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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW BENCH , LUCKNOW

Other Original Suit No. 4 of 1989

Sunni Central Board of Waqf,

U.P. and Others -----Plaintiffs

Versus

Gopal Singh Visharad

and Others -----Defendants

STATEMENT OF DW 20/2

SWAMI AVIMUKETSHWARANAND SARASWATI

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EXAMINATION IN CHIEF BY WAY OF AFFIDAVIT OF SWAMI
AVIMUKETSHWARANAND SARASWATI, D.W. NO. 20/2 UNDER
ORDER 18 RULE 4 OF CODE OF CIVIL PROCEDURE

I, Swami Avimuketshwaranand Saraswati, aged about 36 years, disciple of Pujiyapad Anantsrivibhushit Jyotishpeethadheeshwar and Dwarka Shardapeethadeeshwar Jagatguru Shankaracharya Swami Swaroopanand Saraswati ji Maharaj, resident of Shri Vidyamath, Kedarghat, Varansi (U.P.) do solemnly affirms on oath as under:-

1. That, I was born in a *Samart* family in village Barahminpur, District – Pratapgarh, Uttar Pradesh. My father's name was Pt. Shri Ramsumer Pandey. He was a man with full of humane virtue, having classical and practical knowledge and a devotee. My mother was a virtuous wife, affectionate and religious lady.
2. That, I during my childhood along with the formal education got the preliminary education on religious subjects from my respectable mother-father.
3. That, my mother-father named me as Umashanker Pandey and I studied and got degrees by this name.

4. That, I got my preliminary education from Primary Schools of Redigarapur and Atroura and after that I went to Gujarat where I have passed first class examination from Purohitya Department of Sanskrit Department of Maharaja Sayajirao University. After that I was sent to Kashi for study by Poojyapad Shankaracharya ji Maharaj. I have studied Poorva-Madhyama to Acharya in Grammar subject. During this period, I passed B.Ed. examination and was enrolled as research student. During this period I got admission in M.Ed. but left my study due to asceticism initiation and started getting spiritual study from Poojyapad Shankaracharya ji.
5. That, being interested in Sanskrit Language and literature, I have devoted myself for the study of these subject and studied Veda, Vedang, Upnishad, Vyakaran(Grammer), Philosophy and religion etc.
6. That, my Brahmcharya initiation as a first stage of asceticism was held on 11th February 2000 in Calcutta. During that period my name was Anandswaroop Brahmchari.
7. That, I was again initiated in Dand asceticism on 15th April 2003 in Kashi and since then my name is Swami Avimuketshwaranand Saraswati.
8. That, since beginning, Pujoyapad Anantsrivibhushit Jyotishpeethadheeshwar and Dwarka Shardapeethadeeshwar Jagatguru Shankaracharya Swami Swaroopanand Sarswati ji Maharaj have been my Guru.
9. That, since my initiation in asceticism I have tried to mould my life in accordance with the classical measures and to remain busy in spiritual study. In the spare time

from my spiritual study, I have been with the permission of my Guru, doing work for the protection of Sanatan Dharma and Sanatan Sanskriti and has been directing the six Ashrams established by Poojya Shankaracharya ji Maharaj in Kashi, for these purposes.

10. That, I am initiated in Shankar Sect, I believe in Adwait Darshan, introduced by early Lord Shankaracharya. I have studied all theistic and non-theistic philosophy of India. I have studied about all incarnation of Lord Rama and Krishna.
11. That, being a traditionally spiritual devotee of Shrividyasadhana course and devotee of Bhagwati Praamba Tripursundari Shrilalita, I am much interested in Rama and Krishna's characters. Because of this I have read Ramayana written by Valmiki; Shri Ramcharitmanas, written by Tulsidas and Srimad Bhagwad written by Maharishi Ved Vyas and Purans also.
12. That, I have in depth knowledge of Hindi and Sanskrit and general knowledge of Gujarati, Bangla and English. I, from tradition, know that our ancestors had performed yagna on arrival of Rama to Ayodhya, after killing Ravna. Being born in Saryuparin Brahmin family, I am allured towards Rama.
13. That, according to my study and knowledge, the disputed site at Ayodhya is a birthplace of Shri Rama. It is well-known fact the Lord Shri Rama was born in Ayodhya and was an elder son of universal king Dashratha of Ikshwaku Dynasty. Disputed site is being worshipped regularly by the followers of Sanatan Dharma, since then. This is based strongly upon our faith, tradition, belief and fame.

14. Scriptures provides for adoration of idols and places and by doing this one can get salvation and fulfillment.
15. Scriptures say that every thing related to birth have special importance like, date of birth, Nakshtra, day etc. Similarly, importance of birthplace has special importance. Lord Shri Rama, after conquering Lanka, by saying to Lakshman, his younger brother that although Lanka is made of gold but I am not interested in it (I am haunted by the memory of Ayodhya because mother and birthplace is more important than heaven), had multiplied the importance of birthplace.
16. That, Lord Narayana, in third Shlok (Couplet) of fifteenth Canto of Balkand of Srimad Valmiki Ramayana had himself, before taking incarnation by thinking about his birthplace proved the importance of birthplace.
17. That, there is no need of any consecration of an idol or construction at the birthplace because birthplace itself becomes powerful with the birth of potential person. At the same time the potential continued by regular worship and able to cherish the people.
18. That, method of journey to Ayodhya has been described in the Tenth Chapter of Ayodhya Mahatmya of Vaishnavkhand of Skand Puran, famous as Sthal-Puran. Wherein Janmsthan of Shri Rama is clearly referred and its importance is given. Sites described in Purans with reference to above context are still in existence in Ayodhya. That is why every follower of Sanatan Dharma, visit these sites, particularly take Darshan at Shri Ram Janam Bhoomi in Ayodhya, perform Parikarma and take the dust of that place to his head and feel gratified.

19. That, almost of all ancient literature of India is full of narrative of Shri Rama. His birth and deeds are described in Vedas, Purans, Upnishads and Valmiki Ramayana. This tradition also exists in modern literature like Shri Ramcharitmanas written in Hindi-Avadhi.
20. Shri Rama was born to mother Kaushalya in the family of King Dashratha and he, by his work, obtained the degree of great-man or God. It is an evident fact that Raghuvanshi Kshatriya are in existence even to day, who are descendant of Shri Rama and his son Kush, who became the King of Ayodhya after Rama.
21. Kingdom of Shri Rama is called as an ideal kingdom and people, even to day use the word "Ramrajya" for good governance.
22. Three festivals based upon the three main incidents associated with the life of Shri Rama are celebrated in our country i.e., birthday of Shri Rama on Ramnavami at Chaitra Shukla, Vijayadashmi on his victory over Ravana and Deepawali on the occasion of his arrival to Ayodhya. Public holidays are declared on these days throughout the country by the Government.
23. That, Shri Ram is a symbol of humanity. He was an ideal man. That is why he is called Maryada Purshottam and it is included in the original copy of Indian Constitution and his sketch has been printed at the page, where basic rights and duties of Indian citizens were described. It is a clear indication that it is the right and duty of every citizen of India to follow the character of Shri Rama.
24. Inscription fixed in the questioned building has been described in the book U.P. District Gazetteer, Faizabad,

1960 edited by Smt. Yasha Basanti Joshi and published by the Government of Uttar Pradesh. However, construction of any mosque was not referred therein. Construction of a building at the place for descending of angles was referred therein. This also proves that questioned site is a place of incarnation of God Ramlalla. God *Varah* at the southern wall of eastern main gate was also referred in this Gazetteer.

25. That, birthplace of God Shri Rama, worshipped by crores of followers of Sanatan Dharma is the highest important place for them. Like Mecca is for the Muslims brothers.
26. That, this is not a question of temple and mosque but a question of Shri Ram Janam Bhoomi. Temple and mosque being constructed by the human can be removed but shifting of Janam Bhoomi is not possible. Hence it cannot have any other alternative.
27. People name their children, houses, streets, Mohallas, Villages and Cities after the name of a person with whom they are influenced by. Most of the names, even to day, are such in which the word Rama is included in. A number of cities, not only in India but in almost every country throughout the world have been named after Shri Rama, which proves the universality of Shri Rama.
28. Our *Panchangs* provides a day on Chaitra Shukla Navami for taking darshan of Shri Ram Janam Bhoomi at Ayodhya.
29. In our tradition, God is primarily worshipped by four manners – Name, appearance, deeds and pilgrimage centres. Dham means a birthplace etc.

30. According to Vayu Puran, Kush son of Shri Rama had constructed a beautiful temple based on eighty four pillars at Shri Ram Janam Bhoomi.
31. Ayodhya as a whole was described in the book Ayodhya Mahatamya. This book contains the details about Shri Ram Janam Bhoomi but do not mention about any mosque.
32. I have read the book Babarnama and Aaine Akbari. I have not found any reference in it about construction of mosque by Babar in the Ramkot, Ayodhya.
33. That, according to my knowledge, no Muslim brother had ever read Namaz at the questioned site. And if all, Namaz was read, this does not mean that this site became a mosque or became a discrete for the followers of Sanatan Dharma. I have seen Muslim brothers reading Namaz with devotion at Railway Station, Bus Stand, in Train and at public places. But does it mean that all these places have become mosque?
34. That, Birthplace of God Shri Rama has been a holy place and was full of supernatural powers. It can not be under any circumstances, becomes an unholy or discrete place and for we people it is always adorable, respectable and capable for granting salvation.
35. That, I have visited Ayodhya for a number of times and took darshan of Shri RamJanam Bhoomi along with other temples. I have visited Ayodhya at Ramnavami and took darshan of Shri RamJanam Bhoomi along with lakhs of devotees.
36. That, I have also once visited Ayodhya following the procedure given in Skand Puran once and took darshan of Shri RamJanam Bhoomi. During that visit, I got great

assistance from the stone boards fixed by a higher officer Shri Edward, during the time of British Rule, which were fixed in accordance with the serial prescribed in Skand Puran and proves the then geographical situation.

37. That, the questioned building did not appear to be a mosque from any angle and there were a number of signs which proved that it was a temple.
38. That, in accordance with the tradition of Sanatan Dharma and scripture, God Shri Rama was an incarnation of Vishnu. He is worshipped along with Shiva. Because Shiva is a heart of Vishnu and Vishnu is a heart of Shiva, thus both are one. God Shri Rama, himself used to worship Shiva. This is the reason; devotees of Shri Rama, put an *Urdhwapund* as a *Tilak* which is sign of Trishul of God Shiva and devotees of Shiva put Tripund on their forehead which is a sign of bow of God Shri Rama.
39. That, there is public concept that Babar had through his commandant, Meer Baki, tried to construct a mosque by demolishing a huge temple situated at the birthplace of God Shri Rama, at Ramkot, Ayodhya. But it could not be given a shape of a mosque due to continuous resistance by the followers of Sanatan Dharama and regular worship of God Shri Ramlalla was continued there. According to my study, it appears that this concept was in vogue, since the time of Britishers because prior to that period no such evidence was available at any place in this regard.
40. That, the dispute about the questioned site is the result of divide and rule policy followed by Britishers. In these circumstances, followers of Sanatan Dharma and Muslims, both, in the light of reality, ignoring their

conflicts and enmity, should come forward and channelise their energies to build the nation.

41. That, questioned site should be declared as a Shri RamJanam Bhoomi site so that feeling of crores of followers of Sanatan Dharama are not hurt and widening gap between the two communities should be bridged.

, Deponent

Dated 27th June 2005

Sd/-

Lucknow

(Swami Avimuketshwaranand Saraswati)

VERIFICATION

I, above named deponent do solemnly hereby confirm that Para 1 to 41 of this affidavit are true to my knowledge and belief. Nothing has been concealed and no false statement has been made in it. May God help me.

Verified and signed today on 27-6-2005 at the premises of Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow.

Lucknow

Deponent

Dated 27.6.2005

Sd/-

(Swami Avimuketshwaranand Saraswati)

I, authenticate the signature of Witness, Swami Avimuketshwaranand Saraswati, who appended his signature before me.

Sd/-

(Ranjana Agnihotri)

Advocate

Swami Avimuketshwaranand Saraswati, deponent, identified by Ms. Ranjana Agnihotri, Advocate in the premises of Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow on 27th June 2005 at 10.05 AM with the statement that Deponent has read, heard and understood the facts detailed in the affidavit very-well. Thus I am fully satisfied about the deponent.

Sd/-

27.6.2005

Before : Commissioner, Shri Hari Shankar Dubey, District Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow.

Sunni Central Board of Waqf,
U.P. and Others -----Plaintiffs

Versus

Gopal Singh Visharad
and Others -----Defendants

Other Original Suit No. 4 of 1989
(Regular Suit No. -12/1961)

Dated 27. 6. 2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

Examination in chief Affidavit of Swami Avimuketshwaranand Saraswati, aged about 36 years, disciple of Pujiyapad Anantsrivibhushit Jyotishpeethadheeshwar and Dwarka Shardapeethadeeshwar Jagatguru Shankaracharya Swami Swaroopanand Saraswati ji Maharaj, resident of Shri Vidyamath, Kedarghat, Varansi (U.P.), page 1 to 8, submitted and taken on record.

(Cross-examination, on an oath of D.W. 20/2, Swami Avimuketshwaranand Saraswati, by Shri Ranjeet Lal Verma, Advocate on behalf of Nirmohi Akahara, plaintiff in Other Original Suit No. 3/89, begins).

XXX XXX XXX XXX

I have no knowledge about the educational qualification of Pt. Ram Sumer Pandey. So far I know he got the education from the Madarsa. He was a knowledgeable person. I have, myself not seen his certificates relating to his education. Shri

Ram Sumer Pandey was an eminent scholar of Vedic literature and Sanskrit. His wife was also literate. Volunteer: it would be better to call her as my mother instead wife of Shri Ram Sumer, because I regard her like a mother. My mother had no knowledge of Sanskrit. She had the knowledge of Hindi. I, up to the age of 10 years, was in Grihast (family) life. My childhood was influenced by the religious life of my mother-father and their manners and morals. I started understanding the religious matters during my childhood. I was influenced by the religious thinking and living style of my mother-father, during my childhood. My mother-father were the followers of Sanatan Dharma. They can be called the followers of Viashnav Sanatan Dharmi also. Shri Rama was the deity of my mother-father. Ayodhya was at a distance of more than 70-80 Kms., from the village of Pratapgarh, where my mother-father used to live in. I did not go to Ayodhya with my mother-father, during the childhood, although they used to go to Ayodhya by bus. I was educated in a Society School in Pratapgarh District. I was educated in Pratapgarh up to 6th class. I came to know about RamChandra ji from text books and sayings by the Gurus, when I was studying in 6th class. My father was living in Gujarat. I went to him during vacations. My father used to go to a saint. My father inspired me to study Sanskrit. So I had started studying Sanskrit at Baroda in Gujarat. Maharaja Sayajirao was itself a University. I took admission in Purohitya Department, called 'Yagki' in Gujarati. At this stage one would start to obtain the knowledge of Vedas. Kashi was then the main study centre of studying basic Sanskrit throughout India at that time. So my Guru took me to Kashi to deeply study Sanskrit. I have completed my remaining education in Kashi. I completed my education by having passed Acharya (equivalent to M.A.). I was initiated in asceticism on 15th April 2003 at the age of 34 years. Swami Swaroopanand Saraswati is my initiation Guru. Before my initiation, I was being called by the name of Grihasthashram and I received all the educational degrees by this name. Before my initiation, I was in contact with my mother-father

and they used to visit me during their life time. They used to visit me at Kashi from Pratapgarh. I have been visiting Ayodhya before my initiation also. After coming to Kashi and obtaining the degree of Acharya, as far as I remember I came to Ayodhya in 1990 for the first time. By that time, I was fully accredited with the knowledge about Ayodhya by studying Ved-Vedant, Hindu Sanatan Vangmaya literature and other Vedic literature. I on the basis of Vedic literature gained the knowledge about Ayodhya during my childhood that Saryu River flows in the north of Ayodhya. From the beginning till today I am sure about the location of Saryu River and Ayodhya. Ayodhya, which I have seen in 1990, is the same Ayodhya which was referred in Vedic literature and Valmiki Ramayana also. I went to Ayodhya once again after 1990 and before 6th December 1992. I went to Ayodhya in 1991 at Chaitra Ram Navami and took the darshan of Bhagwan Ramlalla. I came to know that temple was demolished on 6th December 1992. Grammar has been my subject. Grammar is used to study Vedas as Vedangs. I obtained the general knowledge of four Vedas. Rigved is regarded as the oldest Ved but we people generally believe that all the Vedas belong to the same period. With a view of ancientness, all Vedas were created in ancient time. Rishies had sighted the mantras at different times. A particular mantra came in to vogue from the time when it was seen by a concerned Rishi. Mantras were reduced to black and white later on. Originally, Mantras were heard and pronounced. That is why the reason, that Vedas are called Shruti, even to day. Authentic lessons of Vedas are also available. A few branches of Vedas were reduced to black and white by human efforts. Each Ved have different scholars. These were seen by Rishies. Brahmins are also Vedas. I do not remember which Brahmin book is for Rigved. Perhaps it is Maitreya Brahmin. Vedas are the sources for knowing about ancient history. Vedic literature is a source to know about Vedas. India in this context is a mysterious country because there are such supernatural powers which cannot be imagined. Thus India is a great

country. This I came to know on the basis of my study. After Rigved, Shatpath Brahmin is a main Ved for knowing ancient history of India. Shatpath Ved is a Brahmin book of Yajurveda. Taitariya is also a Brahmin book of Yajurveda but its branch is different. I do not remember about the Brahmin book of Atharvaveda. Upon reminding by learned advocate cross-examining the witness said that it is a Gopath Granth.

It may be possible that temples and idols in words would have not been used in Vedas but purport of these are found in Vedas. For a general person, Ved means, a book of knowledge which help a person to attain his highest goal. It is called Brahm Knowledge. First Mantra of Rigved is "Agnimeedepurohitam". "Athatobrahmjigyasa" is a first formula of Brahmsutra of Ved Vyas ji. Which means one should have the curiosity to know about Brahm. Whether Pareekshit was stated to be a king of Gurus in Atharvaved or not, I do not remember. Pareekshit was referred in Mahabharata by Vyas. Ramayana and Mahabharata are historical books. There is a live description of Jamwant and Hanuman in Mahabharata. This means, these two people were alive during the period of Mahabharata. The period of Shri Rama proves to be authentic if you treat Mahabharata as an authentic. It is proved on the basis of study that there was a period Shri Ram and he was not an imaginary person. Shruti, Samriti and Purans are the means to know about history with the help of Vedic literature. One can know about Veda through history i.e., Mahabharata and Purans including Shruties. Shruti includes Vedas which are gifted by God. Samriti is man made and were given by Rishies. Samrities are supplementary to Vedas. Vedangs are used for obtaining the thorough knowledge of Vedas. Vedangs are 6 in number. Kalp, Shiksha, Nirukta, Vyakaran, Jyotish and Chhand are six Vedangs. Kalp is about religious rituals. Purans contains the ancient happenings. Purans and Vedas are contemporary because Purans were referred in Vedas. But according to todays' thinking the Purans came much later than Vedas i.e.,

about 5000 years before Christian era to seventh century of Christian era. According to me Vedas and Purans are contemporary. It is not that Purans period happened after the period of Vedas, but now-a-days, it is regarded that Purans came after Vedas. I am to say in this regard that there is in-depth analysis in Vedas, which is beyond the understanding of general people. Hence, Purans contains the analysis of the subjects which are easily accessible to the general public. There is another reason; Purans contains the description about idols, temples and Pooja-procedure. Deities are praised and are described as natural component in Vedas. Figures of deities are not described in Vedas that is why I have, in my above statement said about the minute description. Purans contains the analysis of the history of Indian life, serially. Minute description of Purans was written by Lomharsh Rishi. Division of Purans were not mentioned in Amarkosh book. Five characteristics are given in Purans which includes – Canto, sub-Canto, Genealogy, Manuwantar and Vanshanucharit. Genealogy contains the genealogy tree of Rishies and deities. Vanshanucharit contains the genealogy of ancient kings' Dynasty. Puran contains – Matsya Puran, Vayu Puran, Garur Puran, Brahmand Puran and Bhagwat Puran – genealogy of ancient Indian Kings' dynasty. Although all the Purans are authentic yet people treat Matsya Puran as the most reliable. This contains the details of Kings of Nand, Maurya, Shung, Gupt, Saatvahan dynasties. Purans are the main source to know about the history of ancient time to Gupt period. It is correct that information in regard to sixth century before Christian era is found in Purans and information about the dynasty of later kings is obtained through excavation etc.

It is correct to say that culture is a name of refined psychic activities, trade and expressions of human, which is seen as to be achieved by him. Life activity is the name of these aspects, which he treats as important psychic and spiritual achievement. Religion, philosophy, Art, literature, education and religious organizations concerning to it are work

field of culture. Ramayana culture period was contemporary to the period of Ramchandraji. I have not read the matter wherein Ramayana period has been called ancient culture period and Mahabharata period called as Nagar culture period. I have read the Chhaandogya Upnishad. Maharaja Janak was referred to as the father-in-law of Ramchandraji in it. Chhaandogya Upnishad was created three thousand years before Christian era. Maharishi Valmiki had given detail live description of Ramchanderji in Valmiki Ramayana. Valmiki Ramayana contains 24000 couplets. Mahabharata is counted as number- two after Valmiki Ramayana in Indian secular literature.

Mahabharata contains the detail of Gita. Dharma (religion) was originated by "Dhri" element i.e. the thing possess virtue and substance is called religion. Whatever a well conversant meritorious person of Vedas stated, is called religion. Yaksha had asked the definition of religion from Maharaj Yuddishtra. I do not remember what definition of religion, Maharaj Yuddishtra gave. A statement made by four persons or three persons or one person, who has the knowledge of all the four Vedas and religion comes in the category of religion. Maharaj Yuddishtra said to Yaksha that to follow the path shown by Mahapurushas (Great men) is a religion because Shruties and Samrities are different. It appears that Samrities contradicts each other but it is not a fact.

