Baishthakur. Ram Chandra Ji had been the King of Ayodhya.

(At this point learned Advocate of the plaintiff Shri Puttu Lal Mishra objected that Plaintiff No.7 is plaintiff in 4/89 but the plaint is originally joint of Sunni Central Board of Wakf and other Plaintiffs. Sunni Central Board of Wakf is defendant No.10 in the present case which is Plaintiff No.1 in other original suit 4/89. The cross examination on behalf of Sunni Central Board of Wakf by Shri Zafaryab Jilani is on behalf of plaintiffs in the present original suit and other original suit No.4/89, therefore, any of the plaintiffs has no right now to cross examine the witness separately and independently. Hence it is requested that this objection may be put up before the Hon'ble full bench and the matter be further proceeded only after legal provision is cleared as this situation will arise in case of every witness as well as at the time of witness in other cases.)

(In reply to this objection the Advocate of defendant No.10 Shri Zafaryab Jilani said that, the objection of the advocate Shri Puttu Lal Mishra of the plaintiff is absolutely

baseless and his intention is to delay the disposal of the case, because his other witnesses are not present till now who can present themselves after the present witness Shri Krishna Chandra Singh. It is worth mentioning in this regard that once such application was moved before the Hon'ble full Bench that Shri Mustak Ahmad Siddiqui may not be given a chance to cross-examine after my cross examination but the Advocate presenting such application could not convince the Court. Therefore the Hon'ble full bench has upto now given the opportunity not only to Mustak Ahmad Siddiqui to cross examine the witness on behalf of the plaintiff No.7 in case No.04/89 and defendant No.5 in other original suit No.5/89 (Shri Mohammad Hashim) but also similarly to cross examine on behalf of plaintiff of case No.4/89 Hafij Mohammad Siddiqui and defendant No.26 of case No.5/89 (Mohammad Siddiqui). It is also worth mentioning that Shri Mohammad Hashim is not only the plaintiff of other original suit No.4/89 but also defendant No.5 in other original suit No.5/89 and he has presented his reply in case No.5/89 which is quite different in many facts to the reply case of Sunni Central Board of Wakf in that case. Hence my cross examination can not bar Shri Mohammad Hashim on behalf of Sunni Board of Wakf that he may cross examine the witnesses by Shri Mustak Ahmad Siddiqui Advocate appearing on behalf of the plaintiff. Hence presenting matter before the full Bench and till then not cross examining the witness has no justification and Shri Mustak Ahmad Siddiqui, Advocate may be given opportunity to cross examine on behalf of Shri Mohammad Hashim, as is done up till now and this cross examination may be deemed on behalf of Mohammad Hashim defendant No.5 of case No.5/89.)

(Under the decision of Hon'ble Full bench on the above objection and answer, cross examination on behalf

of plaintiff No.7 of other original suit No.4/89 and defendant No.5 of other original suit No.5/89 by Shri Mustak Ahmad Siddiqui continues.)

The regime of Ram Chandra Ji was for a long time. I have seen the disputed building which was demolished on 6<sup>th</sup> December, 1992 thoroughly from inside and outside. Roughly I would have seen the disputed building from inside once or twice.

Question:-What did the building having three domes which was demolished on 6<sup>th</sup> December, 1992, appears – whether a mosque, a temple, a residential house, commercial building or a community hall from outside in your view?

Answer: On viewing from outside and inside and from all sides that building did not appear to be a commercial building, community hall, residential house or a mosque but it appeared to be a temple for me and for all the Hindu community and that it was worshipped and parikrama was undertaken considering it a temple.

Question: On viewing only from outside what did the disputed building appear to you, a residential house, a temple, a mosque, a commercial building or a community hall?

Answer: On viewing from outside only, as on all side broken idol of Varah Bhagwan is there, idols of two lions and Garud which is the conveyance of Lord Vishnu is there and eastern door is known as HanumatDwar and near it one engraved stone is there on which “Ram Janambhoomi Nitya Yatra” is written. On seeing this all it is proved and appears that it has been always ancient

Ram Janambhoomi Temple. In my view the stone affixed outside that I have stated is also very old and of the time of the temple.

There were two guards named Jay and Vijay whose portrait in small form was there as door guard on the pillars. 'Jay-Vijay' were in the shape of man. I do not remember as to whose guard were they, probably they were the guard of Lord Vishnu.

Question: Is there any such authentic figure of Jay-Vijay on viewing which it is identified that it is the figure of Jay-Vijay only and is distinctly different from the figure of other men?

Answer: The description of Jay-Vijay is in old history that they were certainly guards and they were men and no authentic figure of them is available.