I know Manu, who is an author of Samriti. Manu Samriti is recognised and I also recognize it. According to Manu, religion has four sources – Veda, Samriti, conduct of Tatpurush and lovability of Soul. Lovability of soul means the things about which one feels good. That is exemplary. Lovability of soul should be approved by good conduct; good conduct should in according to Samrities and Samrities should be according to Veda. This means, religion should be free from hate, malice, covetousness etc. The entire Hindu religion

science is based upon duties. It is not correct to say that Hindu religion cannot be confined to a particular caste or religion. I mean that there are a number of castes, Ashrams and Sects under Sanatan Hindu religion. In other words, all of these can be taken as under Sanatan Religion and there is no difference in between them. It is correct to say that under the Hindu religion there is not a single prophet, deity and philosophy. Similarly there is not a uniform belief.

"Aadi Shankaracharya" had introduced Adwait Darshan. "Aadi Shankaracharya" was in fifth century before Christian era. Adwaitvad follows a Prambrahm formless God. Lord Buddha was the contemporary to Aadi Shankaracharya. In Buddhism, on the philosophical level no particular form of God has been mentioned.

Some unintelligent people call Aadi Shankaracharya as a pseudo. It is not correct to say that Aadi Shankaracharya had established the *Math* on the pattern of Buddha movement. Aadi Shankaracharya had written an annotation on Brahm-Sutra. But *Maths* were not referred therein. Aadi Shankaracharya had established *Maths* during his life time. The first *Math*, amongst the *Maths* he established, is in Dwarka (Gujarat). It is not correct to say that Aadi Shankaracharya had established first *Math* at the bank of Tungbhadra River by the name of Shringeri *Math*. Volunteer : that Aadi Shankaracharya had stated himself in the book *Mathamnath Mahaanushasan* written by him that Sharda *Math* situated at Dwarka is a first *Math*. Sect established by Aadi Shankaracharya mainly consist ascetics. They cannot be called Shaiv because followers of Shaiv Sect are found in Karnataka who put Shivlinga around their neck, whereas the followers of Aadi Shankaracharya worship Panchdev. There are temples at the places where he established *Maths*. There are idols of deities where Aadi Shankaracharya had established *Maths*. Rameshwaram has a Shivlinga. The remaining three Shrines have the idols of Vishnu. Followers of

Aadi Shankaracharya worship Panchdevas possessed of attributes and also worship Prambrahm without attributes. Panchdevas under formal worship are Shiv, Shakti, Vishnu, Surya and Ganesh. Shiva is also worshipped in the form of Shivalinga. Ganesh is worshipped in various forms. Ganesha has 51 forms (images). He is *one dant* and *Lambodar* and *Vighan Vinashak*. Vishnu has a number of incarnations. Vishnu is worshipped in different forms in the *Maths*, established by Shankaracharya. *Chaturbhuja* form of Vishnu is established also.

Sect of Dashnami ascetics was established by Shankaracharya. These are – Giri, Puri, Bharti, Van, Aranya, Parvat, Sagar, Teerath, Ashram and Saraswati.

I have heard the name of Ramanujacharya, propagator of Ramanuj Sect. I have heard the name of Ramanandacharya, propagator of Ramanandiya Sect. Ramanandacharya is also called Anand Bhashyakaar, because he had written Anand Bhashya. God Shri Rama is his adorable. Followers of this Sect are called Ramanandiya Vairagee Sadhus. Their adorable is also Rama. Twelve disciple of Ramanand were very famous. Kabir Das was one of them. According to Ramanandiya Vairagee Sect, God Rama is superhuman. Followers of Ramanandiya Sect are higher in number in Northern India. I do not know if Jagadguru Ramanandacharya had established thousands of *Maths* or not. But he had established a Shrimath at Panchghat in Kashi. I do not remember the names of all twelve disciple of Ramanand. KabirDas, RaiDas and Peepaji are among them. There are no formal categorization among the Dashnami Sadhus i.e., Shaastradhari and Shastradhari. These Sadhus were compulsorily imparted training in arms in some Akharas. The seventh centenary of Ramanandji was celebrated only a few days ago. I have no knowledge about the Akharas of Ramanandiya's disciples, where knowledge about Dharma-Shastra or arms is imparted. I have no knowledge about Anni

Akhara but I have heard their names. I have heard the names of Nirvani, Nirmohi and Digambar Akharas. I have the knowledge about Kumbh. A Kumbh falls after about every three years. These Kumbhs are celebrated at Ujjain, Nasik, Haridwar and Prayag. Shahi Snan is organized there.

I have seen the Shahi Snan but have not participated in any Shahi Snan. I have gone on the occasion of Kumbh at the three places excluding Nasik. Various Akharas organised Baras at Kumbh. I have no knowledge about the activities of people of all the Akharas. However, I have seen the flags i.e. symbol of Akharas. I have not participated in Shahi Snan. I have not seen the procession of Shahi Snan, not even on Television. I participated in the Prayag Kumbh in 1977 for the first time. At that time, I went there from my house. I have not performed Kalpvaas there. I was 8-9 years old at that time. I do remember a number of things of that period. I have participated in the Kumbh held at Prayag in 1989. I have participated in the Kumbh of Haridwar and Ujjain twice. I was living in Kashi, when I participated in Kumbh at Prayag, before my initiation. I was about 20 years old at that time. I stayed there in the camp of my Guru. I have not seen the tents of Nirmohi, Nirvani or Digambar Akharas. I have read about the Akhara Parishad of the followers of Hindus in the newspapers and heard from radio and public. It appears to me that Akhara Parishad is a combined organization but I have no knowledge about its functioning. I have not heard about the work procedure of Akhara Parishad. I have not heard about it from my Guru. Mahant Gyandas was elected a Chairman of Akhara Parishad at the occasion of last Kumbh at Ujjain. I merely know only this much. Mahant Gyandas is a Mahant of Nirvani Akhara, Hanumangarhi. I have no knowledge if he is a Mahant of Sagria Patti or not. I came to acquire common knowledge about this Suit in 1989 only. I have heard the name of Paramhans Ramchander Das in connection with this court case. I do not know if he was a party in this Suit or not.

Mahant Ramchander Das was associated with Digambar Akhara.

Learned advocate cross examining the witness draw the attention of witness towards Para -35 of his examination in chief affidavit. Witness in reply to a question said that darshan of Shri RamJanam Bhoomi Temple was referred therein. From "Other Temples" referred in this para, I mean Hanumangarhi and Kanak Bhawan. Besides I have seen Bara Sthan, Nageshwar Nath Temple, Lomash Rishi hermitage, Vighnesh Pindarak and Vashishta Kund. Vighnesh and Pindarak are not temples. These are the name of places. Only a large piece of stones are there. I have in Para -35 of my examination in chief affidavit stated that I have visited Ayodhya on a number of times. During these visits, I had taken darshan for a number of times, but not during every visit. The darshan for a number for a number of times means that I had taken darshan of Ram Janam Bhoomi for about five-six times. I had taken darshan of RamJanam Bhoomi during every visit but not Hanumangarhi or Kanak Bhawan, during every visit. I took darshan for about five to six times. I was 20-21 years old at the time, when I first took darshan in as the grown up person. There was a full structure in 1990 and a number of temples around the RamJanam Bhoomi. I entered from the eastern gate for taking darshan. There was a Katghara i.e. wall with grill at main gate. I took darshan of Ramchabutra Mandir, Shiv Darbar. There was a Chauka, Belan and Chulha at a place. I do not remember whether foot-steps were there or not. After taking darshan of Ramlalla, I took nectar. I went there with *Prasada* to offer.

I offered the *Prasada* there. There were two-three Priests. I have no knowledge if worship, Aarti etc. at RamJanam Bhoomi were used to be performed under the management of Ramanandiya Sect or not. Aarti has not been performed at Ram Janam Bhoomi in my presence. An idol of Ramlalla which I had seen, was made perhaps of eight-metals

and not of stone. I do not remember if there were two idols or not. I cannot say whether an idol of Hanumanji was there or not.

Verified the statement after reading.

Sd/-

Swami Avimuketshwaranand Saraswati

27.6.2005

Typed by the stenographer as dictated by me in open Court.
In continuation to this the suit for further Cross-examination
for 28.6.2005, Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

27.6.2005

www.vadaprativada.in

Before: Commissioner, Shri Hari Shankar Dubey, District Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow.

Dated 28. 6. 2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench vide order dated 26.5.2005 in Other Original Suit No. – 4/89).

(In continuation to dated 27.6.2005 Cross-examination, on an oath of D.W. 20/2, Swami Avimuketshwaranand Saraswati, by Shri Ranjeet Lal Verma, Advocate on behalf of Nirmohi Akahara, plaintiff in Other Original Suit No, 3/89, continued).

I have a general knowledge about the Suit in which I am deposing in.

(In this context Learned Advocate Shri Tarun Jeet Verma on behalf of plaintiff in Other Original Suit No. 3/89, had filed photocopies of three documents No. 288 C -1/1 to 288 C -1/4 vide list document No. 287 C -1).

About the Suit, in which I am deposing, I have only this much knowledge that this Suit is about RamJanam Bhoomi V/s Babri Masjid. I am deposing on behalf of a Committee. I have general knowledge about this Committee. Its name is "All India Shri RamJanam Bhoomi Renovation Committee". I do not know when this Committee was constituted. As implied by the name of Committee, its objective is to renovate RamJanam Bhoomi. This Committee has a number of members but I do not know their names. Shri Madan Mohan Gupta is a convener of this Committee. I know him.

In this context Learned advocate Cross-examining the witness draw the attention of witness towards document No.

288 C -1/1. Witness after seeing it said that this document contains the so called signatures of Gopalanand Brahmachari, who is not known to me. Upon showing the document No. 288 C -1/2, witness said that there are names of some persons in it. I know the persons mentioned at Sl. No. 1, 2, 3, 4, 5, and 6. I do not know Shri Sitaram Saran, mentioned at Sl. No. 7. Shri Gopalanandji is referred at Sl. No. 6. I know him by his face but could not recognize his signature. Upon inviting his attention by Learned advocate cross-examining the witness, to the matter written in Para -5, witness after reading it said that it is written therein that "Priority will be given to Nirmohi Akhara". Volunteer : that Ramlalla Trust was referred in this Para. The signature appended there upon is as a trustee of Ramlalla Trust. Shri RamJanam Bhoomi Ramlalla Trust is an organization. I have referred in Para -36 of my examination in chief affidavit about the stones fixed by "Edward". I have the knowledge about the object of fixing stones by Edward. Edward had fixed these stones in connection with the investigation of Shrines of Ayodhya. This was written at a stone fixed opposite of Bara Sthan in Ayodhya. One "Edward Ayodhya Shrines investigation Committee", was referred therein. Among the stones fixed there, a year was referred at stone No. -1, which I am not remembering, is very ancient.

Geographical situation of the places, visited by Ramchanderji during his exile, is unchanged. These places include Sai River, Gomati River, Shrinverpur, Prayag, Dandkaranya, Kamadgiri, Nasik, Lanka, Rameshwaram etc. The names of ancient rivers might have been changed. It was possible that the name of Vyas River had been a Vipasa River. The names of the places through which Rama went to exile are mostly known by their ancient names. This proves the authenticity of the incidents happened during the period of Ramchander. I can tell, to day, about the then geographical situation of RamJanam Bhoomi, when I visited there in 1990. I cannot say on which direction Shiv Darbar was.

Learned advocate cross-examining the witness draw the attention of witness towards picture no. -32 of black and white album, document No. 201 C -1. Witness in reply to a question said that the place appearing in this picture perhaps is in the southern direction. A part of bottom of a tree is appearing in this picture. I do not remember which tree was it. There are perhaps three-four types of trees in this picture which were perhaps juxtaposed.

Learned advocate cross-examining the witness draw the attention of witness towards Para -24 of his examination in chief affidavit. Witness after reading the third and fourth line at page -- five of this para said that the place or descending the angels referred in this, the word angels means Ramlalla. This is written in the subsequent line after my affidavit. God Varaha was also referred in it. I have the knowledge about the existence of Varaha God at another places other than Ayodhya. I have seen these places. This place is situated at Brahmand Ghat, at the bank of Narmada River in Madhya Pradesh. I have seen God Varaha in my childhood at one place in Bihar while going with my Guru. But I do not remember the name of that place. Besides this, I have the darshan of God Varaha at a place called Srinagar in Madhya Pradesh. In addition, this idol can be at other places too. Idols of God Varaha are in existence at the places where I took his darshan.

Learned advocate cross-examining the witness draw the attention of witness towards picture no. -9 of the black and white album, document No. 201 C -1. Witness after seeing these pictures said that an idol of Varaha God is appearing in worn and torn shape. In which direction this idol was, I cannot say. It is referred in the Gazetteer that this idol was in the southern side at eastern gate. On entering from Hanumath dwar, there was a Ram Chabutra. Idols of Ram, Lakshman and Jankiji were on the Ram Chabutra. I cannot say from what metal these idols are made of because these idols remain

covered by flowers and other materials of decoration. I cannot, even guess to say that these idols were made of stones. But I can not definitely say of which material these idols were made of. Witness after seeing the picture no 29 of above album said that this picture is of Ram Chabutra. In the picture, two caves are visible on the left and south side. I cannot say if idols were there inside the caves or not because I did not go inside. On entering into disputed premises, there were two-four rooms meant for saints, along with the wall in south direction. Upon showing the picture no.45 of this album witness said that a gate is appearing in this picture. A board is appearing in this picture. By seeing the board with magnifying glass, the witness said that "One can be benefited by visiting this place only if one take pledge to give up eggs, meat, wine etc." (Something more is written which is illegible). Next two lines are illegible. Shape of temple is appearing in this picture. A yantra is appearing in picture no. 47. This is a Devi Yantra. It is in a shape of hexagon and bulging with lines. In addition to this, a flower is appearing in it. It is not clear if an idol of any deity is appearing in Praakar Temple or not. According to my study, Dwar deity used to be in Praakar temple. Every temple should have the provision of this Praakar. But in the temples where there is no space for it, the feeling is supposed to be there. Two more niches are appearing in this picture. Idols might have been kept there. Devi Yantra is installed at gate. The object for installing this Yantra is that a person entering from this gate may not become indifferent to the owner and power and prosperity may not go out of this place. These Yantras are of different sizes. But the main shape of hexagon, which is appearing in this picture. The entire picture no. 47 is appearing in picture no. 48 of this album.

The second gate is appearing in picture no. 48. A board and Ganeshji are appearing in this picture. Ganeshji is appearing in the middle above the board. I am not able to read the matter written on board. Upon showing the picture No. 49, witness said that picture No. 48 and 49 are of the

same place. A pylon-Ganapati and two flowers of lotus are appearing in picture No. - 49. A board, written in different script is appearing below it.

A Praakar Mandir is not appearing in this picture but an arch is visible. Two Praakar Mandirs are appearing in picture no. 49. Two Praakar Mandirs, Two Yantras, two flowers and eight little flowers, then said 10 flowers, are appearing in picture No. 48. Upon showing picture No. 51 of this album, the witness said that a small part of the main gate appears to be there in this picture. Besides this, three boards are appearing beneath it. It is written on one board that "One can be benefited by visiting this place only if one take pledge to give up eggs, meat, wine etc." "To become a Vaishnav vegetarian one should perform a Aarti, worship Vishnu. Non-vegetarian person is equal to demon". Some more words are written there but they are illegible. It is written in second board that "Taking photo is prohibited" (Next line below to it is illegible). It is written on the third board that "Shri RamJanam Bhoomi Sewa Samiti, Shri Ayodhya ji - Object - Do keep on performing all appropriate service concerning to Mandir Shri RamJanam Bhoomi". Yantra and niche are appearing in this picture. An idol might have been there. Yantra and Praakar Mandirs are appearing in it. Upon showing picture No. 92, the witness said that a photo of wall is appearing in this picture. This picture might be of a place below the pitcher, Goods and boxes are appearing therein. A donation box is also appearing in this picture. Something is written there upon but it is not clear. Three Yantras, painted on the wall are appearing in this picture. I cannot, at present tell the names of Yantras appearing in this picture. But these are Yantras (witness said after seeing the Yantras with magnifying glass). A decorated niche, where there might be an idol, is appearing in this picture. Upon seeing, picture no. -93 of this album, the witness said that picture no 92 and 93 are different pictures. Three Yantras are appearing in picture no. 93.

Learned advocate cross-examining the witness draw the attention of witness towards picture no. 87 and 88 of colour album, document No. 200 C -1. Witness after seeing the said pictures, said that picture No. 87 and 88 are of one place. Upon seeing the picture no, 90 and 91 of this album, the witness said that these pictures are of one place. Almost the same things are appearing in these pictures which as I have stated to be appearing in black and white album. Picture no. 92 and 93 of the colour album were shown to the witness. The witness said that upper part of main gate is appearing in these pictures. Beside, pylon-Ganapati, two lotuses and a board written in different script were there. Almost same goods are appearing in picture no. 87 of this album, which were appearing in the earlier pictures.

Learned advocate cross-examining the witness draw the attention of witness towards picture no. -7 of black and while album, document No. 201 C -1. Witness after seeing the picture said that a way to temple is appearing in this picture. In addition to first and second gate, the third gate is appearing in this picture. Nameplates of devotees on marble stone were fixed there. A gate in the mid of two gates is appearing in this picture, about which I have stated in my statement above. Learned advocate cross-examining the witness showed the picture no. 23, 24 and 25 to witness. Witness after seeing these pictures said that shops are appearing in picture No 24. These shops were in the outer- part.

An entry gate, where stone was fixed, is appearing in picture no. 25. "Shri RamJanam Bhoomi" and No.-1 is written on the stone. Janam Bhoomi in Roman alphabets is written beneath and a small box in the side. Pillars of Kasouti are appearing in this picture. An idol of Pratihari is below it. A rock engraved with an idol of deity is appearing separately, because a garland has been put on around it, so it appears to be an idol. A door, on the other side is appearing in picture no. 23 of this album. Beside there appears to be a barricading

through which people used to go inside. I would not be able to tell if this door had a particular name or not. The same door, which was seen in the last picture, is appearing in picture no. 20. Because two lions are appearing in picture no. 20, so it appears that it is a Singh Dwar. An idol is appearing in between the two lions. After seeing the picture no. 37, the witness said that the inside wall with grill is appearing in this picture. The board wherein it is written to give up eggs, meat etc. is appearing in this picture. In addition to that rock plank of Ram incarnation was fixed there, where Shri Ram Avtar is written and the famous coupled "*Bhey Pragat Kripala*" was written below it and coupled "*Viprdhenu Sur Sant*" below it and at the bottom, detail about the son of late Shri Gayadhin, who had probably written the above lines, is given. A tree is appearing in this picture. What kind of tree it is, I cannot say because very small leaves are appearing in the picture. Kaushalya Rasoi, along with Chulha, Chauka and Belan is appearing in picture no. 38 of this album. Chauka means Chakla (Roti-Board). I do not recognize the Sadhu-saints appearing in picture no. 38. Pillars of Kasauti were in the entire premises, I knew about this. These pillars as I have heard were 14 in number. It is learnt, reference about Pillars of Kasouti is available in Vayu Puran and Lomash Ramayana.

Picture no 55 of black and while album was shown to the witness. The witness said that I cannot say that at what place the pillar appearing in this picture, was. It seems that this pillar was fixed in the inner portion. An idol is appearing in the picture. It seems to be an idol of Hanumanji because sindoor is painted on it. Sindoor is not appearing in the picture. "Ram-Ram" and a part of couplet are appearing in picture no. 55. The whole couplet is not appearing, only "*Baran na Jayee Jahan*" and "*Khelai Nit*" is appearing in the picture. Upon seeing the picture no 58, witness said that picture no. 55 and 58 are of the same place but a part aside to picture no. 55 is appearing in picture no. 58 because later part of the couplet is appearing in picture no. 58. Upon seeing the

picture no. 57, the witness said that this is the same pillar about which it is said that it is Hanumanji. Upon seeing the picture no. 72 and 73, the witness said that pillars of Kasouti are appearing in these pictures. Upon seeing the picture no. 81 and 82, the witness said that this is a scene of Grabh Grih of main temple. An idol of Ramchanderji in attar and material for worship, priest, along with Goddess Bhagwati Durga, Ramlalla, Hanumanji, Ram-Hanuman meeting is appearing in this picture. A pillar of Kasouti engraved with auspicious urn is appearing in picture no. 100. A pillar of Kasouti engraved with auspicious urn is appearing in picture no. 106.

Learned advocate cross-examining the witness draw the attention of the witness towards Para -4 of his examination in chief affidavit. Witness in reply to a question about asceticism initiation referred in third line of this Para at page -2, said that to give up the physical attachment and to concentrate about God, and is called asceticism.

I have used the word "Naishtik Brahmcharya" in Para -6 of my examination in chief affidavit. This means that a pledge for following Brahmcharya for the whole life and to spend the remaining life in the service of Guru.

I have used word "Dand Sanyas" in Para -7 of my examination in chief affidavit. This means that during the initiation, a Brahmdand is given in the hand of a disciple by Guru, which is to be kept with him all the times. The importance of Brahmdand is that it consecrated with God Vishnu, Laxmi along with all deities, human being and Gandharva and gratification (Tarpan) of which pave the way for the satisfaction of all lokas. This is a symbol of our body including the entire world. It is said that with the Dand Sanyas, man becomes the formal follower of Bhagwan Narayan. That is why, while meeting to an ascetic we says "Namonarayanaya". After initiation of Naishtik Brahmcharya and Dand Sanyas, the original name is changed in to the name

given by Guru. The name is one of the uncountable names of God Vishnu. This also shows that we are no more associated with fathers' family, after this we became a part of Gurukul so it is called Guru Shishya tradition and not a family tradition.