On the basis of what people said I have stated about the idols of Jay-Vijay in my statement which were in both the pillars. When I went there for the first time the people told me that these are the idols of Jay-Vijay When I went there for the first time these idols were in broken state. I do not remember which part of the idol on north side of the door was broken. Similarly I do not know which part of the idol on south side of the door was broken. I also do not remember that the idol of Jay was on which side and idol of Vijay was on which side.

Question: The pillars having the idols of Jay-Vijay carved on them were of what height in your view?

Answer: I did not measure but roughly their height would have been 7-8 feet.

I can not state whether these idols of Jay-Vijay were

broken from the top or bottom or on sides. From the year 1932 to till date I did not try to know as to from where were the idols broken because nobody asked me about this. From the year 1932 to till date I did not try to know about Jay-Vijay because I did not think it necessary and nobody asked me such question. There is mention of Jay-Vijay in our history and on this basis the people consider that the carved shape is of Jay-Vijay. I am not a learned person but to the best of my knowledge I am making my statement and I am a common farmer. I am the son of a Jaminder and Jaminder himself is a farmer.

Question: You have given statement in the affidavit about Jay-Vijay without musing and having knowledge about them whereas you call yourself an educated person and son of a Jaminder?

Answer: I have written my affidavit with proper musing and considering the view of the residents of Ayodhya and the historical consideration and as per, I stick to my affidavit and it is the fact.

Towards the west of the disputed building there is slope and some plain area. Earlier there was Parikrama Marg on the edge of the slope. Whether there was embankment to support the building on the west side or not I did not pay attention to that. I do not remember whether small wall was constructed or not on the west side of the Parikrama Marg. Again said I have not seen and I do not remember also. Towards the north of the disputed building between the road and building there is slopping land, temple is at height and the road is at about 10-12 feet distance. This distance I have not measured, this I am telling roughly. There is stair case from road to the northern door of the disputed temple viz. Singhdwar. There was 4 to 6 feet wide Parikrama Marg on all the four sides of

the disputed building, that was not spread upto the road. To the north of the northern door there was Parikrama Marg and then the stair case started. Parikrama Marg was neither of bitumen nor unmettled rather it was cemented and this Parikrama Marg on all four sides of the disputed building was cemented. Whenever I went there between 1932 to 1992 I used to perform parikrama through that Marg (route). It is incorrect to say that I am making wrong statement at this point. Again said whether that Parikrama Marg was Kharanja or cemented I do not remember fully. Towards the north of the disputed building after the slope there was road and then there is Janmasthan Temple connected to the road. I have gone once or twice to this temple also. I have gone inside once or twice and I have no special knowledge about the temple. Janmasthan Temple is also the temple of Lord Ram but is not Janambhoomi Temple. Wherever the temple of Lord Ram exists it is sacred and worth worshipping for me.

Question: You have told about going frequently and offering worship in Hanumangarhi, Kanak Bhawan and Nageshwar Nath temple in Ayodhya. Whether Janmasthan Temple is not the temple of that status in sacredness and worth worshipping as you have told about your going there once or twice only?

Answer:- All the temples for me whether of Ram or Shiv or some other god-goddess are worth worshipping but the prominent temples of Ayodhya that I know of , I have told about having Darshan in them and offering worship there.

There is a 'Bara Sthan Mandir' in Ayodhya. I have not gone inside this temple. This Bara Sthan Temple is also called Dashrath Mahal.

In my village there is not much Jamindari of 'Bara Sthan Temple'. I do not have knowledge whether the Jamindari of 'Bara Sthan Temple' is in Faizabad District or outside it or not. Under the Hanumangarhi Temple there are Jamindaris in the name of Hanumangarhi, I know it but the location of the Jamindaris I can not state definitely. Bari Chhawani Temples also has Jamindaris. I do not know whether there is any Jamindari of Ram Janambhoomi Temple or not. Towards the south of Ram Janmasthan Temple there is a road and the road is much below the Janma Sthan Temple. I do not remember whether there is embankment on the edge of the road towards the south of Ram Janmasthan Temple or not. On the edge of that embankment is there wall or not, I do not have any knowledge. I do not remember whether I had seen this embankment by standing in front of the disputed building or not. It is incorrect to say that I am concealing some thing at this point. I did not see any grave or Samadhi (tomb) erected towards the north of the disputed building and not even any Chabutara.

I am aware of the shape and appearance of temples which are of different shape and appearance. Outside Ayodhya I have seen temple in Kashi also. I have gone to Prayag also and I do not remember whether I had seen any temple there or not.