I have referred Jadadguru Swami Swaroopanand Saraswati, in Para -8 of my examination in chief affidavit. He is a patron of All India Shri RamJanam Bhoomi renovation Committee.

Learned advocate cross-examining the witness draw the attention of witness towards the last line of Para -9 of his examination in chief affidavit. Witness said that 6 Ashrams of Kashi run by me as mentioned in the last line above, are at different places. These 6 Ashrams have different deities. Raj-Rajeshwari Tripur Sundari is one Ashram. Lord Krishna in second Ashram and Goddess Durga and God Shiva is third Ashram. Other three Ashrams have no temple. An idol is made from various types and instructions about this were provided in religious books. According to the instructions provided in the religious books, consecrating of a picture can be done, but this applied to Yantras mainly.

I have, in Para -11 of my examination in chief affidavit referred the Ramayana by Valmiki; Ramcharitmanas by Goswami TulsiDas and Srimad Bhagwat. In addition to these, Purans were also referred in this Para. Comprehensive details about Ayodhya and Ramchanderji are available in all these books. Valmiki Ramayana was written during the period of Ramchanderji. Ramayana means Vangmaya Vighraha of Shri Rama. Ramayan Means Ram + Ayan. The word "Ayan" means a home. Valmiki Ramayana contains the reference about king Dashratha, his queens and palaces.

Saryu was referred in Rigveda. I have the knowledge about poet KaliDas. He was contemporary to king

Vikramaditya. Kalidasa had written 6 famous Poetics namely – Raghuvansh, Meghdoot, Kumarsambhav, Ritusanghar, Vikramorvashiyam and Abhigyanashankuntlam. It is correct that most of his creations were about Ramchanderji. Kumarsambhav contains the reference about the presence of a number of Rishies, Shiv-Parivar, at the time of birth of Ramchanderji. It was written therein that these people were so overwhelmed in love with Rama and they stayed there. "Meghdoot" contains the reference that Yaksha went to Kaushalpur through cloud and delivered his message. "Raghuvansh" contains the details about Raghukul.

I have referred a couplet in Para -16 of my examination in chief affidavit. This couplet means "Thought about his birthplace for descending as a human, after giving his blessing to deities after treating them as a close to heart". I have referred in Para -18 of my examination in chief affidavit that Skand Purana contains the procedure for Ayodhya journey i.e., sequence by which one should take the darshan of Shrine, where to take darshan, where to donate and where to take bath. All these instructions are covered under the procedure. I have in Para -23 of my examination in chief affidavit referred the sketch given in the original copy of Indian Constitution. This is a sketch of God Rama with bow and arrow, Lakshman and Sita are also shown behind him.

Question: Where you have seen the original copy of the Indian Constitution with above mentioned sketch, referred by you?

(Upon this question Learned Advocate Ms. Ranjana Agnihotri, on behalf of defendant No. 20 in Other Original Suit No. 4/89, has raised an objection that question cannot be asked from a witness, where he has seen the evidence described in the statement i.e. from where the witness obtained that evidence. Permission for asking question against law should not be granted).

Answer: I have not seen the original copy of the Constitution. I have seen its photocopy upon which the sketch was drawn.

I have in Para -14 of my examination in chief affidavit, referred the U.P. District Gazetteer edited by Smt. Yasha Basanti and published by Government of Uttar Pradesh. I have read this Gazetteer. This Gazetteer does not contain any reference about construction of any mosque. I have in Para -30 of my examination in chief affidavit referred Vayu Puran, according to which Kush, son of Shri Rama had constructed the temple over 84 pillars at the birthplace of Shri Rama. This temple was constructed at RamJanam Bhoomi Ayodhya. I have, in Para -31 of my examination in chief affidavit, referred the book Ayodhya Mahatamya. This book is a part of Skand Puran. This part of Skand Puran contains references only about the Shrines concerning to Ayodhya.

I have, in Para -31 of my examination in chief affidavit referred the book "Babarnama" and Aain-e-Akbari". I am at present not able to recollect the names of authors of these books. I have read these books out of curiosity.

Verified the statement after reading

Sd/-
Swami Avimuketshwaranand Saraswati
28.6.2005

Typed by the stenographer as dictated by me in open Court. In continuation to this the suit for further Cross-examination for 29.6.2005, Witness to be present.

Sd/-
(Hari Shankar Dubey)
Commissioner
28.6.2005

Before: Commissioner, Shri Hari Shankar Dubey, District Judge/Officer on Special Duty, High Court, Lucknow Bench, Lucknow.

Dated 29. 6. 2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench vide order dated 26.5.2005 in Other Original Suit No. – 4/89).

(In continuation dated 28.6.2005 Cross-examination, on an oath of D.W. 20/2, Swami Avimuketshwaranand Saraswati, by Shri Ranjeet Lal Verma, Advocate on behalf of Nirmohi Akahara, plaintiff in Other Original Suit No. 3/89, continued).

Learned advocate cross-examining the witness draw the attention of the witness towards part of Para -15 "scriptures --- -----special importance", of his examination in chief affidavit. Witness said that importance of Stars and Zodiac is based upon Jyotish. Date of birth of Ramchanderji can be calculated on the basis of Vedic literature stars and zodiac. I have heard the name of Lokmanya Tilak. I have heard that he was a great scholar of Vedic Literature, Mathematics and Jyotish. I have no knowledge if Vedic literature can be divided in to four parts i.e. Aaditi-Kaal, Mrigshira-Kaal, Kritika-Kaal, and Antim-Kaal. On the basis of stars, date of birth of God Shri Rama can be presumed to be lakhs of years before. I have no knowledge whether Astrologers, on the basis of stars' calculation fixed the birth time of Shri Rama as One Crore, 81 lakhs, 73 thousand years before or not, because I am not an astrologer.

I have general knowledge about the rotation-period of Sun. 12 months are calculated on the basis of speed of Sun. One year of human is treated as equal to one Ahoratri i.e. one year of deities is equal to 360 years of world. One day of Brahma is called a Kalpa. One Kalpa is equal to 14 Manu.

Manu period is called Manwantar. One Manwantar has 71 Chaturyugas. Chaturyugas are Satyug i.e. Kritiyug, Tretayug, Dwaperyug and Kaliyug respectively. On the basis of calculation, it was found that Kritiyug is equal to 4 thousand 8 hundred Dev-years i.e. equal to 48 thousand years of the world. Tretayug is for about 3600 Dev-years, Dwaperyug is equal to 2400 Dev-years and Kaliyug is equal to 1200 Dev-years. Worldly years can be obtained by calculating Dev-years by 360. Four Yugas are equal to a Mahayug i.e. 43 Lakhs 20 thousand solar years. According to Skand Puran and Harivansh Puran, God Rama was born at the end of 24th Tretayuga. At present 28th Kaliyuga is running. 5 thousand one hundred years of Kaliyuga have already passed away. Life-period of God Rama is stated to be of 11 thousand years. Thus calculating the life period of Shri Rama, on the basis of astrology, it is quite possible that it comes to about One Crore, 87 Lakhs, 60 thousand and 73 years.

Question: Have you studied the Vedic literature concerning to God Rama?

(Upon this question Learned Advocate Ms. Ranjana Agnihotri, on behalf of defendant No. 20, Other Original Suit No. -4/89, has raised an objection that witness had, nowhere, written in his affidavit that he possess the detailed knowledge of Vedic Math. Hence granting permission to ask such questions is not proper).

Answer; Yes.

I, at present, on the basis of my study of Vedic literature, cannot say about the time-period of Ramchanderji, but can say in this regard after calculation. I have not studied Purans in this regard. I have not studied Purans for calculating Shri Ramchanderji's period. I have studied Padam Puran. It contains the conversation held in between God Rama and Jamwant. God Rama said to Jamwant that he will incarnate in Yadukul in Dwaper and fulfil your desire to have battle with

me. It is not correct to say that Lord Krishna fought a battle with Jamwanta in Dwaper Yuga, just after the Tretayuga, in which God Rama told Jamwanta about the above fact. However, it is correct that Krishna incarnated in Dwaper Yuga and a battle was fought in between Jamwanta and Lord Krishna. According to my knowledge, there was a Mahayuga or Treta Yuga after the Tretayuga in which the above conversation in between God Rama and Jamwant took place. It is correct to say that Lord Krishna was born in 28th Dwaper yuga. It is possible that God Rama might have been born in Treta Yuga, before the 28th Dwaper Yuga, in which Lord Krishna was born.

I have studied Valmiki Ramayana.

Learned advocate cross-examining the witness draw the attention of witness towards Shlok No. 11 and 12 of Eighth Canto of Balkand of Valmiki Ramayana, document No. 261 C - 1, given at page no. 45. Witness after reading these Couplets, said, it is written therein that a Yogna land should be constructed at the northern bank of Saryu. In 15th Couplet at this page, there was a reference about construction of Yagna land at the northern bank of Saryu. I have no knowledge about the fact that the place where King Dashratha had performed Yagna was called Varaha area or not. Learned advocate cross-examining the witness Draw the attention of witness towards Couplet No. 8, 9 and 10 of Eighteenth Canto at page No. 69. Witness said that Kaushalya ji had given a birth to Rama in 12th month, on ninth date of Chaitra month in Punarvasu Nakshtra and Lagan. At that time Sun, Mars, Saturn, Jupiter and Venus all the five planets were at their exalted places. I agree with the position of planets at the time of birth of Shri Rama.

Learned advocate cross-examining the witness draw the attention of the witness towards Shlok No. 7 to 13 of third Canto of Valmiki Ramayana, given at page No. 74 and 75.

Witness said that these Shloks contains the details about asking for the sons of King Dashratha by Vishwamitra and refusal by King Dashratha. It was written in Shlok No. 10 that King Dashratha had stated his age 60 thousand years at that time. I am stating this on the basis of 27th edition of Srimad Valmiki Ramayana published from Gita Press, Gorakhpur in Samvat 2060. Since I have read the Valmiki Ramayana published from Gita Press only, hence I cannot say which publisher of Valmiki Ramayana is more authentic. I did not come to know during the study that there is dissimilarity among the original text of Valmiki Ramayana published by various publishers. I did not come to know about the fact that some Shloks were extended later on by some publishers. Upon inviting the attention of witness towards Shlok No. – 11 of 22nd Canto of this book, witness said that it was given in this Shlok that Shri Ram and Laxmanji reached at the southern bank of Saryu, at a distance of one and half Yojan from Ayodhya. I have no knowledge about how many kosh or miles does a Yojan contains. I have no knowledge if Tamsa River fell on the way, through which Maharishi Vishwamitra lead Shri Rama and Lakshman or not. I have studied Vedas, History and Purans. I have also studied the literature of ancient poets and literatureres. Kalidas is one among those ancient poets and literatureres. Among the then ancient poets, Kalidas had referred about the then society because literature is the mirror of the society and have reciprocal rotations. There are three kinds of editions of Valmiki Ramayana.

I have no knowledge about the three types of editions, namely – Dakshinatya, Bangiya and Paschimotriya. But I believe that the edition published from Gita Press, I have referred in, is taken from Dakshinatya edition. I cannot say if original manuscript of Valmiki Ramayana is available anywhere or not. The first Shlok, uttered by Maharishi Valmiki at the bank of Tamsa River was consequent to the blessing given by Saraswati. I am acquainted with the word "Ritambhra

Pragya", which means enlightened Pragya or knowledge. Maharishi Valmiki had such enlightened knowledge.

Question: Can through this enlightened Pragya, knowledge about the distant things be obtained?

(Upon this question Shri Ajay Kumar Pandey, Advocate on behalf of plaintiff of Other Original Suit No. 5/89 has raised an objection that this question is not related to any point of the suit and fully irrelevant. Hence permission cannot be granted to ask such question).

(Upon this objection Learned advocate cross-examining the witness has raised an objection that above question is fully relevant because this suit is related to the points concerning to Ram and Ramayana and this objection has been raised to waste the time).

Answer: Yes.

I do not agree with this fact that only Valmiki Ramayana contains the knowledge and objective, both, about Hindus Caste and Sanatan Hindu Religion. I cannot say if Valmiki Ramayana is everything for Vaishnavas or not. I do not agree with the view that merely by reading Valmiki Ramayana only, one can get the knowledge about Ayodhya and God Rama because it is not possible to obtain the knowledge about anything from one source only as all subjects are correlated. I recognize Rama, as a thing and almighty God. Of course, Valmiki Ramayana is a source to know about the birth of Rama, worship and Ayodhya. But in addition to this, there are other sources too to acquire knowledge about this. Details about the birth of Ramchanderji and his character were also available in Vedas prior to Valmiki Ramayana. In addition to this, details in this regard are also found in Purans. In my view Vedas are ever-existent. I have the common knowledge of English language. I know, one western learned man Max

Muller, who was the scholar of Vedic literature. I have no knowledge about the views of Max Muller relating to Vedas but I know about his statement that Vedas are ever-existent. Vedas are ever-existent. Vedas contains the facts about all the periods i.e. facts about past and future. Almost all the Vedas i.e. four Vedas, contains some details about the character of Ramchanderji. After reading the book, I can say about the details given in Rigveda, in this regard. In this context, I have read in Rigveda and other Vedas. Rigveda contains the details about Ram and Ayodhya. Most of the Purans contains the details about the birth of Rama, Ayodhya and his character. These Purans includes – Padampuran, Skand Puran and Brahmand Puran etc. There are a number of chapters by the name of Ayodhya Mahatamya in Skand Puran and Ayodhya Mahatamya is given in Vaishnav Khand of Skand Puran. Bhavishya Puran contains the facts written about the future. Shesh Puran contains the facts written about present and future. I have studied Rudrayamal. I have no knowledge if there are Thirty Chapters in Rudrayamal or not. The description given in Rudrayamal is in the form of Shiv-Parvati conversation.

I have no knowledge about Boddh literature. I have the common knowledge about Boddh philosophy.

Learned advocate cross-examining the witness draw the attention of witness towards Para -10 of his examination in chief affidavit. Witness said that it is written in the second and third line of this Para that I have read all the theist and atheistic philosophy of India. Under this exercise, I have acquired the common knowledge about the Boddh philosophy. According to Boddh philosophy, the world is perishable and distressing. Jain Religion also came into existence like Buddha Religion. I have studied in general, the Jain Philosophy. God Buddha manifested in fifth Century before Christian era. I have studied the Boddh books. I have studies all type of literature during my study of these books.

I have heard the name of Great Poet Ashwaghosh. Creation of Ashwaghosh is in Sanskrit Language. Its name is "Buddhcharit". It is evident by its name that it contains the detail about the God Buddha. I have no knowledge about the fact that creation by Ashwaghosh, have much detail about Rama. I also have no knowledge whether full story of "Sunderkand" was given in the book written by Ashwaghosh or not. During the period of God Buddha, Pali language and Prakrit Script was in vogue among the public. I have not heard the name of Jain poet Vimal Suri. I have no knowledge about the poetic "Bahulya Charit" written in Prakrit Script.

"Dashrathjatak" is very much in usage in Boddh philosophy. I have heard about it, I have not read about it. Since, the story of Rama is available in Jain and Boddh literature, hence it can be deduced that the story of Rama was very much in vogue well before Boddh and Jain religion came in to existence. Aadi Shankaracharya and Gautam Buddha were contemporary. Teerathankar Mahabir was not contemporary to Shankaracharya. Besides this, I do not know about the period of Mahabira. I have no knowledge whether Teerathankar Rishabhdev was born in Ayodhya or not. "Vashishtadwait" is the philosophy of Ramanandacharya. "Adwaitdarshan" is the philosophy of Aadi Shankaracharya, both, followed the same Sect. The only difference is whereas Shankaracharya recognize the soul as a Brahmswaroop, Ramanandacharya recognize the Vishisht Brahma. Ramanandacharya and Shankaracharya, both, recognize the formal form of God and worship him. Shankaracharya worship the Panchdeva. These include Shiv, Shakti, Ganesh, Sun and Vishnu. God Rama is recognized as an incarnation of God Vishnu, among them. God Rama was worshipped by Aadi Shankaracharya. He worshiped all the forms of God Rama from birth to coronation.

There is no such temple, in my knowledge, where the idols of Ramchanderji from his childhood to coronation are installed. I have no knowledge whether temples of Ramanandiya Sect have the idols of Ramchanderji from childhood to coronation or not, because I have not visited any temple of Ramanandiya Sect. I do not know whether Hanumangarhi temple situated at Ayodhya belongs to Ramanandiya Sect or not. I do not know whether Bara Sthan temple belongs to Ramanandiya Sect or not. I cannot say whether there are a thousand of temples of Ramanandiya Sect in Ayodhya or not. I have no knowledge if there is any specific system of worship etc. under Ramanandiya Sect or not. Followers of Ramanandiya Sect are called Vaishnav. Idols of deities are installed in the temple through citation. Bhog, Shayan, Bath, Decoration etc. are done after consecration of idols according to humane daily routine. A person who consecrate an idol in a temple is called Yajman and not a founder or Sarvarakar. The landlord upon whose land the temple is constructed, after it consecration, does not belong to him and after consecration, the concerned deity or an idol installed in it, becomes the owner of that land. Idol will not get the Godhood if Yajman does not surrender the land.

Question: Would an idol get the Godhood, if any person consecrate an idol of a deity according to Hindu Vedic Religion discipline or not?

Answer: If a person who consecrates an idol individually then he is personally responsible for the maintenance of that idol. However, if consecration is done in any public temple, then the deity will be the owner of the temple premises.

Question: Whether an idol consecrated on private land by an individual, will get Godhood or not?

Answer: Such an idol will get Godhood. Volunteer : that in that case God will become the owner of the concerned premises.

Idol will not get Godhood if a person, who consecrates an idol, not surrender the land i.e. if he orally does not take the resolution and surrender the land. Such an idol will be meaningless. That idol will merely remain as it was kept in the shop before consecration, lifeless and stilled.

Question: Is it useless to worship lifeless and stilled idol?

(Upon the above question Learned Advocate Shri Ved Prakash on behalf of plaintiff of Other Original Suit No. 5/89 has raised an objection that neither this question is related to any point of suit nor any such fact was written on behalf of Other Original Suit No. 3/89. Hence asking such question is not relevant and permission should not be granted for such question).

(In reply to above objection, learned advocate cross-examining the witness said that Other Original Suit No. 3/89 contains all the facts about which main examination is being conducted).

Answer: Desire of a person, who with his devotion offer anything to the idol, will be fulfilled because God is Omnipresent.

Question: Whether a person is called a manager of such idols as mentioned above or not?

Answer: He can be an owner of an idol but not a manager because the question of managing such an idol does not arise. He can be a manager on behalf of a deity if that idol is consecrated but the deity in the idol will be the owner.

According to religious books, such manager enjoys the right of Worship, Maintenance, Shayan, Aarti, Rag-bhog, Celebration, Samaiya etc. as prescribed in Shastras. I have not seen if Ram-Janki temple is there, opposite to Hanumangarhi temple Ayodhya, where an idol of Hanumanji is consecrated or not. Whether there are a number of temples at the Parikrama around the Parikrama Marg of Hanumanji temple or not, I have not paid any attention about these. Maths and Akharas are trust. Their aim is to propagate the Chatusampradaya. Volunteer : that this practice is followed in the Maths concerning to Chatusampradaya. Ramanuj, Vallabh, Nimbark and Ramanandiya are in Chatusampradaya. Then said, that Madhva Sampradaya, Vallabh Sampradaya, Nimbar Sampradaya and Ramanuj Sampradaya are under Chatusampradaya. Ramanand Sampradaya is vested in Ramanuj Sampradaya hence it also come under Chatusampradaya.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 45 C-1/5 filed in Other Original Suit No. 3/89. Witness invited the attention, towards page No. three of the brief history and manual of Shri Panch Ramanandiya Nirvani Akhara, Shri Hanumangarhi Ayodhyaji. Witness after reading this said that I have no knowledge about the constitution of three Annies – Nirvani, Nirmohi and Digambar according to Swami AnuBhawanand and Balanand, for the propagation of Chatusampradaya. I cannot recognize the particular Sadhus of Nirvani, Nirmohi or Digambar by their getup at the time of Kumbh.

Question: Can you recognize the sadhus of Ramanandiya Sampradaya by their signs?

(Upon the above question Learned advocate cross-examining the witness Shri Ved Prakash on behalf of plaintiff of Other Original Suit No. 5/89 has raised an objection that Learned Advocates changed the text of question, time and again and

has asked the same question which was replied in the past, causing wastage of time of the Court. Permission should not be granted for asking such questions).

(In reply to above objection, learned advocate cross-examining the witness said that obstruction is being caused deliberately in the process of Cross-examination. It appears that Learned Advocate have not listened the question properly).

Answer: They are generally recognized by the sign of Urdhawapund Tilak. But a number of family man who are emotional, are also put Urdhawapund tilak. Hence it cannot be ascertained whether the person putting Urdhawapund is a Vaishnav Sadhu or are associated with an Akhara or a family person.

Learned advocate cross-examining the witness draw the attention of witness towards fifth and sixth line of Para -38 of his examination in chief affidavit. Witness said that the Urdhawapund referred therein means the three vertical lines of chandan at the forehead. The bottom part of two outer-lines are joint to each other and the mid line, is called Tilak. I cannot explain it in depth. Volunteer : that the mid line, sometime attached to both the outer line and sometime not. I do not know if there is any special meaning of the middle line attached with the outer lines or not. I have no knowledge about this that a point (Bindi) can be fixed in place of middle line.

I have continuously been in Kashi since 1983 till to date. I have paid visit to Ramanandiya Math situated at Panchganga Ghat. I went there on two to four times. Jagadguru Ramanandacharya Shri Swami Ramnareshacharya of that place lives there. He is living there at present too. I have talked to him. I have not paid attention to any other sadhu of that Math except him. I have talked to Swami Ramnareshacharya on one to one basis. I have heard that

Ramanandacharya had established Srimath situated at Kashi. I have no knowledge that old math was destroyed by Muslim rulers. Footsteps of Anand Bhashkara Swami Ramanandacharya were there and followers of Vaishnav Sect worshiped them. However, I have not seen these things there. I have not seen any temple in that Srimath. I have not seen any pitcher or dome of temple. I have no knowledge on the basis of self study, saying by Gurus and elder persons that most of the temples of Ramanandiya Sect are in Kashi, Ayodhya and Naimi Sharyana Shrines. I know only that Ramanandiya Sect have Math and temples at Kashi. I have seen these temples only from outside or have heard about them. I have not gone inside of any such *Math* or temple. I had not even talked to my Guru Swami Swaroopananda Saraswati Maharaj, about RamJanam Bhoomi Mandir subject. There might be a number of temples at the site of *Maths* and Akharas. If any *Math* or Akhara construct a temple, in that case the *Math* or Akhara of that temple, on behalf of consecrated idol becomes the manager of that temple and is responsible for the maintenance of the consecrated idol. Worship and Rag-bhog, Samaiya etc. of the consecrated deity is the responsibility of that *Math* or Akhara.

Founder of Adwait Sect, Aadi Shankaracharya had achieved fame at a very little age and he is called an incarnation of God Shankar. Followers of Ramanandiya Vaishnav Sect might recognize Ramanandacharya as a incarnation of God Vishnu. Ramdarbar can be established near Shiv Darbar and there is no classical obstruction in it. Shiv Argha can be near Ram Mandir. On the occasion of birth of Rama, God Shankar went in a guise of a Brahmin to have darshan of Rama.

Question: Do you know any sign for the reorganization of Sadhus of Sanyasi Sect?

Answer: I do not know any Sect by the name of "Sanyasi".

Question: Does the Sect of Dashnami Sadhus is called Sanyasi Sect?

Answer: I know about Dashnami Sanyasies. I do not know about "Dashnami Sect" or "Sanyasi Sect".

Verified the statement after reading

Sd/-

Swami Avimuketshwaranand Saraswati

29.6.2005

Typed by the stenographer as dictated who typed in open Court. In continuation to this the suit for further Cross-examination for 30.6.2005, Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

29.6.2005

Before: Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special Duty, High Court,
Lucknow Bench, Lucknow.

Dated 30.6.2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench vide order dated 26.5.2005 in Other Original Suit No. – 4/89).

(In continuation dated 29.6.2005 Cross-examination, on an oath of D.W. 20/2, Swami Avimuketshwaranand Saraswati, by Shri Ranjeet Lal Verma, Advocate on behalf of Nirmohi Akahara, plaintiff in Other Original Suit No. 3/89, continued).

Dashnami Sanyasies have their own written history. Dr. Yadunath Sarkar was a great historian of India. I have read a book written by Yadunath Sarkar about Dashnami Sanyasies. The name of this book might be "A History of Dashnami Naga Sanyasies". Perhaps, I must have read its translation.

Learned advocate cross-examining the witness draw the attention of witness towards a part "that I am initiated in Shankar community" of Para -10 of his examination in chief affidavit. Witness said that Dashnami Sanyasies comes under Shankar Community. Dashnami Naga Sanyasi is the later name. Volunteer : the word 'Naga' was derived from Akharas. After taking Sanyas as a Dashnami Sanyasi, one remains Sanyasi throughout his life. His designation does not change with the passage of time. Designation, I mean Yogapat, which is one among the Dashnams. Sanyas has four categories – Kutichack, Bahudutt, Hans and Paramhans - which are mentioned in the Shastras. But after holding Dand, practice of such category does not exist. Paramhans is the highest status among the above categories. Sanyas is initiated. Disciple is initiated only after when he get the spirit of renunciation and he get the appropriate Guru. Initiation can be granted at the

time of Kumbh or at any other time. Generally initiation is granted at the time of Uttarayan when the Sun moves on north side. One is required to have resolve at the time of initiation. Such type of resolve is not opted at the time of initiation of sanyas that the disciple will have to take food only once in a day, alms will be obtained from seven houses only and will wear saffron coloured clothes. On the other hand the Guru gives instructions in this regard. Sanyasi himself is bound by all the resolution. Guru gives the direction to bow only before the higher category of Sanyasi. There is no instruction to wear Kanthi. It is not mandatory to wear Kanthi or Tulsimala but there is no fault or restriction, if one holds it. Rudraksh garland is adopted for wearing. A person who takes Sanyas, resolves that he had renounced the worldly affairs. Thus the Sanyasi renounces all the worldly affairs, its consequences and fruition. A family person can also be a Sanyasi. Volunteer : that general sequence of taking Sanyas is from Brahmcharya to Grihastha, Grihastha to Vanprasth and Vanprasth to Sanyas. However, any person can take Sanyas in contravention of these stages. It is written in the shastras that Sanyas can be taken at any time when the spirit of renunciation emerged. A person being a Grihastha, is initiated if he takes Sanyas. He is initiated. I do not know whether it is a fact that a Grihastha person, who take Sanyas is called "Gharbara Gosain" in Dashnami tradition or not.

Question: Have you heard the word Gosain in the order of Sanyasies?

(Upon this question, Learned Advocate Shri Amitabh Shukla, on behalf of defendant No. 20 of Other Original Suit No. – 4/89, has raised an objection that this question is not related to any point of suit. Hence permission cannot be granted to ask such question).

(In reply to above objection, Learned advocate cross-examining the witness said that the above objection is raised

just to waste the time of the Court and to obstruct in the Cross-examination. Whereas, the details about initiation are given in Para 5, 6, 7, 8 and 9 of the Cross-examination).

Answer: No.

The persons, who take Sanyas even after being a Grihastha, are in no way different in their getup and reorganization. They are recognized like other Sanyasies of Ashram. Similarly a person who has taken Sanyas from Grihastha, also have the same characteristics and is recognized accordingly.

The person, who takes Sanyas from other ashram are recognized by their Rudraksh garland, saffron clothes and Dand and Kamandal. It is fact that every Sanyasi does not get Dand at the time of initiation. A person who takes Sanyas while in Grihastha is recognized by his saffron clothes and Rudrakash garland. Ramanandiya Vairagee Sanyasies are recognized by Kund, Tilak, Tulsimala, Shikha, Sutra, White Clothes, Panchkesh and whole Bhadra (Bhadra means Shaven head). I know about Tulsi Das and Kabir Das among the famous writers. I have no knowledge about Nabha Das. Works of Tulsi Das and Kabir Das are read in every house throughout India. The procedure prescribed for worship in Ramanandiya Vairagee Community is pronounced along with Vedic, ancient and tantrik mantras. Volunteer : that this is the procedure of worship. I cannot say whether this system is in prevalent in Ramanandiya Community or not. I have no knowledge that there are two types of disciple in Ramanandiya Community, i.e. Mantrik disciple and Sadhak disciple. I got general education from my Guru Maharaj Swami Respectable Sawroopanand Saraswati ji Maharaj, about all the spiritual subjects. My Guru taught me in general about the Ramanandiya Community. Volunteer : that being from a different community he cannot say with belief, about Ramanandiya Community. I have not read the Bhashya written

by Swami Ramanand. I have not read any book written in Sanskrit about Ramanandiya Community.

Learned advocate cross-examining the witness draw the attention of witness, towards the last line "getting spiritual study" of para -4 of his examination in chief affidavit. Witness said that I am studying Sthantrayee under spiritual study, which covers Upnishad, Gita, and Brahmsutra. At present, I am studying these subjects. I have, in Para -5 of my examination in chief affidavit said that I have studied Veda, Vedang, Upnishad, Grammar, Philosophy and scriptures etc. I have studied the Vishishtadwait principle written by Swami Ramanand under this exercise. I have, in this regard read the book "Bhartiya Darshan" written by Swami Ramanand. I have no knowledge about its publication. I have not read any history book about Ramanandiya Community. Ramanandiya Community is referred in Ramcharitmanas written by TulsiDas. This reference is about the Vishishtadwait philosophy and not about the Ramanandiya Community.

It is correct that I have seen the persons putting signs of Ramanandiya Vairagee Sadhus in Hanumangarhi. Volunteer : that these are the initiated Sadhus. However I cannot say it with the authority. I have not seen any Sanyasi temple in Ayodhya. I have not read the history of Ayodhya. Full details about Ayodhya are given in the chapter named Ayodhya Mahatamya in Skand Puran. This detail is also available in the tantra named Rudryamal.

Learned advocate cross-examining the witness draw the attention of witness towards a part of Para -36 of his examination in chief affidavit – "I got a great assistance from the stone Boards fixed by a higher officer, Shri Edward, during the time of British Rule to complete the sequence". Witness said that I have read the details about these boards in a Panchang published from Ayodhya. I do not remember whether "Kale Ram Mandir" was referred in the Panchang,

which I have read, or not. Volunteer : that I have performed journey from Saryu-Snan to RamJanam Bhoomi in accordance with the sequence detailed therein. I have seen the stone-boards, at all the places in Ayodhya wherever I have visited. Each stone-board contains different number and names of the places.

I have seen five-six stone boards. These stone boards were fixed at "Bara Sthan", Ram Janam Bhoomi, Pindarak, Lomash, Vighnesh and Vashishtkund and Vighneshwara respectively. I have seen these stone in 2001 or 2002. I have seen these stones together in 2001 or 2002. I have seen these stones regularly whenever I visited there. Stone at Lomash Ashram was fixed in the east of east north corner of the Mandir. This stone was in the eastern side on the way back from Janam Bhoomi. Stone at Pindarak, is in the northern side of the Janam Bhoomi. There is a Sharma Ka Mandir located near this stone. Stone at Vighnesh was adjacent to Pindarak. This stone was at a height of four to five feet from the ground level and buried in to ground up to two to two and half feet in depth. These stones were two to four feet in thickness. I do not remember as which number written on which stones. Stone at Vighneshwara was in the western side of Janam Bhoomi and at some distance from Vashishta Kund. I have visited the Vashishta Kund. It is, perhaps at the south west corner of Janam Bhoomi. It is at a distance of about two to two and half hundred yards. I have seen this stone during my first visit and also during my last visit. The material engraved thereon was in both the languages ie., English and Hindi. In this regard I know that three famous fairs – Ramnavami, Sawanjhula and Kartik Poornima are held in Ayodhya.

I have, in para 10 of my examination in chief affidavit, written that I have studied about all prominent incarnations including God Rama and Krishna, which I mean that I have studied about all incarnation. Ram and Krishna, which are

incarnation of Vishnu, are prominent among them. According to my study there were a number of incarnations of God Vishnu. Among them 10 and 24 incarnations are famous. There have been a number of other incarnations also, in addition to these.

I am not recollecting whether there were any other deities with Shyam Varn (dark-blue colour) except Ram and Krishna or not. God Buddha is also regarded as one among the ten and twenty four incarnation.

Boddh religion had originated in India. Boddh religion was originated to negate the Vedas. I cannot say that Boddh religion was originated against Brahmanism or not. I cannot reply in this regard unless Brahmanism is defined. It is correct to say that law and order management of India was based of Manusamriti. Manusamriti was based upon Varanashrama. According to Manusamriti the person who cuts the sapless tree, will be the owner of that tree and the person whose arrow hits the animal first, will be the owner of that animal. Thus Manu had supported the principle of occupation; which means, ownership is obtained on the basis of first possession, according to Manusamriti.

Learned advocate cross-examining the witness draw the attention of witness towards Para -12 of his examination in chief affidavit. Witness, after seeing it said that I have referred myself as a Saryupareen Brahmin in this Para. Ramchander ji had organized a Yagna on reaching Ayodhya after defeating Ravana. On this occasion, the Brahmins were divided in two categories. First category was of the view that since Ravana was a Brahmin and Ramchanderji had killed him, so participation in the Yagna was not appropriate. Whereas the second category was of the view that Ravana was a terrorist and terrorist has no caste, hence Ramchanderji had done the right thing by killing him. First category of Brahmins was called Saryupareen and they held the post of Acharya in

that Yagna. I have referred this fact in this connection. Both these categories recognized Ravana as a Brahmin. Those, who had decided not to participate in the Yagna organized by Ramchanderji, were called Kanyakubj Brahmins. The child, born to a Brahmin and Brahmin lady, will be called a Brahmin.

Vishrwa was the name of the father of Ravana. Volunteer : that some people called him Vishwasharwa. There was a reference about Pulstya son of Brahma, in the fourth couplet of second canto of Uttar Kand of Valmiki Ramayana. Vishrwa was born to the daughter of Rajshri Trinbindu and Maharishi Pulstya. Kaikasi, daughter of demon's king Sumali, was the mother of Ravana. Since father of Ravana was a Brahmin, Ravana was a Brahmin, instead of the fact that his mother was the daughter of a Demon.

Question: Shri Rama is not adorable to Saryupareen Brahmins only but to all the communities. What you have to say in this regard?

(Upon this question, Learned Advocate, Ms. Ranjana Agnihotri, on behalf of defendant No. 20 of Other Original Suit No. -4/89 has raised an objection that this question is confusing and imaginary, because witness in Para -12 of his affidavit has stated about his experience only and not others'. Hence such allegation cannot be levelled. Witness does not mean that other communities, other than himself, do not adore God Shri Rama).

Answer: It is correct. Volunteer : that everybody adore Shri Rama. However, if anyone is connected with the past incident involving Rama or with which he is concerned, it is but-natural that Rama would be more adorable to him and his expression in this regard is also natural.

Specific and general feeling is generated towards Shri Rama, in accordance with the communities. I have used the word "Saryupareen Brahmins" in Para -12. For which I mean adoration by a specific community i.e. consequently of mine. I cannot say about others. Ravana was addressed as a Demon in Valmiki Ramayana. It is possible that the word "Brahmin" would not have been used for Ravana.

I do not remember whether according to "Agni Puran" Ravana, at the time of Ram-Ravana battle was 5 crores, 61 lakhs and 7 thousand years old, or not.

Dashnami Sanyasies have their Akharas established. Volunteer : only these Sanyasies are initiated in Akharas, who have no Dand. I know about total of 6 Akharas of Sanyasies. In addition to this there is one more Akhara of Brahmacharies, which is called Agni Akhara. Other AKharas are – Nirvani, Niranjani, Jooni, Anand, Atal and Awahan. These Akharas have the Panchayati System. These also have Mahants. The post of Mahants is honorary. Akharas are managed by Chairman and Secretaries. Thus Akharas are mainly managed by Panchs. I have not seen any Sanyasi taking education of arms or putting arms in any Akhara. Sanyasies in Akhara are also called Nagas. I know about the fact that Sanyasies i.e. Nagas, have organized groups and these people had also participated in many battles. I have no knowledge about the fact that due to their military strength, Nawab Shujaudaula had included the Nagas in his army. Volunteer : that it does not appear possible to him because Akharas worked independently and not worked for the salary. I have no knowledge about the fact that Nagas had established their own kingdom and Anoop Giri, a Naga, became the king. Every Akhara has their own customs that is why their names are also different. All Akharas have Panchayati System but their procedure differs.

Akharas have *Math*, Temples and property. Mahant has no right to sell or destroy the property of Akhara.

Learned advocate cross-examining the witness draw the attention of witness towards Para -32 of his examination in chief affidavit, wherein "Babarnama" and "Aain-e-Akbari" were referred. I have not much knowledge about the Mughal history of India. I have read the Hindi version of Babarnama. Babar, perhaps, was originally from Afghanistan. He came from "Fargana". I have the knowledge that he was from the dynasty of Changez Khan and Taimoor Lang. I have heard that Changez Khan and Taimoor Lang had attacked India for looting. I have this knowledge about the Mughal history from Babar to Aurangzeb. I have no knowledge about this that Akbar with the help of Todarmal had caused compromise about the disputed Bhawan or not. Another name of Babar was Zaheeruddin. I have no knowledge whether Babar was his name or not. I have read the literal meaning of Babar in the dictionary. This means a "Cord of Moonj" which is used in a cot. Babar never went to Ayodhya. I do not know whether Aurangzeb ever went to Ayodhya or not. I have no knowledge whether Aurangzeb had destroyed the Swargdwar temple in Ayodhya or not. But I know he had destroyed Vishwanath temple at Kashi.

I have read the Hindi version of Aain-e-Akbari. I am at present not able to recollect if there is any description of Ayodhya in Aain-e-Akbari or not.

I do not remember in which period Shri Ramcharitmanas was written. Goswami Tulsi Das have described Shri Ram Katha in Shri Ramcharitmanas for self contentment. Almost the same story is given in Ramcharitmanas in Avadhi Language as given in Valmiki Ramayana. Volunteer : that some parts are taken from Adhyatm Ramayana. I know this fact that Tulsi Dasji was contemporary to Akbar and was a fast friend of Rahim Khankhana, who was amongst Nine Jewels of

Akbar. Tulsi Das have given detail about Shri Rama in Ramcharitmanas. That is why Ram Janam Bhoomi is not referred therein. Then said that Ram Janam Bhoomi is referred therein, but not Ram Janam Bhoomi Mandir.

Learned advocate cross-examining the witness asked the witness that at which place in Ramcharitmanas, RamJanam Bhoomi was referred? Witness with the permission of Commissioner, after seeing the book Shri Ramcharitmanas, document No. 158 C -1/2, said that it is written in couplet No. 4 and 5 next to couplet No. 3 of Uttar Kand of Ramcharitmanas. It is written there in that –

"Janambhoomi mum puri Suhawani, Uttar Disi Bahi Saryu Pawani".

In earlier couplet, it is written that – *"Avadhpuri Sam Priya Nahin Kou, Yeh Prasang Janai Kou Kou".*

Here, Puri is written for the entire Ayodhya that it is his birthplace. Volunteer : that anyone who tells about a place from far away, he tells the name of city. It is indicated from the line – my birthplace is at that place, because the whole Ayodhya cannot be a birthplace of any particular person. Whole Ayodhya will be called abode.

Learned advocate cross-examining the witness draw the attention of witness towards Para -14 of his examination in chief affidavit. Witness after reading it said that it is written therein that religious book provides for worship of place and idols. Only those idols are worshiped which are consecrated. The word "Vihit" means "it is told". I do not remember from where the word "Vihit" is derived, but its meaning is for a provision. I cannot separate the constituents of the word "Vihit" but this word is used in religious books. The place, where there is no idol, is also worshiped, for example - all the shrines. If there is no temple, idol, sign i.e. footstep, bow and arrow, lotus, even then these are worshipped. There is sand

only at a place called Raman Reti in Vrindavan; there is no sign of any kind, even than it is worshipped. There is a place called Shukla Teerath in Gujarat. The same thing is applied about this place. This place is in Bharuch District and is famous by the name of Matragane. Similarly, Brahmkapali place is in Badrinath. Besides these, I do not know other places. This is correct that shape of an idol can be made from stone, metal, earth, sand, picture and lines. I have been to Raman Reti place in Vrindavan. This place is at the bank of Yamuna River. There are building around but people seek darshan of sand spread in the area of one – one and half bigha. This area is one – one and half bigha in length and same size in width. I have said that area of Raman Reti is about one – one and half bigha but I cannot say about its length and width. Area of Raman-Reti might be larger than what I have told but the place which was shown to me is one – one and half bigha in size. I have no knowledge whether a fair is organized there or not. I do not know who manage this area. I have not read in any book about Raman Reti. The Pandas who took me there, told me about this place. It is not correct to say that Raman Reti has no religious importance and this place is not worshiped. I am saying the same facts which were told me by the Pandas. When I went there, I saw a number of people worshipping there. There might be hundred – two hundred peoples. Among them, there were ten – five Pandas and rest were the people, who were seeking darshan, most of them were persons who were leading family life.

Brahmakapali, situated at Badrinath is at a distance about four to five hundred yards from Badrinath temple. I have read the ancient story about Brahmkapali, in Skand Puran.

Shukla Teerath in Bharuch, is at the bank of a Pond and not at the bank of any River. Name of Pond, perhaps, is Bindu Pond. I have been there. This place is at a distance of 30 -50 Kilometers from Bharuch. Shukla Teerath is mentioned

somewhere in Purans but in which Puran, I do not remember. I do not remember the prevalent story behind it. It is not correct to say that I am giving false statement.

I have seen Mandhaar Mountain. There is Vishnu's footstep and Kaitabh's headless body at the bottom of mountain. Both the sites are religiously being worshipped since long. Brahmkapal might have been killed near Badrinath that is why it is being worshipped.

The place which is God's abode is called temple. Volunteer : that there should a architecture. However, it is not necessary. Temples of northern India are in Dravidan Style. Naagri Styled temples contain Pitchers, Jagmohan and Parikrama. Pitcher can be round or lengthy in shape. Round pitchers can be - in number say 1, 3, 5 or more. I have no knowledge if round shaped pitchers are there at Chitrakoot or not because I have not gone there.

Learned advocate cross-examining the witness draw the attention of witness towards couplet No. 13 of Chapter No. 13 of Srimad Bhagwat Gita, document No. 45 C -1/1, filed in Other Original Suit No. -3/89. Witness after reading it, in reply to a question said that in simple language it means that God is Omnipresent and entire world is worship able. I have, in Para -24 of my examination in chief affidavit referred U.P. District Gazetteer, Faizabad 1960. I have read its copy in English. One person was showing it to my Guru and out of curiosity I read it then and there. This Gazetteer may be with my Guruji. This Gazetteer was not with me at the time when I filed my affidavit. I have referred this Gazetteer on the basis of my memory.