The disputed building had three domes. All the three domes were side by side and in one row. I do not remember which dome was bigger. There was crest on top of the dome. I have not seen any temple having three domes in Ayodhya. The type of crest on the domes of the disputed building I have also seen on the domes of other temples in Ayodhya. There are domes on all the temples

in Ayodhya and crest is there on the domes.

I am fighting a case in Lucknow High Court. Shri Puttu Lal Mishra is not my advocate in that case instead Ramesh Kumar Singh and his nephews are my advocates. I had come to meet Ramesh Kumar Singh a few days ago and I asked as to who is the advocate of the Ram Janambhoomi. Then there was mention of Puttu Lal Mishra Ji and I met him. This happened 10-15 days earlier from now. After that Puttu Lal Mishra Ji asked me whenever there will be witness you please come. This he told me the same day when I met him for the first time. I was telephonically informed on which day I have to come for witness. I was called for witness on last Friday i.e. on 25<sup>th</sup> July, 2003 and since then I am in Lucknow. I have phone at my home.

What I have written section 14 of my main examination affidavit that 'under the middle peak of which ..... is considered Janambhoomi.' is correct. This is very old information and all Saints and Hindu devotees believe it. I learnt it the first time in 1932-34 when I went there with my father. I had this information for the first time in the year 1932 and I was told this by my father and some other saint. By standing at the wall having railing and regarding in person the presence of Lord Ram under the middle dome, we used to offer flowers and do Dandwat Pranam (salute lying prostrate).

Question: As you have said above that your father and some saints told you in 1932 that the place under the middle dome is Shri Ram Janambhoomi so please state that in 1932 you were made known of this fact at which place by your father and other saints?



Answer: Those people told me this outside the gate of the disputed premise.

At that time besides my father how many saints told me this fact I do not remember but one saint told me this and he made me do Darshan. My father and the saint did not tell at that time about the duration of faith and such a thing also was not discussed at that time. But it was told that this is the Ram Janambhoomi and the people salute here with much faith.

Statement read and verified.

Sd/-

Shri Krishna Chandra Singh

31.7.2003

The Stenographer typed in open Court as Dictated by me. In this sequence be present on 1.8.2003 for further cross examination. Witness be present.

Sd/-

Shri Krishna Chandra Singh

Sd/-

(Narendra Prasad)

Commissioner

31.7.2003

**Dated 1.8.2003**

**D.W. 1/2 Shri Krishna Chandra Singh**

Before : Commissioner Shri Narendra Prasad, Additional District Judge / Officer on Special Duty, Hon'ble High Court Lucknow Bench, Lucknow.

(Appointed Commissioner by Hon'ble Full Bench Lucknow's vide order dated 23.7.2003)

(Cross examination on behalf of plaintiff No.7 in other original suit No.4/89 and defendant No.5 in other original suit No.5/89 by Shri Mustak Ahmad Siddiqui advocate continues.)

There is a Mohalla (Village) named Ramkot in Ayodhya. I do not know whether Ramkot village is a revenue village or not. I suppose, from the road to the west of the Janambhoomi to Janambhoomi Temple, Janmasthan Temple, and the temple towards the east of the Ram Janambhoomi temple, Sitakooop and Sumitra Bhawan come within Ramkot Mohalla (Village). The above westward road is curved and goes upto the market which connects to the Ayodhya-Faizabad road. Towards the north that road is the Golaghat and then it taking turn goes upto the bank of Saryu. I can not state the extent of eastern border of Ramkot Mohalla. The land acquired by the Government comes in the southern extent of the Ramkot Mohalla. This I suppose. I do not know whether the southern most extent of Ramkot Mohalla is the same southern extent of the acquired land or not. I have no knowledge as to what is the southern extent of Ramkot

Mohalla. I also can not state about the northern extent of the Ramkot Mohalla. I have knowledge about what is the extent of the eastern border of Ramkot Mohalla. In so far as I know only Hindus live in Ramkot Mohalla. Sometimes some others may also be living in that Mohalla but I have no such knowledge. I do not know about the Mohallas of Ayodhya particularly the names but I have taken a walk in Ayodhya. In Ayodhya Muslims inhabit the area of Dorahi Quan. I cannot state as to how many houses of Muslims are there. I have not heard the name of Saidwara Mohalla of Ayodhya. I do not remember whether there is an Mohalla in Ayodhya named Kajiya or not. There is a Mohalla namely Swargadwar in Ayodhya but I do not know about Pajitola Mohalla.