It might be necessary to know about the geographical situation in order to know about the history of any country. Two Yatras of God Rama are very famous, one Yatra is to Janakpuri and second one Yatra is to exile. I do not know

much about the geographical situation of Pratapgarh because I had left my home at the early age. I have the common knowledge about the route to exile. God Rama went to Janakpur along with Vishwamitra. He went to Janakpuri via Vaishali in Bihar. I have heard that there is Ram Chaura Temple at this place.

It is written in Para -27 of my examination in chief affidavit that not only in India but all the countries of world have many cities in the name of Rama. This fact I have written on the basis of a Television Serial. There is a Ramlalla city by the name of Rama. It is in a Muslim Country. It is not correct to say that the name of the said city is not Ramlalla and is Ramalla.

I have no knowledge that it is in Afghanistan or not.

Verified the statement after reading

Sd/-

Swami Avimuketshwaranand Saraswati

30.6.2005

Typed by the stenographer as dictated by me in open Court. In continuation to this suit for further Cross-examination for 01.07.2005, Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

30.6.2005

Before: Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special Duty, High Court,
Lucknow Bench, Lucknow.

Dated 04.07.2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench vide order dated 26.5.2005 in Other Original Suit No. – 4/89).

(In continuation of dated 30.6.2005 Cross-examination, on an oath of D.W. 20/2, Swami Avimuketshwaranand Saraswati, by Shri Ranjeet Lal Verma, Advocate on behalf of Nirmohi Akahara, plaintiff in Other Original Suit No. 3/89, continued).

I have stated in the statement on 30.6.2005 that there are a number of cities in the world on the name of Ramchanderji. I told about a name of one such city. Other names I am not recollecting at present. I know Ramjan month is holy month. One Muslim told me that this festival is an example of fostering communal harmony. Ram and Janaki names were referred together in this name. I have, in my statement on 30.6.2005, referred about "Brahmkapali". This place is perhaps was referred in Skand Puran. I have said that there is a picture of Ramchanderji in the original copy of the Constitution. In addition to this picture of God Krishna, God Buddha and Vrishabh are there in original copy. I have the knowledge about the building constructed at RamJanam Bhoomi and its history. I have read about the construction of a temple at this place by Kush, son of Shri Ramchanderji, which was renovated later by Vikramaditya.

I cannot say whether Nirmohi Akhara has been pursuing a suit about disputed site since 1885. I do not know whether entry in regard to disputed site in favour of Nirmohi Akhara is in the revenue record or not. I have no knowledge that people

from Nirmohi Akhara had been performing worship till the date of its attachment or not.

(Cross-examination of D.W. 20/2, Swami Avimuketshwaranand Saraswati, by Shri Tarunjeet Verma, Advocate on behalf of Nirmohi Akahara, plaintiff in Other Original Suit No. 3/89, concluded).

(Thereafter Shri Ajay Kumar Pandey, Advocate on behalf of plaintiff in Other Original Suit No. -5/89 said that he is not going to Cross-examine the witness).

(Thereafter Learned Advocate Shri D.P.Gupta was given a chance for Cross-examination on behalf of plaintiff of Other Original Suit No. 1/89. But he also said that he is not going to Cross-examine the witness).

(None, other than the Learned Advocate on behalf of other defendants of Other Original Suit No. -4/89 and defendant No. 4, 5, 6 and defendant No. 26 of Other Original Suit No. -5/89 was present for conducting Cross-examination).

(Thereafter, Cross-examination on an Oath, of D.W. 20/2, Swami Avimuketshwaranand Saraswati, by Shri Abdul Mannan, Advocate on behalf of plaintiff No. 9 and 10/1, Mehmood Ahmed and Mohd. Farooq, begins).

XXX XXX XXX XXX

I am 36 years old. I went to Ayodhya at the age of 20-21 years for the first time about 15-16 years before. I was residing in Lanka Mohalla of Banaras before going to Ayodhya. Lanka Mohalla may be at a distance of three kilometers from station. However, I never tried to know about it.

Question: How many railway stations are there in Banaras City?

(Upon this question Learned Advocate on behalf of plaintiff of Other Original Suit No. -5/89 has raised an objection that the question asked for by learned advocate cross-examining the witness is irrelevant and is not concerned to any point of Suit. Hence permission cannot be granted to ask such questions).

Answer: According to my knowledge, there are four Railway stations including Varanasi Cantt., in Varanasi City.

I cannot say at what distance these four stations are from Lanka Mohalla. These four stations in Varanasi are at the distance of one kilometer or half kilometer from each other. Cantt. Station is at a distance of about half kilometer from Ardali Bazaar Mohalla. I know Civil Court is in Ardali Bazaar. I used to get down at Cantt. Station, whenever I came to Varanasi. My residence from Cantt. Railway station is at a distance of about three-four kilometers. I am residing in Banaras at the present address for the last nine-ten years. Prior to this, I was residing at Hanumanghat in Banaras. I lived at Hanumanghat for about four years. Before that I lived at Lanka Mohalla. Lanka Mohalla is at a distance of two-three kilometers from Hanumanghat. Lanka Mohalla is in the southern side of Banaras city. I was living at another place before coming to Banaras. I was living in Baroda city, Gujarat before coming to Banaras. I cannot say what is the distance of Banaras from Baroda. Perhaps it is at a distance of about one thousand kilometers.

I am a literate. I have studied Sanskrit up to Acharya. Acharya is a degree equivalent to M.A. I have passed Acharya Degree from Sampurnanand Sanskrit University. Sampurnanand Sanskrit University is situated in Jagatganj Mohalla of Varanasi. I passed my Acharya Degree in 1994 or 1995, I do not remember properly. Grammar is also taught in Sampurnanand Sanskrit University. I was enrolled in Sampurnanand Sanskrit University at the age of about 14

years. I was studying in Gujarat before studying in Varanasi. I got the education in Gujarat up to 1st standard. I was studying in Baroda District of Gujarat. I have studied in Gujarat for about five years. I do not remember properly the period for which I have studied in Gujarat, perhaps from 1978 to 1982 – 83. I had studied in University in Gujarat also. I have started taking education in Gujarat at the age of about 9-10 years. There was lodging and boarding facility in the University, where I was studying but I was not staying therein. I was staying at another place. I was residing in Baroda at the time. When I was studying in Gujarat, my parents at that time were living in the Janpad village under the District Pratapgarh. I belong to Pratapgarh and did not go to Gujarat for studying. But I started taking education after reaching there. Allahabad is at a distance of less than 40 miles from Pratapgarh. I did not go to Ayodhya from Pratapgarh for taking education. I went to Gujarat from Pratapgarh. My village is at a distance of about 25-30 kilometers from Pratapgarh. My village is in eastern side from Pratapgarh. I was 9-10 years old at the time when I went to Gujarat from my village and I was quite conscious at that time. I never went back to my village after going to Gujarat from my village. My father had land in his name in Pratapgarh. My father is now no more. That land now is in the name of my brother. I did not go to Pratapgarh for quite sometime. I have not gone to Pratapgarh for about 7-8 years. I cannot say, at what distance – 100 miles or 100 Kilometers, the Pratapgarh is from Ayodhya. I went to Ayodhya in 1990 for the first time. Thereafter I went to Ayodhya in 1991. At that time I stayed in a *dharmshala* situated at Kanak Bhawan. This *dharmshala* is a big one but I cannot tell about its length and width. I stayed there once in 1991, when I visited there. I did not take a bath in Saryu, when I visited Ayodhya in 1991. I went to other temples of Ayodhya. I stayed there in the night when I visited Ayodhya in 1991 and came back next day. I went alone to Ayodhya in 1990, and none had gone with me at that time. In 1991, when I went to Ayodhya, I stayed in the *dharmshala* of

Kanak Bhawan. At that time one more boy was with me. He also stayed with me. His name was 'Devesh Joshi. I cannot say how old Devesh Joshi was at that time. However he was younger to me. Devesh Joshi was two-three years younger to me.

I do not remember when I went to Ayodhya after 1991. I went to Ayodhya for three times after 1991. I stayed at Janaki Mahal once when I went to Ayodhya after 1991 and once with Krishnanand, who was known to me. Second time when I went to Ayodhya, I did not stay there. I came back after taking Darshan. I stayed in Ayodhya only for a day when I stayed with Krishnanand. I went Ayodhya for five times. During my visit for five times, I stayed in Ayodhya for three times. Two times, I did not stay there. I came back after only taking Darshan. I have seen temples at Ayodhya. In Ayodhya, I have sought darshan of Hanumangarhi, Kanak Bhawan, Vighneshwar, Vashishta Kund, Lomash (I have seen Lomash from outside). I will not be able to say about the length and width of Lomash temple. I saw this month that its gate was large. I took darshan from outside and went back. I live in Kashi. When I went to Ayodhya, I used to take fruits only. I took food when I stayed with Krishnanandji. Whenever I stayed with anyone at any place, I used to take food only if it was befitting to my habit, otherwise I take fruits etc.

Question: What food you have taken with Krishnanandji?

(Upon this question, Learned Advocate Shri Ajay Kumar Pandey on behalf of plaintiff in Other Original Suit No. – 5/89 and Learned Advocate Ms. Ranjana Agnihotri on behalf of plaintiff of Other Original Suit No. -4/89, have raised an objection that question about food taken by a person in a particular house, cannot be asked for. This question is irrelevant. Hence permission to ask such a question cannot be granted).

Answer: I had taken rice, pulse, bread and vegetable at Krishnanandji's place.

When I stayed in a *Dharmshala* at Kanak Bhawan, I took fruits and nothing else. I took bath in Saryu only once during my five visits. Being a part of pilgrimage and religious place Saryu bath has its own importance. During other times, I did not take bath in Saryu. By taking bath in Saryu River, one gets rid of all his misdeeds. I took bath in Saryu River during my fourth visit. Among the temples which I have seen in Ayodhya, one temple was small and others were large. Vighneshwar temple was small one.

According to my knowledge, I know the type of Masjid. I have seen Masjid from a distance.

(Cross-examination of D.W. 20/1, Swami Avimuketshwaranand Saraswati, by Shri Abdul Mannan, Advocate on behalf of plaintiff No. 9 and 10/1, Mahmood Ahmed and Mohd. Farooq, concluded).

(Thereafter, Cross-examination on an oath of D.W. 20/1, Swami Avimuketshwaranand Saraswati, by Shri Zaffaryab Jilani, Advocate on behalf of plaintiff No. 1, 6/1, 8/1, Sunni Central Board of Waqf, Ziyauddin, Maulana Mahfuzurrehman, begins).

XXX XXX XXX XXX

I myself have typed the matter written in my examination in chief affidavit. I have myself typed it on the computer in Banaras. The whole matter written in the affidavit is based upon my individual knowledge. The books in all referred in my affidavit are not only in Banaras but most of these are in the library of my *Math*. Some books were with me, when I typed the matter of my affidavit on computer. I have referred some books on the basis of my memory. The date mentioned in the

affidavit is 27.6.2005 but actually I have typed this affidavit earlier to 27.6.2005. However its print was taken out on 27.6.2005, about 2 hrs. before I came to Court. I brought this computer from Varanasi to Lucknow. This computer is called "Laptop". The name of the Court, Suit No., and name of Parties were written on enquiring from Lawyer Sahib. Verification at the bottom was also done on the advice of Lawyer. Kumari Ranjana Agnihotri is my Lawyer. Shri Amitabh Shukla is also my Advocate. My Advocate means that I, on his advice, have written the matter, in the affidavit and verification. I met these Lawyers in 1995 or 1996 for the first time. Thereafter I met these persons on 27th June, 2005. I did not come to Lucknow in May, 2005. I used to live at the residence of the disciple of my Guru in Lucknow. His name is Laliteshwar Pratap Narain Singh who lived in the Raniganj Mohalla in Lucknow.

I came to Lucknow in May 2005 before 27th June 2005 to depose in this Suit. My statement above that I did not come to Lucknow in May 2005 is not correct. I met these two Lawyers in May 2005. I did not held any discussion about what is to be deposed in the proceedings of the Suit, with these Lawyers in May 2005. I myself have written the matter, which I thought fit, keeping the suit in view. I held the first discussion about the suit with Madan Mohan Gupta, four to five years ago from today. At that time Madan Mohan Gupta did not tell me about his stand. I later on wanted to ask about his stand on this subject but I could not met Madan Mohan Gupta. I could not talk to anyone about the stand of Madan Mohan Gupta, in regard to the Suit. I know that Madan Mohan Gupta has filed a counter-document in this Suit. I have read the counter – document on 27th June 2005. Shri Madan Mohan Gupta had given me this counter-document much before i.e., about 4 years back, when I met Madan Mohan Gupta. I have not prepared my affidavit on the basis of counter-document. Although I have read that counter-document before preparing

my affidavit. I have read this counter-document once again before preparing my affidavit.

My Guruji is a patron of "All India Shri RamJanam Bhoomi Renovation Committee". I do not know in which year this Committee was constituted. This Committee has been constituted 10-15 years back. I did not participate in the conference held in Chitrakoot at that time. I do not know if Committee had its head quarters or an office in Calcutta or not. Its office is perhaps in Bhopal. In addition to Shri Madan Mohan Gupta, Shri Gopalanandji Brahmachari is a member of this Committee. I know the name of Gopalanandji as a member of this Committee. Shri Gopalanandji Brahmachari lives in Joonagarh, Gujarat. Shri Madan Mohan Gupta's house is in Reeva. He has a house in Bhopal also. He lives at one of these two places. About four years back when I met Shri Madan Mohan Gupta, I asked him whether I can depose in the Suit. He told me that anyone can give his statement. I have not talked with my Guruji that I am deposing in the Suit. I have not talked with my Guruji about this before or after deposing. I have formally taken Sanyas after initiation in the year 2000. I was not a Grihastha before that too. I spent my life up to the age of ten years in family. I left the family life after I went to Baroda. Therefore I did not marry.

I can read and write English. There is one question paper of English in Shastri examination but English was not taught. I have myself learnt English. I used to read the English book prescribed in the syllabus at Shastri level. I have read very few books of religion and history in English. I have read a religious book names "Lalita Cult" about the procedure for worshipping Shri Vidya, but I do not remember the name of author. In addition to this I have read some portion of more English books. But I do not remember the name of books. I have read some part of "Aain-e-Akbari" in the history books in English. Besides, I have read a Gazetteer. Except this I have not read any other book in English. I have read the portion concerning to Ayodhya in "Aain-e-Akbari". I do not remember whether Ram Janam

Bhoomi temple was referred therein or not. I do not remember at present, what I have read in this book. I have read the English version of a portion of Gazetteer written in Persian. It was perhaps written therein that this is the place for descending the angels. This article was related to disputed building. Year of construction of that Bhawan was also written therein. But I do not remember the year. These details were running in to three-four pages in the Gazetteer. This Gazetteer was of the year 1906. This Gazetteer was written by Smt. Yisha Basanti Joshi. Then said that it was written in the year 1960 and not in 1906.

I have read this Gazetteer before writing my examination in chief affidavit. I have read this Gazetteer three-four years back before preparing the affidavit. This Gazetteer is not in the library of my *Math*. A person brought this Gazetteer to my Guruji and I have read this Gazetteer then and there. We have taken the Gazetteer from our Guru, read it and then again kept it back with him. Thereafter I did not see that Gazetteer. This Gazetteer was in English. This Gazetteer was running in to two to two hundred fifty pages. I do not remember under which head the above extract of Persian was written in the Gazetteer. I have read the facts about Ramchanderji's birth in this Gazetteer. I do not remember specifically whether Ramjanmsthan temple was referred or Ramjanmsthan was referred therein. The Gazetteer written by Smt. Yisha Basanti Joshi was published by Uttar Pradesh Government. The matter which I have read in this Gazetteer three four years ago, was stored in my memory and I have reproduced the same facts in my affidavit.

Learned advocate cross-examining the witness draw the attention of witness towards Para -24 of his examination in chief affidavit and asked, whether he remembers that this Gazetteer does not contain the fact about construction of a temple. Witness said that I do remember that a place meant for descending the angels was referred therein. I have stated above about an article written in Persian, in the Gazetteer. It was a reproduction of an article written on a stone at the

disputed Bhawan. In my view, the building at which the rock inscription was fixed was the place for descending the angels. Since, fact about descending of the angels was referred in the above article written in Persian, I have on this basis : written in my affidavit that "this proves that the questioned site is the birthplace of God Rama". In my view, the building where rock inscription in Persian was fixed was constructed as a temple. Vikramaditya had constructed this building during his period but rock inscription was fixed at the building lateron. Vikramaditya, I mean the Vikramaditya by which name Vikrami Samvat is in vogue. This Vikramaditya was two thousand fifty years back from to day. In my view, the building at which above rock inscription in Persian was fixed was constructed two thousand years before. Rock inscription in Persian might have fixed later on, but who had fixed it, is not known to me. It was referred in the Gazetteer who had fixed the rock inscription. It is written in the Gazetteer that this rock inscription was fixed by Meer Baki. I do not remember whether it was written in the Gazetteer that this building was constructed during the period of Meer Baki or Babar or not. This Gazetteer was not shown to me till the time of giving my statement in the Court. I cannot say whether it is correct or not correct to say that it might have been written in the Gazetteer that the building at which rock inscription in Persian was fixed was constructed during the period of Babar. It is not correct to say that the fact concerning to the Gazetteer, which I have written in my affidavit, were written by me without reading the Gazetteer.

Verified the statement after reading

Sd/-

Swami Avimuketshwaranand Saraswati
04.07.2005

Typed by the stenographer as dictated by me in open Court. In continuation to this the suit may be listed for further Cross-examination for 05.07.2005, Witness to be present.

Sd/-

(Hari Shankar Dubey)
Commissioner
04.07.2005

Before: Commissioner, Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special Duty, High
Court, Lucknow Bench, Lucknow.

Dated 06.07.2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench vide order
dated 26.5.2005 in Other Original Suit No. – 4/89).

(In continuation to dated 04.07.2005 Cross-
examination, on an oath of D.W. 20/2, Swami
Avimuketshwaranand Saraswati, continued).

I have studied Valmiki Ramayana but this study
cannot be called a study in depth. I can understand the
couplet of Valmiki Ramayana without translation. I believe
about the Valmiki Ramayana that it was written during the
time of Ramchanderji. I cannot say whether paper was
available during the period of Ramchanderji or not. Period
of Ramchanderji was lakhs of years back. I know that
paper being used now a days, came in to practice a few
hundred years back. I have no knowledge about the fact
whether the paper which is used now a days, was there
lakhs of years back or not. Neither I have the knowledge
nor have I read about the material used for writing during
the period of Ramchanderji. I have heard that various
materials were used for writing during the period of
Ramchanderji. Bhojpatras, Leafs, Tamrapatras were
among the materials. According to my knowledge, I did
not get any Bhojpatra, Leaf or Tamrapatra which were
used for writing during the period of Ramchanderji.

Volunteer : that I have heard that books kept safe in
Nalanda University, were set on fire. I have no knowledge

whether these books which were set on fire, were printed on papers or on any other material. I have not heard anything about this that on which papers these books were printed. The ancient books kept in Nalanda University had been set on fire. I have heard about this from a reliable person. I have not read about it in any book. Granth and book is one and same thing. Since the word book does not command that much respect which we wanted to give than the Granth, so we gave it the name of the Granth.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 261 C -1/1, first part of "Valmiki Ramayana". Witness after reading the book, said that it is a Granth as well as a book. I do not know where the oldest edition of Valmiki Ramayana is and which year and century it belongs to. I have read somewhere that writing of the period of Vikramaditya is available but where I have read, I do not remember. This writing is on the stone inscription. I have neither read nor heard about the writing of the period of Vikramaditya on paper, leaf of Bhojpatra. Vikramaditya was about two thousand one hundred years back. I have heard and read that the books Rigveda, Jaind Awasta, written about three thousand years before the period of Vikramaditya, are safe. Rigveda, Jaind Awastanamed books, were about three thousand years old, as I have heard. I do not know where these books are secured. I do not know where I have read about this that these books were safe. I do not know whether these books are on papers, Bhojpatra or on Tamrapatra. Except these two books, I have not read about any other book which is safe. I have heard that one person in Punjab had "Ravana Sanhita". In addition to this I have heard that there is a person in District Deoria, who has a book named "Bhrigu Sanhita" which is older than Rigveda. I have not read about "Ravana Sanhita" and

“Bhrigu Sanhita” in any book. I have never asked my Guruji about the above books, which are safe in Punjab and Deoria respectively and are ancient copies of Rigveda. My Guruji used to preach us about Rigveda. My Guruji, during the discourses, never told that a copy of the book of the period of Vikramaditya or prior to Vikarmaditya is safe or not. I recognize the Valmiki Ramayana, document No. 261 C -1/1 and 261 C -1/2 published from Gita Press, Gorakhpur as an authentic book. The Couplets given in this book are recognized to be written by Valmiki himself. However some people say that some part of it were interpolated. Witness after showing the interpolated part written in bracket next to Sl. No. 56 at page No.19 of Valmiki Ramayana, document No. 261 C -1/1, said that there is a reference about its being an interpolated. I mean to say that the portion, which was interpolated was referred in the index and the portion which was not interpolated, was not referred. “Prakshipt” means parts added later on. About a part of Uttar Kand added later on to second part of Valmiki Ramayana, a reference was made in Para -11 of document No. 261 C-1/2 after Sl. No. 59. This reference is made for the later added Canto 1 and 2. In my view, except this, no other part of Uttar Kand was added later on. However some people are of the view that entire Uttar Kand is added later on. I do not know the prominent people who are of this view. I know only Kumari Ranjana Agnihotri, Advocate, who is of the view that entire Uttar Kand was added later. This I came to know during the discussion held with her. I do not know when the portion, which was stated to be added later in the Valmiki Ramayana, was added. I know only that these portions were added during the period of Maharishi Valmiki. Maharishi Valmiki was a Rishi. I cannot say in this regard whether Maharishi Valmiki was contemporary to King Dashratha or he was

continuing before him. Volunteer : that being a son of Precheta, he would have been before King Dashratha. According to my faith and belief Maharishi Valmiki at present is not alive. I do not know the period in which he expired. I have no knowledge whether he expired in Tretayuga, Dwaperyuga or Kaliyuga. Volunteer : that people presume TulsiDasji as an incarnation of Valmiki. I also agree with this view. A Rishi can be manifested.

I have stated that Ramchanderji had ruled over for 11 thousand years. Thereafter he went to abode. I do not know how many years, after Rama went abode, Maharishi Valmiki remained alive. I have not read any book relating to the life story of Maharishi Valmiki. I have also not heard about any independent book written about the life-period of Maharishi Valmiki. There is one other book called "Yoga Vashishta" written by Maharishi Valmiki. I do not know any other book written by Maharishi Valmiki except Valmiki Ramayana and Yoga Vashishta. Valmiki Ramayana is about Shri Ramchanderji, Yoga Vashishta is also related about Shri Ramchanderji. Yoga Vashishta is more or less of the same size as Valmiki Ramayana is.

Learned advocate cross-examining the witness draw the attention of witness towards part of para -12 of his examination in chief affidavit "I came to know through tradition that our ancestors had accomplished the Yagna, on arrival of Shri Rama to Ayodhya, after killing of Ravana". Witness said that I came to know about this from my ancestors which was told to me in the traditional manner. Volunteer : that it is also written in the genealogy of Saryupareen Brahmins. This genealogy is in bookish form. I have read this book. I do not have this book. However the book can be obtained. I do not know who has written this book. When this book was published, I

have no knowledge about this. The book might have been published within 100 years. I am not able to recollect the names of my ancestors who had accomplished the Yagna. Their names might be in genealogy of Saryupareen Brahmins. But I do not know. I have read this book about 25 years back. This book is in Sanskrit. I have read this book in my village at the time of Upnayan ceremony. This book is running within 100 pages. I have no knowledge about the difference of time gap of generation in between my father and my ancestors and the persons who had accomplished the Yagna organized by Ramchanderji. The names of all generations are not given in the above book. Genealogy of Ramchanderji is available in the books. This genealogy is referred in many Purans but which Puran contains the in-depth detail, I do not know. "Bhagwat Puran" contains the genealogy of Ramchanderji in brief. "Bhagwat Puran" contains the details about the earlier and later generations of Ramchanderji. I do not remember the last name of the later generation of Ramchanderji. I do not remember how many generations of Ramchanderji were referred in it. It contains the reference of 10-20 generations. Volunteer : that it is presumed that all the prominent people's name were mentioned in the genealogy of Ramchanderji. All names have not been mentioned there.

Ramchanderji had two sons. His sons have two sons each. However, in this regard I do not remember properly. Sons of Rama's sons will be called grandsons of Ramchanderji. I do not remember the name of his grandsons. I have read about the names of his grandsons in any book but I do not remember the name of book. Ramchanderji, during his time, had appointed both his sons as the rulers of different regions and had coronated them to the throne. I do not remember properly, which

region was given to them but Kush was made the king of Ayodhya. It is possible that Ramchanderji during his life time might have not given reigns of Ayodhya to any of his sons and might have given them, the region outside of Ayodhya. I do not agree with the view that Ayodhya became totally desolated and human less after Ramchanderji went abode. I am of the view that Ayodhya remained inhabited even after Ramchanderji went abode as it was during his time.

Learned advocate cross-examining the witness draw that attention of witness towards Canto No. -109, Page - 828 of Uttar Kand, "Valmiki Ramayana", second part, document No. 261 C -1/2. This Canto contains the reference about Shri Ramchanderji's going to abode. It is referred in Couplet -4 of this Canto that Ramchanderji went towards Saryu after he decided to go to abode. It is referred in Couplet No. -7 of this Canto that arrow of different types were going with Rama along with large excellent Bow and other arms. It was referred in Couplet No. -8 of this Canto that all the four Vedas were going with Ramchanderji in the guise of Brahmins. These Vedas were Rigveda, Atharvveda, Samveda and Yajurveda. It is also written therein that Gayatri Devi, protector of all, Omkar and Vashtkar were going with Ramchanderji. Gayatri Devi has thousands of names. Vedmata, Savitri are the names of Gayatri Devi. I do not remember the other names of Gayatri Devi at present. "Omkar" is for Brahma. "Vashtkar" word is related to paternal Yagna. Vashtkar is not a name of any deity. Next to this Couplet Mahatmas, Rishies and Brahmins were referred going with Ramchanderji. Mahatma and Rishi are two separate words; however Mahatma can also be an adjective of Rishi. I can not say whether Maharishi Valmiki during that time was among the followers following Ramchanderji or

not. Reference is not found anywhere that Maharishi Valmiki was one among the persons who were following Ramchanderji to abode, or not. 11th Couplet of this Canto referred about the Bharat and Shatrughan, who were following Ramchanderji. Bharat and Shatrughan were the brothers of Ramchanderji. It was referred in Couplet No. 14 and 15 of this Canto that entire population was infatuated with the qualities of Ramchanderji, and as a result of which they had followed Rama along with ladies, gents, animals and birds and relatives and friends.

It was referred in 16th Couplet that entire monkeys were also following him. It was referred in 17th Couplet that the persons from this District who came to watch this event also became ready to follow Shri Ramchanderji to abode. "Janpad" might be used as a meaning for Ayodhya. However, I am not sure whether the word "Janpad" was used for Ayodhya or not. There were another Janpads also, other than Ayodhya. Among these Janpads, I do not remember the name of any Janpad. The Janpad from where Shri Ramchanderji left for Saryu bank was in Ayodhya. It was referred in 19th Couplet that bears, monkeys, demons and Purwasi human beings were following Ramchanderji. Purwasi means the residents of Ayodhya. Demons mean - the persons who came from Lanka. It was referred in 20th Couplet of this Canto that invisible creatures like evil, spirits, hags etc. were also following Ramchanderji. It was referred in 22nd Couplet of this Canto that none was left in Ayodhya at that time. All the creatures of Triyagayoni were following Ramchanderji with devotion. It was referred in Couplet No. 101 of Canto No. 110 that Ramchanderji went to see Saryu keeping his head towards west. It was referred that he went for Saryu darshan at a distance of one and half yojan from Ayodhya. However it cannot be said that Saryu at that time flowed at

a distance of one and half yojan from Ayodhya. I cannot say how many miles are there in one and half yojan. I cannot say whether the place from where Ramchanderji entered into Saryu, is called Guptar Ghat or not. I cannot tell this but it can be. I cannot tell the name of the place, from where Ramchanderji vanished after entering the Saryu river.

It is written in 22nd Couplet of this Canto that all the people who came with Ramchanderji had taken a dip in Saryu with tears in their eyes. I cannot say that the place from where Ramchanderji entered into Saryu had been called Gopartar Ghat in Couplet No. 22nd. Contents of Couplet No. 22nd is that all the creatures, animals, birds, humane, who came with Ramchanderji, went to abode after taking a dip in Saryu.

Question: Does Couplet No. 22nd of Canto -109 and Couplet No. 22nd of Canto -110 mean that none was left in Ayodhya and they all went abode after taking a dip in Saryu?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri, on behalf of defendant No. 20 of Other Original Suit No. -4/89 has raised an objection that the question has been asked once that all the creatures, which came there, went abode. This question has been replied. Hence cannot be repeated).

(Learned Advocate, Shri Ajay Kumar Pandey, on behalf of plaintiff of Other Original Suit No. -5/89 has raised an objection, that this question is not related to any point of Suit. This question has already been asked, in a slightly different manner and was replied too. Hence

permission cannot be granted for asking the same question time and again).

Answer: It is not correct to say that above two Couplets have this meaning.

According to my faith and belief some prominent people went abode with Ramchanderji after taking a dip in Saryu River. Ministers and money-lenders were among them. Sons of Ramchanderji were not present in Ayodhya at that time. Ramchander's brothers - Bharat and Shatrughan - also went abode with Ramchanderji after taking a dip in Saryu River. Hanumanji was not present at that time. He was in Ayodhya but he did not go to bank of Saryu River with Ramchanderji. Volunteer : that I have no knowledge whether Hanumanji went on the bank of Saryu or not. But he did not go abode with Ramchanderji. My knowledge in this regard is based upon Valmiki Ramayana and on the basis of traditional talks.

Learned advocate cross-examining the witness draw the attention of witness towards Couplet No. -10 of 111th Canto of Uttar Kand of Ramayana. Witness said that it is written therein that this beautiful city of Ayodhya remained deserted for years together and will again regain the fame after Raja Rishabh come back. This means that Ayodhyapuri will remain deserted after Ramchander's going abode, deserted means inactiveness or end of mobility. In my view, Ayodhya was inhabited but there was no activity.

It is not the meaning of second part of the Canto that population of Ayodhya was lost after Ramchanderji went to abode and was again inhabited after Raja Rishabh. I cannot say that Raja Rishabh became the king of Ayodhya

after Ramchanderji went to abode. Volunteer : that I cannot say whether there was any king by the name of Raja Rishabh or not. Rishabh may be an adjective of "King" i.e. Ayodhya became alive after getting a brave King. It is correct to say that Rishabh Dev was a Teerthankar of Jains but whether this is the same Rishabh Dev, which was mentioned in Couplet No. -10, I cannot say. I cannot say whether the Rishabh Dev, who was Teerthankar of Jains, was the King of Ayodhya or not. I am of the view that Ayodhya remained inhabited as it was during the time of Ramchanderji. According to me, there was no universal destruction in Ayodhya from the period of Rama to till today and also before. Volunteer : that seven puris (cities) never suffer from universal destruction. I cannot say that after Ramchanderji, there was universal destruction in the nearby area of Ayodhya, excluding Ayodhya.

I cannot tell about the present area of Ayodhya. I would not be able to tell the length of east-west and north-south side of Ayodhya. I do remember that I went to Ayodhya via Faizabad. I cannot properly tell the exact distance of Saryu River from the point from where the boundary of Ayodhya starts via Faizabad. This distance may be about 4-5 kilometer. Ayodhya is not in the north of Saryu River. The length of Ayodhya towards east-west is about 3-4 or 5-6 kilometers. I have not seen the present palace of the King of Ayodhya. Since I have no knowledge about the King of Ayodhya, so I cannot say whether he is a descendant of Ramchanderji or not. I have seen Kanak Bhawan, Hanumangarhi, Nageshwaranath temple, Dashratha palace i.e. Bara Sthan of Ayodhya. Except these bhawans, I have no knowledge about any important building of Ayodhya.

Janmsthan, which is in the north of the disputed premises, I have neither seen it nor I know about it. I do not know whether the building, which I have seen, was referred in Valmiki Ramayana or Ramcharitmanas. The building which, I have seen in Ayodhya have pitcher with Gold water on their Shikhar, I do not remember at present whether all buildings which I have seen, have the pitcher with Gold water or not. The large idol, which is in Hanumangarhi, is of Hanumanji. It is related to Hanumanji. I cannot say whether this temple was during the time of Vikramaditya or not. Hanumangarhi building might have been one thousand – two thousand years old. Hanumangarhi is older than Nageshwaranath temple. Kanak Bhawan is almost of same age as Nageshwaranath Mandir is. According to my belief and faith – Kanak Bhawan was donated to Sita, by Queen Kaekai, on the occasion of her marriage for *Muhn Dikhai*. Present Kanak Bhawan is at the same place where it was during the time of King Dashratha. I do not remember whether I have read about the Kanak Bhawan of the time of King Dashratha, in Valmiki Ramayana, Ramcharitmanas or in any other book or not, I do not remember. The present Bara Sthan or Dashratha palace in Ayodhya is at the same site where it was during the time of King Dashratha. There were separate palaces for the queens of King Dashratha, in addition to the palace of King Dashratha. I have not seen Kaushalya Bhawan or Kaekai Bhawan situated in Ayodhya. I have heard about Sumitra Bhawan, which since has been demolished; but I have not seen it. I have not heard about Kaushalya Bhawan and Kaekai Bhawan. Ramchanderji might possibly had separate palace than to the palace of his father Dashratha and mother. Valmiki Ramayana and Ramcharitmanas have reference about the palaces of Ramchanderji, King Dashratha and Kaushalya or Kaekai. I have no knowledge

whether area of palaces of King Dashratha, Ramchanderji and Kaushalya was given in both the books or in any other book. I have no knowledge if any reference about the above buildings is given in the above books or not.

Learned advocate cross-examining the witness draw the attention of witness towards his statement dated 27.6.2005, para -two at page No. 20, "I remember that there was a Chauka, Belan and Chulha at one place". Witness after seeing it said that this place may possibly be Sita Rasoi. I believe that Chauka-Belan and Chulha of Sitaji are kept there. The place where Chauka-Belan and Chulha are kept is a Sita Rasoi according to my faith and belief. Sita Rasoi might be in the palace of Sitaji or not. Sitaji was residing in the same palace where Ramchanderji was residing. I, on the basis of my belief and faith, cannot say whether the place where Chauka-Belan and Chulha were stated to be kept, as I have mentioned in my statement at page -20, was a part of palace of Ramchanderji or not. I cannot say with firm belief that in which palace the Sita Rasoi was. It would have been near the palace where Sita was residing.

Volunteer : that it might be possible that Sitaji would have prepared food only once or for few days and in the memory this preparation, it would have been named as Sita Rasoi. Chauka-Belan and Chulha, which I have seen was with Belan. I do not know from what material these chauka, belan and chulha were made of. According to my belief and faith these articles had been there since the time of Sitaji. I do not know in this regard if some people call it a Kaushalya Rasoi or not. I do not remember whether Kaushalya Rasoi was written there at any place at the time of my visit to the disputed Bhawan in 1990-91 or not. According to me, Kaushalya Rasoi also has a

religious importance. Kaushalya Rasoi and Sita Rasoi are equally important. I have no knowledge whether Kaushalya Rasoi was in the same building where Kaushalya was residing or in any other building. Palace, where Kaushalya was residing, can be called Kaushalya Bhawan or Kaushalya palace. I neither have heard nor read that there was a temple in the palace of Kaushalya. I have no knowledge about the place in Ayodhya, where Kaushalya Bhawan or Kaushalya palace was during the time of King Dashratha because I have not studied about this. However, Ramchanderji was born in Kaushalya Bhawan. Volunteer: that birthplace would be in this building. According to my faith and belief Ramchanderji was born under the middle dome of the building with three domes.

Verified the statement after reading

Sd/-

Swami Avimuketshwaranand Saraswati

06.07.2005

Typed by the stenographer as dictated by me in open Court. In continuation to this the suit may be listed for further Cross-examination for 07.07.2005, Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

06.07.2005

Before: Commissioner Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special Duty High
Court, Lucknow Bench Lucknow.

Dated 7.7.2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench in Other
Original Suit No. -4/89 vide order dated 26.5.2005).

(In continuation dated 6.7.2005, Cross-examination on an
oath, of D.W. 20/2, Swami Avimuketshwaranand
Saraswati, continued).

Laxmanji was born in the Bhawan of Sumitraji.
Bhawan of Sumitraji would have been near the building
with three domes. Laxmanji was not born under the
building with three domes. Laxmanji was born in Sumitra
Bhawan near the building with three domes. Sumitra
Bhawan would have been near the three domes building.
But where was it, however I cannot say definitely in this
regard. I cannot say whether Sumitra Bhawan was at a
distance of 100 yards, 50 yards or 500 yards from the
building with three domes. Bharat and Shatrughan were
not born under the place of the building with three domes.
They would have been born in the building of the Bhawan
of Kaekai and Sumitra. How far Kaekai Bhawan is from
the building with three domes, I will not be able to say.
No reference is available in Valmiki Ramayana or
Ramcharitmanas about the Kaushalya Bhawan, Sumitra
Bhawan and Kaekai Bhawan. I have not read about it in
any book. I cannot say if there was a separate labour
room in the palace of king Dashratha or not. I have no
knowledge about the saying of the some people that there
was a labour room in the palace of King Dashratha, where

Ramchanderji was born. I have no knowledge about the creations of Tulsi Das other than "Ramcharitmanas". I have heard about the creation of Tulsi Das "Geetawali" but not read it. I have heard about his creation Kavitawali but not read it. I have read other books of Tulsi Das like – Hanumanchalisa and Sankatmochanashtak other than Ramcharitmanas. It is possible that there may be some difference between the details given in Valmiki Ramayana and Ramcharitmanas.

Question: Do you, on the basis of your study cannot say whether there is some difference in between the Ramcharitmanas and Valmiki Ramayana or not?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri on behalf of defendant No. 20 of Other Original Suit No. –4/89 has raised an objection that question has already been replied before asking. Hence this question cannot be allowed).

Answer: I have not done the comparative study of the two books. Hence I cannot pinpoint the comparative difference.

Learned advocate cross-examining the witness draw the attention of witness towards fifth Canto of Balkand of Valmiki Ramayana, first part, document No. 261 C –1/1. Witness, after seeing it, said that this Canto contains the detail about the Ayodhyapuri of King Dashratha. The first three couplet of this Canto contains the detail about the Kings from Manu's time to King Sagar or the Kings of Ikshvaku Dynasty who ruled this earth. It is my belief and other people also say in this regard that "Humane Creation" began from the time of Manu. The name Manav or Manushya originated from the name of Manu. The

Earth had been in existence before Manu. This existence originated from Avyakta. Avyakta means Brahma. This world has originated from Brahma. That Prambrahma is stable in the form of Avyakta which is also called an Aand, from which this world was originated. Creator of this world is formless in Avyakta form. That Brahma changes in Vyakta shape in to form. As wood contains the fire but it require friction to generate. Like is Brahma when Brahm is manifested, he became Mahad. Mahad produces egoism. Ego creates, mind and soul. Soul creates sky. Sky creates air. Air Creates fire. Fire creates water and water creates earth. Brahma, Vishnu and Mahesh were the form of Brahm. Brahm has manifested himself in the form of Brahma, Vishnu and Mahesh and had created the world. From my above statement, I have detailed about Avyakata Brahm to Mahad and up to the creation of Universe. Brahma, Vishnu and Mahesh came into existence after creation of Universe. Rishies also came into existence through humane creation from Brahma.

I have studied about other religions other than Hindu religion, in general. I have a little common knowledge about Islam. The "Allah" in Islam Religion is called epithet, formless and omnipotent God. Hindu religion has the same concept about Avyakata Brahm as Islam has about Allah.

Ramchanderji is recognized an incarnation of Vishnu. This is the same Shri Ramchanderji who was the son of King Dashratha. There were a number of incarnations of Vishnu, other than Ramchanderji, Krishna, Parshuram, Balram, Varaha, God Buddha and Narsingh incarnation are among them. In addition to these there were Matasya, Koorm and Kalki incarnation. Kalki incarnation will be in the form of humane in future. Matasya means fish and

Koorm means tortoise. Matasya, Koorm, Varaha, Narsingh, Vaman, Ram, Parshuram, Balram, Buddha and Kalki are among the ten incarnation of Vishnu. Among these incarnations, the birthplace of Ramchanderji is in Ayodhya and that of Krishna is in Mathura. God Buddha has not been incarnated so far. Balram was born in Mathura. I do not know where Parshurama was born. Similarly, I do not know about the birthplace of other incarnations. I have read about their birthplace but I am not recollecting at present. There are so many Manus. The present period is of seventh Manu. Human is the creation of first Manu. Rest of Manu had not created human. How many lakh of years are there in a Manu Period, can be said only after calculation. In general, more than 71 Mahayugas are equal to a Manu Period. There are 14 Manus in One thousand Mahayugas. Period of Kalyuga is equal to Four Lakh Thirty two thousand years. Multiplying it by ten will be equal to One Mahayuga. One Mahayuga contains 43 Lakhs, 20 thousand years. Kalpa means a day of Brahma. One Kalpa is equal to one thousand Mahayuga. So many Kalpa have been passed away since the creation of Universe. How many Kalpa have been passed away, can be stated only after calculation. I can tell it tomorrow after calculation. Fifty years of Brahma at present have passed away. One year of Brahma have 365-360 days. The first day of 51 year of Brahma is going on. Above period can be calculated likewise. This way fifty thousand twenty seven Treta Yugas have since passed away after the creation of Universe.

According to my faith, Ramchanderji, son of King Dashratha was born in fifty thousand twenty years of Tretayuga. 28th Kaliyuga is running at present. Three Mahayuga have been passed away since the birth of

Ramchanderji. Fourth Mahayuga is going on. On the basis of above calculation three Mahayuga are equal to one crore, forty lakh years.

Thus, one crore, forty lakh of years have been passed away since the birth of Ramchanderji. Ram Janam Bhoomi is being worshipped since then. It is my faith and belief that Ramchanderji is being worshipped at the disputed site since one crore forty lakh of years. Worship of Ramchanderji at his birth place started after he went abode. At that time, Ramchanderji would have been worshipped, in the form of his idol of his childhood. Volunteer : that an idol is not must for worship. Only land can also be worshipped. It is my belief and faith that an idol of Ramchanderji's childhood is being worshipped at the disputed site since one crore forty lakh years. That idol of Ramchander's childhood is called Ramlalla. According to my faith and belief the present idol of Ramlalla is One Crore forty lakh of years old and this idol might have been replaced during this period. Volunteer : that change of an idol is but natural if any defects are developed. I cannot say certainly that the present idol of Ramlalla is One crore forty lakh years old or it was changed during this period. Present idol of Ramlalla is stated to be made of eight-metals and it also appears like that. I cannot say whether this idol has any work of art or not because I have seen this idol from a distance. An idol of Ramlalla is about 9 inches in height. Only one idol of Ramlalla has been kept at the disputed site.