In my view 90 percent people of Ayodhya are Vaishnav who are devotees of Ram. Ayodhya is the place of pilgrimage of Hindus. Nageshwar Nath is the temple of Shivji. Vaishnav also adore Shivji and on Triyodasihi offer flowers and water to Nageshwan Nath.

Question: Whether the Hindus following Shaiv sect live in Ayodhya?

Answer: So far as I know there is no difference between Shaiv and Vaishnav. The Shaivs regard Lord Shankar as their deity. Shivji is the devotee of Lord Ram and Ram Ji is devotee of Shivji. Lord Ram has said that anybody who is opposed to Shiv can not be my devotee. This I have read in Ramayana somewhere.

Some Buddhists live in Ayodhya and their temple is also there. Ayodhya is an important religious place of the Buddhists. I do not know as to where is the temple of the Jains in Ayodhya and their great man Mahavir has any

temple in his name or not in Ayodhya , I don't know but Jains come to a place known as Raunahi and perform Parikarma there. I do not remember whether there is any temple of Jains in Ayodhya or not and Sikhs has any Gurudwara at Ayodhya or not. There may be a Gurudwara towards the west of the disputed premise but I do not know.

Question: Whether it should be presumed that you have very little knowledge about Ayodhya, Ramkot Mohalla and the disputed premise?

Answer: So far as my knowledge is concerned whether it is less or more I can not imagine.

I have sometimes seen the Mosques of Muslims in Ayodhya.

Question: Besides the disputed building there are more than 20 Mosques in Ayodhya what do you have to say about it?

Answer: Your question is vague. Ram Janambhoomi Temple which you consider a Mosque had never been a Mosque, it has always been a temple and it will remain a Temple. It is not a Mosque and how many Mosques are there in Ayodhya I do not have full estimate.

Question: Did you reply after fully hearing the above question and understanding it or you want to hear the question again?

(This question was objected by the learned advocate of the plaintiffs Shri Puttu Lal Mishra that this is completely irrelevant question and it has been asked to insult and blame the witness therefore, such questions should not be allowed to asked).

(In reply to this objection the learned cross examining advocate said that the witness do not want to reply the question and his reply is not in context of the question and I have simply tried to make him understand the question. The matter of insulting and blaming is as per the knowledge of my friend advocate).

Answer: I have replied after hearing and understanding the question and if he wants to further repeat the question he can do so.

There is Kotwali Thana at Ayodhya. Behind that I have seen a grave known as Naugaji. I do not know whether Muslims regard it a sacred place or not. I do not know whether the importance of this Naugaji grave is more or less than other graves. It can be stated by a Muslim only. I have no knowledge whether in Swargdwar Mohalla of Ayodhya there is any Majar or Dargah of Hajrat Ibrahim Sahab or not. I have gone to Mani Parvat. I did not see any grave there and I do not have any knowledge of any boundary there. There is a place known as Mani Parvat and a mound is there. On the occasion of Sawan Jhoola the idols of Lord Ram in the form of Ram and Sita are swayed in the Swing and many people visit there for Darshan. I have not seen the Majar of Peer Paigambar touching the road and I have also not heard about it.

Towards the west of the road I have not seen any Kanati Mosque and neither have I heard about it. I go to the places which are the centre of belief of mine and Hindu Devotees and perform worship there and have Darshan. I have good knowledge but I can tell as much as is required.

The learned cross examining advocate showed the

map paper No.136/5 and 136/6 to the witness which were presented with the report of pleader Commissioner Shivshankar Lal. On seeing which the witness said that both these maps appear to be of the disputed building. The witness was shown the palace marked as Samadhi Markandey and Samadhi Angira on above map paper No.136/6 and it was asked whether any place like this was seen by him at the disputed site? On seeing the above the witness said that he had seen this place as southern Chaura (altar) of the disputed building. The exhibit maps A-22 and A-25 were shown to the witness and it was asked whether these maps are of the disputed building? On viewing the above maps the witness said, I am not clear whether these maps are of the disputed building or not and these do not appear to be the Government maps. On map exhibit A-25 on right side Dastkhat Mahant Raghubar Das is written. I do not know about Raghubar Das. I do not know whether in 1885, any case regarding the wooden temple at Ram Chabutara was there or not.

Question: Don't you really have no knowledge about it or as you have said above that you want to tell the things that come under your only belief and this does not come under your belief so you are not stating that?

Answer: This question is not related to the belief. I am telling as much as I have knowledge about.

The witness was shown the map paper No.136/6 presented with the report of Shiv Shankar Lal pleader and it was asked that it has marks of seven graves which are shown as Samadhis in the map and had you seen this at the site? On seeing the above the witness answered that towards the north-west of the disputed building where Samadhi is written, Samadhi of Sanak, Sanatan, Sanandan, Sanat Kumar is written and I had seen these as Chaura

(an altar) and what is written in it is correct. Any grave of any kind was not there and neither I have seen any. Towards the eastern side in this map there are Chabutaras of Garg, Gautam and Shandilya who were our sages and under that there is Narad Chabutara. These were most revered sages of our country. I did not see any grave or any such mark here and it is heard that there was no grave ever here and this map appears to be correct. The four Chabutaras in it have some difference in their length and breath. It appears in the map that north south are long and east west are wide. The three marks on the east are also north south long and east west wide. Whenever I went there I had seen these seven marks in the shape of Chauras (altars) there. I do not remember whether these Chauras were circular, square or rectangular. When I was giving statement yesterday I knew that Garg, Gautam and Shandilya were our sages but I was not asked about them. Yesterday I was also having knowledge that Samadhis are there at the disputed site. Similarly I was already having knowledge and knew it yesterday also that the Samadhis of Sanak, Sanatan, Sanandan and Sanatkumar sages were there. All these four Samadhis would have been build there from the time of the temple. The Samadhis of Garg, Gautam and Shandilya would have been made since then. Garg, Gautam and Shandilya were our sages, the knowledge of whom was acquired from Shastras, which I have studied also. I have read about Sanak, Sanatan, Sanandan and Sanatkumr in Shastras. It is not necessary that grave is built by burying a person after death but that palace can also be marked in his memory. After death the dead body of no sage has been buried. So far as my knowledge is concerned it may be that at the time of Ram Mandir these people would have been sitting here and orating Katha (Story) and doing adoration and so Chabutara in their name would have been made there.

As per my knowledge there is no description of Samadhi's shape and size in Shastras. I had seen only one idol of Varah Bhagwan in the boundary wall of the disputed building which was close to the southern wall of the eastern Hanumat Dwar. This idol was in sitting pose. I had not measured its length and breadth and I can not state its length and breadth roughly also because it was stuck to the wall. This idol was in some broken state. I do not remember as to which parts of the idol were broken. Some portion of that idol was inside the wall and the maximum portion was outside. I never stated that on all sides there were idols of Varah Bhagwan. The witness was shown fifth and sixth line of his statement dated 21.7.2003 at page 63, "On seeing only from outside as on all sides the idol of Varah Bhagwan is there'" and it was asked whether this statement of your correct. On seeing the above the witness said that he had never stated that idol of Varah Bhagwan is on all four sides. The witness was shown page 69 of his statement written as 'statement read and verified' and it was asked that did you read the statement and then verified and signed. On seeing the above the , witness answered that I had signed my statement but I did not sign after reading it. In my statement at page 22 it is in fact written that statement read and verified but I did not read and neither was I made to read it.

Question: Is it your signature under "statement read and verified" on page 22 and similarly on page 69 is it your signature under "statement read and verified"?

Answer: Under "statement read and verified" it is my signature on these pages and as is written I was told to put my signature under common proceeding and put it.



Similarly on page 37 and 51 of my statement after "statement read and verified" it is my signature and on all these four pages it is my signature. I was not forced to sign, I was told to sign.

Question: Did you sign voluntarily or you were under some pressure?

Answer: There was no pressure on me and under the proceeding of the Court on been asked by the agent of the Court, I signed.

The witness was shown page No.6 of his main examination and he was asked whether his signature appear at two places on this page. On seeing the page the witness said that his signature appear at two place in the page.

Question: Whether you have signed this page also in the same manner as you have reported to have signed in page No.22,37,51 and 69?

Answer: This I had signed after reading.

Question: Whether it is true that after the statement was being made in the court room and the page was typed you and your advocate read the statement sitting together and only after that you put your signature?

(This question was objected by the learned advocate of the plaintiffs in other original suit No.5/89 that the witness has come for evidence in this case and he is not a party so he cannot have an advocate sitting with whom he reads the statement. Such irrelevant questions should not be allowed.

(On this objection the learned advocate of defendant No.10 Shri Zafaryab Jilani objected that Shri Ajay Kumar Pandey is not the advocate of plaintiff in suit No.1/89, on behalf of whom the present witness is given evidence, therefore, objection by him is not justified).

(In reply to the objection of Shri Jilani Shri Ajay Kumar Pandey said that learned objecting advocate Shri Jilani Sahab has raised similar objection before Hon'ble Full Bench and his objection was not sustained. The learned advocate has completed the cross examination of the present witness so he has no right to object, whether I have the right of objecting or not. These four suits are on in combination and the evidence produced in each suit will be read in each other, so legally I have full right to object).