Since Valmiki Ramayana was written during the time of Ramchanderji so its couplets are also one crore forty lakh years old. The couplets written in Valmiki Ramayana are in the same words and Chhands, as written by Maharishi Valmiki. The language used in Valmiki

Ramayana was also in vogue from one crore forty-lakh years back. It is not correct to say that the words used in Valmiki Ramayana, which is in Sanskrit, and manner, in which it is written, was different, thousand and thousand and five hundred years back. Volunteer : that the manner of writing, I mean from the style and not the script. The script of Sanskrit, two to two thousand five hundred years back, in which Valmiki Ramayana is written was different than the script of to day. Sanskrit written in Valmiki Ramayana is a classical Sanskrit. Volunteer : that classical and Vedic, both, Sanskrit languages have been in existence. Sanskrit language used in Valmiki Ramayana, has always been in existence in the same manner. Vedas are older than Valmiki Ramayana. So Vedas were created one crore forty lakh years back. Sanskrit language used in Vedas is different to Sanskrit used in Valmiki Ramayana. Sanskrit used in Vedas is called Vedic Sanskrit. It continues to remain the same from beginning till todate. Similarly classical Sanskrit used in Valmiki Ramayana remained unchanged since then. The difference in between Vedic and Classical Sanskrit is that Vedic Sanskrit is used by knowledgeable persons whereas Classical Sanskrit is used by general public. Both types of languages were used at one time in same area. Both types of Sanskrit languages were also in use during the time of King Dashratha.

Question: Whether Vedas were written in Ayodhya region?

Answer: No, Vedas were not written in Ayodhya.

It cannot be said that Vedas were written in Ayodhya. I do not know about the specific area where Vedas were written or compiled. Vedas had been categorized and compiled during the period of Ramchanderji.

Ayodhya Mahatamya is not a part of any Veda, but it is a part of Purans. Purans were written before the period of Ramchanderji. First Vedas were created and later on Purans were created. Vedas were compiled by Rishies. Vedas were produced from Brahma. These were produced through exhalation of Brahma. Purans were written by Maharish Vyas. Maharishi Vyas was there before the period of Ramchanderji. I do not know if the same Maharishi Vyas was during the time of Shri Krishan or not, because there were a number of persons by the name of Maharishi Vyas. Purans are 18 in number. Skand Puran is one among them. "Ayodhya Mahatamya" is under Skand Puran. "Skand Puran" and "Ayodhya Mahatamya" were written by Maharishi Vyas. I have read "Skand Puran" and "Ayodhya Mahatamya". I have read these two books partly, according to some purpose. I have not read it thoroughly. I have read Ayodhya Mahatamya in the year 2000. The contents of Ayodhya Mahatamya are older than Valmiki Ramayana.

The Ayodhya of today is somewhat different than the details about the borders of Ayodhya and standard of living of the people of Ayodhya and detail about the then houses and temples available in Valmiki Ramayana. Area of present Ayodhya is less than the Ayodhya of the time of Ramchanderji. The word "Yojan" was used in Valmiki Ramayana, I do not know if one Yojan is equal to 12 miles or not. I have not tried to know about the "Yojan" described in Valmiki Ramayana during my study, as I did not think it necessary. I know only this much that it is a measurement to tap the distance. I still study Valmiki Ramayana. I cannot say when I started studying Valmiki Ramayana. I have not read Valmiki Ramayana till I was in Baroda. I started studying Valmiki Ramayana only after I

came to Kashi. I cannot say places like that Barabanki, Sultanpur, Rudoli etc. were under the Kingdom of Ramchanderji or not.

Detail about some parts of Ayodhya as given in fifth Canto of Balkand of "Valmiki Ramayana" is also available in "Ramcharitmanas" written by TulsiDas. Detail about the area of Ayodhya given in seventh couplet of fifth Canto of Balkand of Valmiki Ramayana is not available in Ramcharitmanas in the same form. Ramcharitmanas contains the name of Ayodhya and its glory but not the details about the area of Ayodhya. I do not remember whether 60,000 sons of King Sgar, which were mentioned in second and third couplet of this Canto were also mentioned in Ramcharitmanas or not. There is a mention of very large area called Kaushal in Ramcharitmanas. It emerges from the Sixth Couplet of this Canto that there was a city named Ayodhya in the "Kaushal" Janpad. Ayodhya was not a janpad. It is also revealed from the sixth couplet that Ayodhya was constructed and inhabited by King Manu. I cannot say whether the Manu referred in this couplet was the first or seventh Manu. There is a reference about a deep trench around Ayodhya in the fourth couplet of this Canto. This trench probably might have not been mentioned in Ramcharitmanas. There is also a reference about fixation of Jewels of various types in fifteenth couplet of this Canto. I have not seen any palace of Ayodhya fixed with jewels. In the translation, there is a reference about the palace of Ayodhya covered by Gold-water in the sixteenth couplet of this Canto but original Couplet does not refer about it. In seventeenth Couplet of this Canto, water of Ayodhya was compared with the juice of sugarcane. Water of the present Ayodhya is equally sweet. In ninth Couplet of this Canto there is a reference that king Dashratha had specially rehabilitated

Ayodhya in comparison to earlier one. To rehabilitate specially means – to rehabilitate in accordance with his choice.

The building and temples as referred in fifth Canto of Valmiki Ramayana, or their remnants are still found in Ayodhya. Palace of King Dashratha or Bara Sthan of the present time are like the buildings and temples of the time of King Dashratha. These buildings are in the shape of remnants. There may be other buildings like these, but I do not know about these. It is written in twentieth Canto of Balkand of Valmiki Ramayana that the age of Ramchanderji was less than 16 years old at the time when Maharishi Vishwamitra came to take Ramchanderji. In tenth Couplet of this Canto, the age of King Dashratha was described as 60,000 years.

The matter written in Couplet No. 2 and 10 of third Canto of Balkand of Valmiki Ramayana are not same as in Ramcharitmanas. That Ramchanderji was less then 16 years or King Dashratha was 60,000 years old. Volunteer : that it is written therein that there is a reference that the age of Ramchanderji was less and King Dashratha had become old. The matter written in 28th and 29th Couplets of 15th Canto of Balkand of Valmiki Ramayana was the sayings of God Vishnu. God Vishnu is referring the matter in these Couplets that he is going to be incarnated as Ramchanderji. The sayings by Maharishi Valmiki had been referred in 21st Couplet of this Canto. There is a reference about his four incarnations as four brothers. Volunteer : that it also indicates towards four forms – Name, Form, Deeds and Shrine. After reading 21st couplet of this Canto, both the above mentioned possibilities are there. It is believed that only Ramchanderji was the incarnation of Vishnu. His three brothers were the

incarnation of Vishnu's parts. Sayings of Maharishi Valmiki were referred in Couplet No. 30 of this Canto. This means that God Vishnu had determined his birthplace before taking incarnation as Ramchanderji. This Couplet does not indicate about any specific place about birthplace. The reference available in Couplet No. 28th to 31st of Valmiki Ramayana is in somewhat different from one as mentioned in Ramcharitmanas. Wording is different but the meaning is same as given in the above mentioned Couplet of Valmiki Ramayana. There is a reference about Rishyashringa in the first Couplet of 15th Canto of Valmiki Ramayana. Rishyashringa was living at Shringeri place in Karnataka. But I do not know whether his samadhi is there or not. Couplet No. 8, 9 and 10 of 18th Canto of Balkand of Valmiki Ramayana contains the detail about birthplace, birth time and birth of God Shri Rama. Word "Sarvloka Namaskritam" is written in Couplet No. 10, which means the place where Ramchanderji was born. Volunteer : that country, time and things are considered together.

Question: Is it correct to say that the literal meaning of "Sarvloka Namaskritam" is not "birthplace" as you have mentioned above?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri on behalf of defendant No. 20 of Other Original Suit No. -4/89 has raised an objection that witness has already stated the meaning of the above word. Hence the same question in other form cannot be allowed).

Answer: I am stating the correct meaning of the word "Sarvloka Namaskritam". It was used here as an objective.

Literal meaning of "Sarv" is "all" and "Loka" means "world" and "Namaskritam" means "Namaskar".

Question: I am to say that the word "Namaskritan" referred in Couplet No. 10 means "All Lokas had paid Namaskar" at the time of birth of Ramchanderji?

Answer: It is not correct to say that sequence of word of (proposition) this Couplet would be that "Sarvloka Namaskritam Sthanm Asaadh Jagannathm Divyalakshanmsanyuktam Ramam Kaushalya Ajnayat".

Here I am adding the word "Sthanam" because its adjective is present here. A noun with an adjective and adjective with noun can be guessed here. Exact location of the place in Ayodhya had not been given in Couplet No. 10. Couplet No. 13 and 14 of 18th Canto, referred about the birth of Bharat, Lakshman and Shatrughan but no specific place has also been referred where they would have been born.

Verified the statement after reading

Sd/-

Swami Avimuketshwaranand Saraswati

07.07.2005

Typed by the stenographer as dictated by me in the Open Court. In continuation to this the suit may be listed for further Cross-examination for 08.7.2005. Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

07.7.2005

Before: Commissioner Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special Duty High
Court, Lucknow Bench Lucknow.

Dated 8.7.2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench in Other
Original Suit No. -4/89 vide order dated 26.5.2005).

(In continuation to dated 7.7.2005, Cross-examination on
an oath, of D.W. 20/2, Swami Avimuketshwaranand
Saraswati, continued).

I have referred, about seeing Lomash Ashram, in my
statement. This place is situated in the east north of the
disputed site at a distance of about half furlong. Lomash
Ashram was in the form of building. A large door was
fixed at the building. Again said, it was not a door but a
gate. "Chaura" perhaps is called for Chabutra. I would
not be able to say whether Lomash Chaura or Lomas
Ashram is one and the same or not. Learned advocate
cross-examining the witness Draw the attention of witness
towards map document No. 3/9-A, attached with suit
document of Other Original Suit No. 3/89 and asked that-

Question: Have you seen the Lomash Ashram at the place
where Lomash Chaura is written in the above
map, as mentioned by you above?

(Upon this question, Learned Advocate Ms. Ranjana
Agnihotri on behalf of defendant No. 20 of Other Original
Suit No.-4/89 has raised an objection that as the map has
not been prepared before the witness, so question can't be

asked from the witness on that basis and such question should not be allowed).

Answer: The place where Lomash was shown in this map, I do understand that it was not at this place, as shown in the map, when I saw it.

Learned advocate cross-examining the witness draw the attention of witness towards map document No. 126/6 (Number given by the Court) in the original Suit No. 1/89, Gopal Singh Vishrad V/s Zahoor Ahmed, witness after seeing it said that Hanumat Dwar is written in this map, which I can read. Ramchabutra and Sita Rasoi are also shown in this map. It appears that the location of the Hanumat Dwar, Shankar Chabutra and Sita Rasoi are at the same place, when on earlier occasion I saw these, as shown in this map. Sumitra Bhawan is shown in this map at the bottom. Sumitra Bhawan is shown in the map, I have not seen this place. I have read about it in the newspapers when it was demolished. Sita Koop has been shown in this map, which I have not seen. I do not remember whether I have seen or read about Sita Koop. Shankar Chabutra, which has been shown in the map is in the east of Hanumat Dwar, I have not seen it. When I went to the disputed site in 1990-91, I did not perform its parikrama. I have no knowledge if there are samadhies of Rishies in the north and south of the disputed site or not. I have not seen these. "Vijay Raghav Sakshi Gopal Mandir" has been shown in the map. I have not seen it. I have also never heard about this temple.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 261 C – 1/1/1 of Valmiki Ramayana (first part) document No. 261 C – 1/1. Witness said that Maharishi Valmiki was shown in

the map. He is the same Maharishi Valmiki who had written Valmiki Ramayana. According to my belief, faith and knowledge the said picture of Maharishi Valmiki was prepared in accordance with the available details and imagination. The same is the position of document No. 261 C -1/1/3 to 26 C -1/3/8 which were also prepared on the basis of description available in all the ancient literature to modern literature. Valmiki Ramayana is one of these books in which this description is available. This detail is available in 18 Purans and Mahabharata etc. Learned advocate cross-examining the witness Draw the attention of the witness towards Valmiki Ramayana, document No. 261 C-1/2. Witness after seeing the page No. 261 C -1/2/1 to 261 C -1/2/8 of this book, said that these pictures were also prepared on the basis of available detail and imagination. Although these pictures were prepared on the basis of imagination, however, it is believed that the persons who were shown in this would have been in the same shapes, as shown in these pictures. However, it cannot be said that the above mentioned persons as shown in those pictures of the same size were also there during the time of King Dashratha or not. Volunteer : that these pictures indicates and remind us about those, who were shown in these pictures.

Question: You have, in your statement said that above pictures were prepared on the basis of detail available, would you please tell whether the size of male and female of the time of King Dashratha can be called dissimilar than the persons shown in the pictures, as per your belief faith and knowledge?

Answer: I have no knowledge whether the pictures shown to me were prepared in accordance with

the available in depth of details or not. Hence I cannot say whether these pictures resemble to the size of the persons of that period or not.

The general public and the followers of Hindu Religion believe that they might be of the same proportion as shown in the picture. However, according to my knowledge, if from those pictures, details and references are omitted out then it will be impossible to conclude on the basis of references of the place or person appearing in this picture. According to religious books deities are recognized by their special organs, arms and vehicles.

As per my knowledge, picture of Ramchanderji and Laxmanji are not correct, as shown in document No. 261 C -1/2/8. If the part written below the picture is not read it cannot be ascertained that which place or which person is shown in the picture. In my view the deficiency in this picture is that arms of Ramchanderji were not shown in this picture. Bow and arrow are the arms of Shri Ramchanderji. Only the above-mentioned deficiency is being noticed by me in this picture at present. His Vighrah has also not been prepared in accordance with the size prescribed in religious books. At present, without reading the detail given in the religious book, I cannot say that what deficiency is there in the Vighrah of Ramchanderji. The same thing is applicable in connection with the picture of Laxmanji. On the basis of my study, I cannot say what the height of the women and men during the time of Dashrathji's. I cannot say how much height of the people of that time had in general. I would not be able to tell whether the height of people of that time were 5-6 feet, 8-10 feet or 40-50 feet.

Question: Do you worship the idols of the incarnation like Ramchanderji, Laxmanji, Bharatji and Shatrughanji, without knowing their human size and appearance?

(Upon this question, Learned Advocate Shri Ajay Kumar Pandey in Other Original Suit No.-5/89 has raised an objection that question asked for in respect of size and appearance of idols, are irrelevant and even then reply has been given. Hence such type of questions can not be allowed time and again).

Answer: We worship an idol as a symbol and call for divine power by consecration the idol, which descend on it.

Picture of Hanumanji was given in document No. 261 C -1/2/3. This picture also is not classical in accordance with the detail available. The difference is in between the picture and detail available can be said only after reading the detail carefully. At present, I cannot say about these details. I have the picture in my mind but not in depth. According to the detail, which I know, Hanumanji had a monkey figure with a club. Except these two things, I am not recollecting any other thing about him. These two signs are available in the picture on the basis of which I have said that it was a picture of Hanumanji.

Question: If you do not remember any specific detail about the figure of Hanumanji, how you can say that the picture of Hanumanji given in document No. 261 C -1/2/3 is not in accordance with the detail available?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri on behalf of defendant No. 20 of Other Original Suit No.-4/89 has raised an objection that this question is being asked time and again in different forms so that witness get confused and his faith is hurt. Such question should not at all be allowed).

Answer: Hanumanji has been shown in this picture wearing ornaments and it is also not clear what type of clothes he was putting on and in what shape. On this basis I am saying that this picture is not fully classical.

Question: Is it possible that any detail about the figure of King Dashratha and Ramchanderji would not be available in any book on the basis of which his picture could have been prepared and the above mentioned these pictures would have been prepared on the basis of imagination only?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri on behalf of defendant No. 20 of Other Original Suit No.-4/89 has raised an objection that this question has already been replied. Permission should not be granted for asking such question time and again. By doing this the time of Court and witness is being wasted).

Answer: By taking the detail about the above people available in religious books unavailable can be imagined. How far this procedure was adopted in these pictures, it is a case for study.

Learned advocate cross-examining the witness draw the attention of witness towards Couplet No. 17 and 18 of 108th Canto of Balkand of Valmiki Ramayana first part document No. 261 C -1/1. Witness after reading it said that these Couplets contain the detail about the day of birth of Ramchanderji. The translation of the Couplets given in the book is not fully correct. In the translation of

these Couplets the words "at the time of his birth" were written in plenty. Rest of the translation is correct. Translation of other Couplets, next to Couplet No. 19 and 20, given in the book is correct. Translation given about the naming ceremony in 21st and 22nd Couplets is correct. The detail given in 23rd Couplet about feeding of Brahamins, residents of city and Janpad by King Dashratha is correct. The word "the king had" is written in excess. Next to it, in 24th Couplet it is written that Maharishi had, from time to time get the rituals done by King. In the translation of this Couplet as given in the book, the words "Maharishi Vashishta had from time to time" is written in excess. But the words, added in order to clear the meanings or context are correct. Similarly, the words used in the Canto "Kul ki kirti ki dhwja ko" are written in excess. It appears that these had been written to clear the meaning.

This couplet refers about rituals. I do not know, how many days after the birth of a boy, the rituals are performed. I have not done indepth study about the rituals. 16 rituals are famous. However the total number of rituals is 40. I have no knowledge about this. Chhati is performed on the 6th day of the birth of the boy. Valmiki Ramayana contains the specific details about the Chhati ritual of Ramchanderji. Names of the rituals are written in 18th Canto of Balkand of Valmiki Ramayana but there was no reference about the place where the rituals were performed. Ramcharitmanas also does not contain the specific detail about the places where the rituals were performed. I have, in a book concerning to Ayodhya, read that which ritual of Ramchanderji was performed at which particular place. Only places of some rituals were mentioned in that book. I am not recollecting the name of the author of that book and also the year in which it was published and by which publication. I have no knowledge

about it. This book was in Hindi. I have read that book during my journey to Ayodhya. During which specific journey to Ayodhya, I have read this book, I do not remember. I have no knowledge about the particular place where Chhati ritual of Ramchanderji was performed. Volunteer: that however I have heard during the course of discussion that this place was near the disputed site.

Fourth Canto of Ayodhya Kand of Valmiki Ramayana contains the reference about the palaces of King Dashratha, Ramchanderji and Kaushalya etc. It is not clear from the third and fourth Couplet of this Canto, whether Ramchanderji was in his palace when he was called by King Dashratha. Translation of third and fourth Couplet of above Canto of Valmiki Ramayana is correct. In the translation of Couplet No. 4 the word "Soot" has been translated as Sumantra, which is correct in accordance with the context. It appears from reading Couplet No. 3 that Ramchanderji was not in the palace of King Dashratha, when he was called by King Dashratha. It is written in Couplet No. -4 that as per order of King Dashratha, Sumantra went to the palace of Ramchanderji to call him. It is written in Couplet No. 5 that gatekeepers had informed King Dashratha about the arrival of Ramchanderji again. This means that he was in the palace at that time. It was definite. It becomes clear from reading the Couplet No. -8 of this Canto that Ramchanderji went towards the palace of King Dashratha to see him. It becomes clear from the Couplet No. Ninth and tenth that Ramchanderji went to the palace of King Dashratha from his palace. Then King Dashratha called him in. It becomes clear from 29th Couplet that Ramchanderji went back to his palace from the palace of King Dashratha. In the translation of 29th Couplet that the sentence "When Rama went to his palace to tell Sita about this, he did not find Sita there" has been written in

excess because of context. Whereas in original Couplet it is written that Ramchanderji went to his palace. As per Couplet No. 30, Ramchanderji went to the palace of Kaushalya first and then to his palace. It is also written in the Couplet that Kaushalya at that time was worshipping her God in the Dev temple of deity in her palace. It becomes clear that there was a temple in her palace. The name of deity, whom she was worshipping in her palace, was not given in the Couplet. I cannot say if there is any reference in any book about the deity to whom she was worshipping. It becomes clear from reading the 35th Couplet of Fourth Canto of Ayodhya Kand of Valmiki Ramayana that Kaushalya at that time was worshipping God Vishnu. The word "Janardanam" was used in this Couplet. This word refers the God Narayana also.

It becomes clear from reading the Couplet No. 41 that Kaushalya had performed fast to please God Vishnu. It becomes clear from Couplet No. 45 that Ramchanderji after talking with his mothers went to his palace.

Learned advocate cross-examining the witness Draw the attention of witness towards Couplet No. 15 of fifth Canto of Ayodhya Knad of Valmiki Ramayana. Witness after reading it said that the translation of the Couplet as given in the book is not correct. The correct translation is that Vashishta had seen the crowd on the way, while coming out from Ram's palace famous by the name of "Raj Bhawan". It is written in this Couplet that the word "Raj Bhawan Prakhyat" means famous by the name of Raj Bhawan but it was referring to the building of Shri Ramchanderji. Raj Bhawan was the name of the palace of King Dashratha. However, it appears that people wanted Ramchanderji as their King, so they had started calling the palace of Ramchanderji as Raj Bhawan. Couplet No. 26th of Fifth Canto does not refer the Raj Bhawan. In the translation of this Couplet the word Raj Bhawan has not

been written as correct. This Couplet refers the palace of King Dashratha. In the first Couplet of Sixth Canto, it was referred that Rama along with Sitaji went to Narayana in his palace. In the third and fourth Couplet of this Canto, it was referred that there was a temple of God Vishnu in the palace of Ramchanderji. It becomes clear from reading these two Couplets that Shri Ramchanderji and Sitaji slept there on the mat made of *Kush*, while concentrating the God Vishnu. *Kush* is a holy grass or plant, from which mat is made. Volunteer : that *Kusha* is used in religious rites. It becomes clear from reading the first Couplet of seventh Canto of Valmiki Ramayana that Kaekai had a separate palace. She went to the roof of that palace. Translation of seventh Couplet of this Canto given in Valmiki Ramayana is correct.