(In reply to Shri Ajay Kumar Pandey Shri Jilani said that perhaps there has been no such occasion before the Hon'ble Full Bench when in regard to the statement on a witness in a case the advocate of another case has raised an objection and Hon'ble Full Bench would have had to express any opinion and if any such opinion of the Hon'ble full bench is available any where on record then Shri Pandey may produce the same. So far as the question of all the four cases being processed in combination is concerned, we should not forget that objection regarding different parties being or not being there in different cases has arisen several times and cases being processed in combination does not mean that the justification of raising objection be available to the Advocate of every party even if he is not related to the case. The objection raised by Shri Pandey just now, is not related to any witness of his case and the present witness has not been presented by him so my point is that the objection raised by Shri Pandey is not sustainable).

Answer: I and my Advocate do not read the statement while sitting together. Need of reading does not arise, I simply sign.

Question: Whether it is correct that after the question is asked and you have answered the Commissioner tells the stenographer and the stenographer types it and reads it after typing and after that only the next question is asked?

Answer: It is correct. Volunteer- that I can state something more in the case of my statement that" The broken idol of Varah Bhagwan is on all sides" only after reading it again

It is correct to say that I retired in 1985 from the post of a teacher in the school. I retired on June 30,1985. I retired at the age of 60. My date of birth is entered as 10<sup>th</sup> January, 1925 in my High School Certificate whereas my actual date of birth is 1924. When I went for the first time to the disputed site my age was 8 years.

It is correct that Lord Ram is our household deity.

Question: Was your household deity Lord Ram the son of King Dashrath and Queen Kaushalya?

Answer: Ram Chandraji is said to be the son of King Dashrath and Queen Kaushalya. I do not have any doubt about this fact because Bhagwan does not take birth from the womb instead he appears. Therefore it is said" Bhaye Pragat Kripala, Deen Dayala Kaushlya Hitkari". There is no contradiction in my above statement and it is correct that Ramchandra Ji is the son of Kaushlya and Dashrath.

In my view hermits and ascetics are similar but their category is different. Those relinquishing their family life to become saints, they go to the Ashrams and there they are initiated (given Deeksha) and gradually they become hermit.

Question: You said that the category of hermits and ascetics is different and on being asked the difference in the category you made a statement on saints. Should I understand that you are trained to make statement in this Court.

(This question was objected by the learned Advocate of the other original suit No.5/89 that this is a totally irrelevant question and there is blaming and insulting of the witness therefore, such questions should not be allowed).

(On this objection the learned Advocate of defendant No.10 Shri Zafaryab Jilani objected that Shri Ajay Kumar Pandey is not the advocate of the plaintiff in the present case and neither the present witness has been presented by him therefore in regard to the question asked to the witness he has no such right to object and as such his objection is liable to be over ruled).

( In reply to the objection of Shri Jilani Shri Ajay Kumar Pandey said that learned objecting advocate Shri Jilani Sahab has raised similar objection before Hon'ble Full Bench and his objection was not sustained. The learned advocate has completed the cross examination of the present witness so he has no right to say whether I have the right of objecting or not. These four suits are on in combination and the evidence produced in each suit will be read in each other, so legally I have full right to object).

(In reply to Shri Ajay Kumar Pandey Shri Jilani said that perhaps there has been no such occasion before the Hon'ble Full Bench when in regard to the statement on a witness in a case the advocate of another case has raised any objection and Hon'ble Full Bench would have had to express any opinion and if any such opinion of the Hon'ble full bench is available any where on record then Shri Pandey may produce the same. So far as the question of all the four cases being processed in combination is concerned, we should not forget that objection regarding different parties being or not being there in different cases has arisen several times and cases being processed in combination does not mean that the justification of raising objection be available to the Advocate of every party even if he is not related to the case. The objection raised by Shri Pandey just now, is not related to any witness of his case and the present witness has not presented by him so my point is that the objection raised by Shri Pandey is not sustainable ).

Answer: I only give reply of the questions and have not come here to deliver speech. As per my grasp I have replied correctly and the correct reply is written.

Question: Would you please tell me the difference between hermit and ascetic clearly?

Answer: I don't have full knowledge of their categories but according to my general knowledge. I can state that the hermits live in simple get up and wear yellow clothes and ascetics apply ash etc., on their body.

A bore is called Varah. I know about the bird vulture

(Giddh). Shri Garud is a name which has no other form in other languages. It is a form of a bird and it is the Vahana (conveyance) of Lord Vishnu. This bird has beak, wings and bird like body. This flies very fast. I have not seen Shri Garud, only I have read about it in Shastras so I cannot state whether there is any similarity in Giddh and Garud or not. So far as I know Giddh (Vulture) is carnivorous. As per my knowledge there is no similarity of Garud Ji to the bird peacock. I have stated the shape of Garud on the basis of Shastras, I have not seen Garud.

Statement read and verified

Sd/-

Shri Krishan Chandra Singh

01.08.2003

The Stenographer typed in the open court as dictated by me. In this sequence for further cross examination be present on 4.8.2003.

Sd/-

Shri Krishan Chandra Singh

Sd/-

Narendra Prasad

Commissioner

1.8.2003.

**Dated 4.08.2003**

**D.W.-1/2 Shri Krishna Chandra Singh**

Before: Commissioner Shri Narendra Prasad, Additional District Judge/ Officer on Special Duty, Hon'ble High Court, Lucknow Bench, Lucknow.

(Appointed Commissioner by Hon'ble Full Bench Lucknow's vide order dated 23.7.2003).

(In sequence to dated 1.8.2003 cross examination on behalf of plaintiff No. in other original Suit No.4/1989 and defendant No.5 in other original suit No.5/89 by Shri Mustak Ahmad Siddiqui, Advocate continues).

I am getting pension since I retired from the post of teacher. When I was in High School I came to know that there is a little difference in my date of birth on school record and my real date of birth. I reported this fact in my statement on 1 August, 2003 that there is difference in my real date of birth and the date of birth on School record. Before this I did not tell about this difference because such need was not felt.

Question: Inspite of your knowing that your date of birth is written incorrect in the school records you got service on the basis of the said date of birth, did serve and retired and are getting pension. Was it

or is it right for you?

Answer: When the student gets admission in official records the guardians get the date of birth entered a little less and correcting that later on was not possible in any way, therefore, on the basis of the date of birth entered in the official records, I was even offered service . If I had thought of this as improper it was not possible to change the date of birth.

Question: Whether it is correct that taking undue advantage of this date of birth in official records you are drawing more amount of pension because if your date of birth had been written correctly, you would have retired earlier and the amount of your pension would have been fixed lesser?

Answer: As per my knowledge I was born in 1924 about 2-4 months before 10<sup>th</sup> January, 1925 and there is not much difference between 1924 and 1925 and neither am I taking advantage of it.

I have stated earlier also that there is not much difference in followers of Shaiv Sect. And Vaishnav Sect.

Question Are not today in India, different Dhams and Shankaracharyas of followers of Shaiv Sect. And Vaishnav Sect?

Answer: I do not have full knowledge in this regard.

I have read that the procession (yatra) of Jagannathji is taken out. To my knowledge this yatra is of the followers of Vaishnav Sect. I saw the forms of Lord Krishna and his elder brother Baldau and his sister Subhadra in



Jaggannath temple. There are four Jagadguru Shankaracharyas in India. I do not know as to which sect is followed by the Shankaracharya of Kanchikoti Peeth. All Hindus go for Amarnath Pilgrimage. In Amarnath Temple the Shiv Linga is made of ice and for worshipping and having Darshan of that people go there with much difficulty. I have not heard about any tussle between the followers of Shaiv and Vaishnav Sects. It may be possible there had been dispute sometime. I never heard and read that the followers of Shaiv and Vaishnav Sect, used to attack each other and the followers of Vaishnav sect were oppressed and did not give way to the followers of the Shaiv Sect.

The temple having three domes was seen on entering the disputed building through the wall having bars. There was some plain area between the building having three domes and the wall having bars. From the plain area inside the wall having bars for entering inside the building having domes there were three arches and people used to go inside through the middle arch. There was no roof over the plain area between the wall having the bars and the disputed building. I do not remember as to what was the length and breadth of this plain area. A little courtyard was there. That courtyard had concrete floor.

Question: For entering inside the building having three domes there were three archs as you have stated. By it do you mean the three arched openings?

Answer: I could see three archs in that and we people used to go inside through the middle arch.,

I do not remember as to what was the height in feet of

all the three archs. I also do not remember as to what was the breadth of the middle arch. The girth (radius) of the pillars of the middle door was almost one and one and half feet. It is incorrect to say that I have not seen that and due to this I am not reporting correctly about that.

The witness was shown the portion from sixth and seventh line of page 67 of his statement dated 31.7.2003". "I did not see any grave towards the north of the disputed building and neither any Samadhi was made there and I did not see any Chabutara there" and it was asked that is your above statement correct. On seeing this the witness said that his above statement is correct. The witness was shown the portion of page 75 of his statement dated 1.8.2003. "the Chabutara of all these three of that time was made and under that there is Narad Chabutara", and it was asked that is this statement of yours correct. On seeing which the witness said that my above statement is also correct. Said himself I on viewing the map, on the basis of the marks shown as Samadhi in the map, I verified them.

Question: Did not you never see any grave, Samadhi Chaura or Chabutara towards the north of the disputed building between 1932 and 1992?

Answer I did see Chauras in the form of Chauras there from the year 1932 and before 1992 but no Samadhi or Grave was seen.

Question: Did you see any Chabutara at the same place during the above period?

Answer: I don't remember about Chabutara and neither had I seen any.

The witness was shown the portion of his statement made on 1.8.2003 from page 75-76, "yesterday when I was giving statement..... the Samdhis of Garg, Gautam and Shandilya would have been from that time" and he was asked whether your statement is correct, on seeing the above the witness said that his statement is correct. There is no contradiction in my statement and I considering the Samadhis as Chauras called them Samadhis. The Chauras or Samadhis, I used consider their Samadhis in the form of Chauras, which I had seen.

Question: On one hand you say that you had seen no grave or Samadhi or Chabutara made at the site and on the other hand you say that " you have called the Chauras as Samadhis, thinking them to be Samadhis " according to you which one of the above is true?

Answer: I never said that I had not seen the Chauras.

Question: Whether in your view is there no difference between in Chaura, Chabutara and Samadhi?

Answer: There is difference in Chaura, Chabutara and Samadhi in their shape.

It is incorrect to say that I am concealing something at this point.

Question Should it be understood that the map made by Shri Shiv Shankar Lal Pleader which was shown to you on 1.8.2003 and the words Narad Chabutara etc written in that confused you?

Answer: I was not confused. The marks which existed in

the map, I had no doubt about their places but about their shape. At that time I saw Samadhis in the form of Chauras.

In 1932 my real age would have been 8 years. The witness was shown the portion of para 14 of his main examination affidavit at page No.4 " the middle dome of which.....is regarded" and it was asked whether he had written the above on the basis of what his father and the Guru told to him? On viewing the above the witness answered that I regarded this on what my father and the Guru told me and wrote in my affidavit and on the basis of which I offered Pranam (salute) there. I regard Shri Ram Chandra Ji very much and this regard will increase when I come under his shelter and He will accept me and I will be relieved, it is my faith.

Question: Is your faith at present simple?

Answer: I do not have any criterion for the faith and I have firm faith in him.

Question: Is your firm faith so deep that your discretion becomes subordinate to that?

(This question was objected by the learned advocate of the plaintiff Shri Puttu Lal Mishra that any devotee can not be asked about his trust for his deity and the question of the trust in the present case is not a matter of litigation therefore, this question is irrelevant).

Answer: It is not so that my discretion becomes subordinate to the trust.

I have made my statement in this case as per my discretion. It is incorrect to say that I never went inside the disputed building. Before 22 December, 1949 the idols of Ramlala and Shri Ramchandra Ji, Sita Ji etc., were graciously seated on Ram Chabutara and those idols were

worshipped and inside the middle dome, considering Lord Rama to be present there in person we used to salute there lying prostrate.

Question: I am to say that there was no idol of Varah Bhagwan at the disputed site?

Answer: It is incorrect to say so.

It is outright incorrect that upto 22 December 1949, Namaj for five times, Namaj of Jumma and Taraveeh were offered at the disputed site. It is incorrect to say that there was never any temple at the disputed site.

(Cross examination on behalf of plaintiff No.7 in other original Suit No.4/1989 and defendant No.5 in other original suit No.5/1989 by Shri Mustak Ahmad Siddiqui advocate concludes).

(Shri Saiyyad Irfan Ahmad, advocate accepted the cross examination on behalf of defendant No.26 in other original Suit No.5/1989 by Shri Abdul Mannan, Shri Zafaryab Jilani and Shri Mustak Ahmad Siddiqui, Advocates).

(Shri Fajle Alam, advocate accepted the cross examination on behalf of defendant No.6/1 and 6/2 in other original Suit No.3/89 by Shri Abdul Manna, Shri Zafaryab Jilani and Shri Mustak Ahmad Siddiqui, advocates).

Cross examination by all defendants/parties concluded.

Statement read and verified  
Sd/-

Shri Krishna Chandra Singh  
4.8.2003

The Stenographer typed in the open court as dictated by me.

Sd/-  
Shri Krishna Chandra Singh  
Sd/-  
Narendra Prasad  
Commissioner  
1.8.2003.