It is clear from the 21st Couplet of Fourth Canto that palace of Sumitra was separate from the palace of Kaushalya. It is not clear from the details given in Valmiki Ramayana or Ramcharitmanas or any other book that in which direction the palace of Kaushalyaji, Kaekaiji, Sumitraji and Ramchanderji were situated. Similarly, this fact is not clear from any book at what distance the palace of King Dashratha was from other palaces. Volunteer : that there was not much distance in between. It is clear from the Couplet No. 19th and 21st that all the palaces were situated nearby because by the time, Ramchanderji reached at the palace of Kaushalya, Laxmanji came in and also called Sitaji there. I have already stated in my statement that present Bara Sthan or Dashratha Mahal is : at the same place where these were at the time of King Dashratha. Disputed Bhawan might be at a distance of less than 1 km. and must be half kilometer, from the present palace of Dashratha. I cannot say that the present Vashishta Kund in Ayodhya is at the same place, where it was during the period of King Dashratha or not. I

am not recollecting at present if RamChandra , before going to exile, first went to the house of Vashishta from his palace or not and whether he went to exile from there or not.

Learned advocate cross-examining the witness draw the attention of witness towards the Couplet "Nikasi Vashishta-----Duwo Dadhen" next to Couplet No. 79 at Page 276 of Shri Ramcharitmanas, document No. 258 C-1/2. It is written in this Couplet that Ramchandra went out from his palace and stood in front at the door of Vashishta house. It becomes clear from the Couplets, next to above Couplets, that Ramchanderji from there went to exile. During this journey, he stayed first at the bank of Tamsa River. Tamsa River still exists but where, I do not know. Thereafter, Ramchanderji, Sitaji etc. had reached the Shringverpur. Shringverpur is at a distance of 30-35 kms. from Allahabad. I had never seen this place. I have no knowledge about the distance of Tamsa from Ayodhya, during the time of Ramchanderji. I have no knowledge about the distance of Shringverpur from Ayodhya during the time of Ram Chandraji.

I have, in my statement referred the Fifth line of the Couplet "Janambhoomi Mam Puri Suhawani, Uttar Dis Bah Saryu Pawani", next to Couplet No. 3-C of Uttar Kand of Ramcharitmanas. The word "Puri" was used in this Couplet for Ayodhya and Ayodhya had been referred as Janam Bhoomi and further it is said that Saryu River was flowing in the north of Ayodhya. It was not written in this Couplet or in Ramcharitmanas, at any place, that at what specific place Ramchanderji was born.

There is a reference about the incarnation of Ramchanderji in the Couplet next to Couplet No. 191 of Balkand of Ramcharitmanas. The first line of this Couplet means "One who is compassionate to poor, well-wisher of Kaushalya was incarnated". In Couplet No.-193 of this

Balkand, rituals etc. were referred. In the last but fifth line of Couplet No. -33 and Sixth Couplet of Balkand, birth of Ramchanderji was referred. Exaltation of Ayodhya was mentioned in the last but third line of 34th Couplet and Fourth Couplet of this Kand. It was mentioned in the last but fourth line of Couplet No. -35 of this Kand that writing of Ramcharitmanas was started in Samvat 1631. It was referred in last but Sixth Couplet next to Couplet No. 32 B of this Kand that Ramchanderji was incarnated in different forms and Ramayana is hundred crores and shore-less. A number of incarnation of Ramchahderji, referred in this Couplet, means, God Vishnu had taken incarnation at a number of times. Incarnation of Ramchanderji was one among them. The hundred crores of Ramayana referred in this Couplet means that there were 100 cores Couplets in Ramayana, written by Maharishi Valmiki. It is stated that the Ramayana, written by Maharishi Valmiki, which is before me in the Court, has 24000 Couplets. It is stated about 100 Crore Couplets of Valmiki Ramayana that about 33-33 crore Couplets were allotted to Deities, Rishies and Demons respectively. Rest one crore Couplets were again allotted to among the above three categories in the ratio of 33-33 thousand Couplets. Remaining one lakhs Couplets again distributed in the ratio of 33-33 thousand among the above mentioned categories. Remaining one thousand Couplets were distributed among the above categories in the ratio of 33-33 hundred Couplets again. Thus 100 Couplets were left. These were divided among the above mentioned three categories, in the ratio of 33-33 Couplets. Thereafter one Couplet was left. Its alphabets were counted, these were 32 in number. These 32 alphabets were again distributed among the above mentioned three categories in the ratio of 10-10 alphabets. Rest two alphabets, Ram-Naam, were taken by Shankarji himself as remuneration i.e. kept with himself. Among the

Couplets, procured by Rishies, 24 thousand Couplets were allotted to the humans by Valmiki as a kindly gesture. The above Couplet perhaps refers about this. After taking 24 thousand Couplets from Rishies, rests were retained by him. Beside this, this couplet has another meaning also. This is that Ramayanas are of millions types, which are not easy to study. The word "Koti" also means crores and this has the similar meaning. In addition to Valmiki Ramayana, I have the knowledge about Anand Ramayana, Adhyatam Ramayana, Lomash Ramayana, Jamboo Ramayana, Kritiniwas Ramayana, Kakbimb Ramayana, I have no knowledge about other Ramayanas. Beside above, there is a Ramcharitmanas Ramayana. Beside Ramcharitmanas and Kakbimb Ramayana, all other Ramayana, which I have mentioned above, are in Sanskrit. I have read some parts of all these Ramayanas, with reference to context, at sometimes. Since I have not read other Ramayana, specifically, so I cannot say that the detail given in Valmiki Ramayana are also given in other Ramayanas or not. It is said about Ramcharitmanas that Tulsi Das lived in Ayodhya for a long time, when he had written Ramcharitmanas. I do not know whether a place in Ayodhya is known by the name of Tulsichaura or not. I cannot say whether Tulsi Das, after completion of this book, went to Kashi along with this book or not. I have no information whether Tulsi Das had completed this book in two years, seven months, and twenty-six days or not. I have no knowledge whether some people, after completion of Ramcharitmanas by Tulsi Das, had tried to steal it or not. I have heard that Raja Todarmal, one of the Nine Jewels of Akbar, was friend of Tulsi Das. Ramcharitmanas does not contain the reference about RamJanam Bhoomi Mandir. Ramcharitmanas does not contain any specific reference about this that a mosque was constructed by demolishing the temple. However, one

Couplet contains some indication about this. This Couplet was referred in 7th Couplet "*Karai Aneeti Jai Na Barni Seedhin Vipr Dhenu Sur Dharni*" next to Couplet No. 120 – D of Balkand at Ramcharitmanas. This means, that atrocities being committed cannot be described, Brahmins, Cows, Surdharni i.e. Temples are being targeted. In the word "Surdharni", Sur means Deity and Dharni means Earth. I have above stated the meaning of "Surdharni" as a temple. "Surdharni" means dharni is alike deity.

Question: I am to say that the words Brahmin, Cow, Deities and Earth were used in the above Couplet in different meaning. This Couplet means – "they commit such an atrocities, which cannot be described and which hurt the Brahmins, Cows, Deities and Earth". What you have to say in this regard?

Answer: This can also be the meaning of this Couplet. However the meaning derived to endure suffering by the earth is difficult to comprehend.

Verified the statement after reading
Sd/-
Swami Avimuketshwaranand Saraswati
08.07.2005

Typed by the stenographer as dictated by me it in the Open Court. In continuation to this the suit may be listed for further Cross-examination for 11.7.2005. Witness to be present.

Sd/-
(Hari Shankar Dubey)
Commissioner
08.7.2005

Before: Commissioner Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special Duty High
Court, Lucknow Bench Lucknow.

Dated 11.7.2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench in Other
Original Suit No. -4/89 vide order dated 26.5.2005).

(In continuation to dated 8.7.2005, Cross-examination on
an oath, of D.W. 20/2, Swami Avimuketshwaranand
Saraswati, by Shri Zaffaryab Jilani, Advocate on behalf of
plaintiff No. -1, 6/1, 8/1, Sunni Central Board of Waqf,
Jiyauddin and Maulana Mahfuzurrehman, continued).

I have read "Gitawali", written by Goswami TulsiDas
once or twice. Volunteer : that sometimes he would have
read some part of it. I am not recollecting when I read it.
I can understand it by reading "Gitawali". Learned
advocate cross-examining the witness Draw the attention
of witness towards the Couplet, which is running in to
page 20 and 21, given under the title "Raag Jaitshri", at
Page 19 of Gitawali book document No. 46 C-1/1. This
Couplet contains the description about the time of birth of
Ramchanderji. The words "Bhoopati Sadan" used in first
line in fourth column of above Couplet, at page -19,
means the palace of King Dashratha. Meaning of fourth
column of above Couplet given at Page -21 is correct.
Meaning of thirtieth column of this Couplet is given at
Page -23. In original column, the word "Rahsy Vibas" is
used, I do not know its meaning. Hence I cannot say
whether the meaning of Column No. 30, given at page -
23, is correct or not. In this column a "Comma" had been
put in after the word "Nrip" and "Temple" was written

thereafter. Hence I cannot say whether the word "Nrip Mandir" was used together or not. "Nrip" means King. "Nrip" also means the learned person. Meaning of 23rd column of above Couplet is given at page No. -24, are correct.

Translation of column No. -4, given at page -25, next to the Couplet under the title "Raag Bilawal" at page -24 of this book is correct but the part "towards Raj Mandir" and "Dynasty of Maharaja" given is in excess. "Raj Mandir" may mean "Temple of King" or "House of King". The Couplet given next to the title "Raag Bilawal", contains the atmosphere prevailing at the time of birth of all four sons of King Dashratha. I cannot say whether all the four sons were born at one common time or not. I know about the date of birth of Rama. This is referred in Ramcharitmanas. I do not remember about the date of birth of Lakshman, Bharat and Shatrughan. Date of birth of Ramchanderji and his brothers was nearby. All the four brothers might have born on the same date or after an interval of one or two days. Couplet No. -5 was given under the title "Raag Kedar" at page No. 28 and 29 of the book. Meaning of the third column of this Couplet is given at page -30 of this book. The meaning of this couplet except its context is correct. Reference written in bracket is given to clear the subject matter. The word "Manjul Mathi" is used in this column, this is an adjective to "Chhati". Words "Maharaj ke Manjul Bhawan Main", are given in translation, which are not correct from the translation point of view. Couplet given under the title "Raag Kedar" does not contain the reference about the place where Chhati was performed. Volunteer : that the word Chhati also means a beautiful pavilion constructed for Chhati ceremony, if this word "Manjul Mathi" is not used as an adjective and it is defined separately. "Nrip Ke

Balak Chari" is used in the last line of the Couplet given under the title "Raag Kedar" at Page -28, which is used for all the four sons of King Dashratha. The words "Tinki Chhati" are given in third line at Page -29, which mean the Chhati of all four brothers. It becomes clear from the solemnization of Chhati of all four brothers together that all the four were born on the same day.

Learned advocate cross-examining the witness draw the attention of witness towards Couplet No. 10, 13 and 14 of 18th Canto (Page -69) of Balkand of Valmiki Ramayana. Witness after reading it said that order of birth of all four brothers is obtained from these Couplets. However, from these couplets, it is not clear that all these four brothers were born on the same date or not.

Attention of witness was drawn towards sixth Couplet, which is at page 32 and also on page 33 of this book under the title "Raag Jaitshri" under the title "Namkaran" at page -31 of Gitawali written by Goswami TulsiDas. Witness after reading it said that it becomes clear from reading this that the said Couplet relates to the naming ceremony of Ramchanderji and his three brothers. It is not clear from this Couplet that at which place the naming ceremony was performed. Whether it was held in the palace of King Dashratha or at any other place. It can be guessed from the 14th column of this Couplet that the three queens of King Dashratha were sitting with their respective child in their lap. Volunteer : that it is written above to it that Kaushalya was called. It is given in 25th column that Vashishta, after consideration had given the name to Bharat, Lakshman and Shatrughan. The words "Bharat, Lashan, and Nrip Gawnhun" are used in 25th column, which are used for "Bharat, Lakshman and Shatrughan". The translation of column -18 of this

Couplet given at Page -33, is correct. This means God Shankar is the deity of God Rama, and similarly God Ramchandra is deity of God Shankar. In this regard I also have the same belief. Volunteer : that religious books also have the same description. The Couplet given under the title "Raag Kedar" at Page -39 of "Gitawali", is about the massaging and rubbing cosmetic paste over the body and bathing of children. No rituals are referred in this Couplet. Child fun and frolic are mentioned in this Couplet. I cannot say whether bathing in such a way is a part of Chhati ritual or not. Learned advocate cross-examining the witness draw the attention of witness towards Couplet No. 17 given under the title "Raag Bilawal" at page 45 and 46 of the book. Witness after reading it said that there is a reference, in second column of this Couplet, about calling a Brahmin in her palace by Kaushalya. Fifth column contains the details about the matter at the time of birth. This description was given by the Brahmin, who was called by Kaushalya. The name of that Brahmin was written as "Shankar". This "Shankar". This "Shankar" named Brahmin was God Shankar or not, I cannot say. The word "Sukh Neend" in the first line of this Couplet No. 21 at page No. 49 of this book was used for "Sleep". "Neend" means - Nindra Devi. Free translation of this Couplet is given at page 49 and is correct. The word "Bhupati Bhawan" in this Couplet was used for the palace of King Dashratha. There might be residence of Kind Dashratha in that "Bhupati Bhawan" or this can be meant for the palaces of his queens. Volunteer : this can also be means Bhupati and Bhawan might be getting pleasure from the fun and frolic of Rama and his brothers. Free translation of Couplet No. 39 at Page 72 and 73 of this book, given at Page No. 73 is correct. In this translation word "Maharaja Dashratha" had been added. Translation of 23rd Couplet in "Raag Kedara" :

under the title of "Ayodhya Ko Anand" at page No. 365 and 366 of this book is correct. The word "Rampuri" used in the last line of this Couplet means Ayodhya. Learned advocate cross-examining the witness Draw the attention of witness towards these Couplets of Gitawali during the course of statement. There is no reference about any particular person in these Couplets. Only birth of Ramchanderji is stated therein. I have recently read some parts of "Kavitawali" written by Tulsi Das. There is also no reference about any particular place where Rama was born. I, being interested in the character of God Rama and Shri Krishna, have referred Valmiki Ramayana, Ramcharitmanas and Srimad Bhagwat in Para -11 of my affidavit. Srimad Bhagwat contains the reference about the dynasty of Ramchanderji, his character and about taking birth in Ayodhya but place, in particular, has not been mentioned where Rama was born.

There is no reference about any particular place about the birthplace of Ramchanderji in Purans, except Skand Puran. The geographical situation of that particular place, where Rama was born is described in Ayodhya Mahatamya of Vaishnav Khand of Skand Puran. I have obtained common knowledge about the surrounding area of the places where Ramchanderji was born as stated in Skand Puran. I have found all the directions of this place, as given in Skand Purana, correct. About the distance of place from the disputed site (RamJanam Bhoomi) as given in Skand Puran; I can say only after seeing the book. Measure for mapping the distance is perhaps the bow and arrow. I have not verified these facts by myself measuring at the spot. I do not remember the distance of any place from the disputed place. I also do not remember which place is referred in which direction. I do not remember the places which I have seen in this regard. I have seen

Pindarak, Vighnesh, Vashishta Kund, Lomash and Vighneshwar Mahadev among these places. I have seen these places in 2000. I do not remember in which direction the Pindarak was at a distance of about one and half furlong from the disputed site. I cannot say how many yards are there in a furlong. Pindarak would be at a distance of about 200 to 300 yards from the disputed site. There was only a stone at the time, when I visited Pindarak, which was got fixed by Edward. No structure was there except a stone. People have told me that this place is mentioned in Purans and there was a temple at this place but now nothing has remained there.

Volunteer : that none had told me that Puran had the reference about this place. However people said that there was a temple at this place. I have myself read about Pindarak in Purans. Saryu River is not seen from the place where Pindarak is, so it cannot be said that this place is at the bank of Saryu or is completely within Saryu. Saryu River should be in the south of the disputed Bhawan. Some part of Ayodhya would be in the north of disputed site. There is Janamsthan Mandir in the north of disputed Bhawan. I came to know about this during the course of my Cross-examination in this Court.

Question: Can you tell that the disputed site, next to the northern side way, is known as Janmsthan Mandir or Sita Rasoi Mandir?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri, on behalf of defendant No.20, Other Original Suit No. -4/89, has raised an objection that this question has already been asked and replied to. Hence permission should not be granted for asking such questions time and again.)

Answer: I have no knowledge in this regard.

I cannot say about any place in the West Side of the disputed site, which may have religious importance. Volunteer : that I couldn't, on the basis of directions, say about the temple and places. Vashishta Kund is perhaps in the southern side of the disputed site. Vashishta Kund would be at a distance of one furlong from the disputed site. I cannot say about the distance of one furlong in terms of measurement of a bow because I do not know about the length of a bow. I, on the basis of presumption can say that a bow is equal to three-four hands. One hand is equal to an average of about one and quarter to one and half feet. One furlong would be equal to three to four hundred bows. Further said that this distance should be about 200 bows. This statement of mine is based on presumption because I do not know the measurement of bow.

Learned advocate cross-examining the witness draw the attention of witness towards book "Ayodhya Darpan" document No. 45 C -1/4. Witness after seeing the Page -67 of this book said that Sumitra Bhawan and the Ghat are situated below the Shirshak on the south side. Volunteer: that however in translation it is written that Sumitra Bhawan is situated in the south of Ram Janam Bhoomi. But original Couplet does not indicate from which side of the South Sumitra Bhawan is situated. Witness after reading a part, at page -67 of this book said that this part also does not clarify, on which southern part, Sumitra Bhawan is. Because the Couplets written in this book, are not in continuation. I cannot say whether Sumitra Bhawan was in the south or East

side of the disputed Bhawan. I cannot say whether there was/is any important religious place in the north of Sumitra Bhawan at a distance of 30 bow. I can't say that how many yards or feet are there in 30 bow. I do not know the measurement of a bow. I cannot say about this. Lomash Ashram may be at a distance of about a furlong from the disputed site. I can also not tell this distance on the basis of a bow. The distance of some of places from Ram Janam Bhoomi as mentioned in Ayodhya Mahatamya of Skand Puran, I will be able to tell only after reading the relevant portion of "Skand Puran". I have no knowledge if Skand Puran or Ayodhya Mahatamya have been filed in this Court in connection with the suit or not. Volunteer : that there is a reference about the birth of Laxmanji and Shatrughanji at Page -67 of this book. Sumitra Bhawan in the west of it is referred in Original Couplet. Sumitra Ghat is not written correctly in the translation of the Couplets given in the beginning at page -67, because in Original Couplet it is written as Sumitra Kund. Similarly the importance of bath and Darshan explained in the translation, is not available in the Original Couplets. I have never seen the place named Sumitra Kund. Translation of this Couplet given under the title of Kaushalya Ghat, at this page, is not correct. Volunteer : that Couplet also appears to be incorrect. From where this Couplet has been taken, it is not clear from the book. This Couplet can be from "Skand Puran" or "Rudrayamal" Granth. Rudrayamal is a Granth on Tantra. I do not know, who had written it. This book is in two parts. I have read it two-three years ago. The Couplets written under the title "Kaekai Bhawan" and "Kaekai Ghat" are running up to Page -63. These Couplets

refer about Kaekai Bhawan and further it was referred that Kaekai Bhawan is at a distance of 24 bow in the north of Janmsthan, where Bharatji was born. I have not seen the Kaekai Bhawan situated in Ayodhya. I cannot say whether the Bhawan, presently known as Kaekai Bhawan is in the east or north of the disputed Bhawan or not. There is no reference about Saryu River in these Couplets. In the translation of these Couplets, Kaekai Ghat is written, which is purely on the basis of imagination because there is no reference about Kaekai Ghat in original Couplets. I have no knowledge from where these Couplets are taken, in which Kaushalya Ghat and Kaekai Bhawan are referred. I will not be able to say how many feet and yards are there in 24 bows. I have not read the above "Ayodhya Darpan" book document No. 43 C -1/4. Free translation of the Couplets at Page No. -36, given at this and next page, under the title "Shri RamJanam Bhoomi" is not correct because some facts are added therein which are not in original Couplet. Beside, translation of some Couplets had not been given. In these Couplets, RamJanam Bhoomi is shown before Vighneshwara. Distance of Janam Bhoomi from Vighneshwara is not written. I cannot tell by seeing the book that from where these Couplets have been taken. These Couplets can be or cannot be in Ayodhya Mahatamya of Skand Puran. I have seen the "Vighneshwara" place in Ayodhya. There is a temple. Shivling is installed in this temple. This temple would be at a distance of one kilometer from the disputed Bhawan. I cannot say about its geographical situation i.e. on which direction from the disputed Bhawan this temple is situated. I went there by a car. This temple is not at the bank of

Sāryu River. This temple was seen on the way from Ayodhya to Faizabad and I have been told that it falls under Faizabad. Lomash is referred in the couplet No. 2 of the Couplets given at Page -36 of the above book. Distance of Lomash from Janam Bhoomi is given. It was stated to be at a distance of more than 50 bows. Place related to Vashishta is also referred in these Couplets. In respect of distance, it is stated in the Couplet that Janmsthan is in the north of "Vashishta". I do not remember the Couplets of "Ayodhya Mahatamya". There is no reference about Pindarak in the above mentioned Couplets.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 107 C -1/75 of Other Original Suit No. 5/89. Witness after seeing it said that Pindarak is referred in the first Couplet given at this page. In the Couplet No. 13 to 25 given at this page, Pindarak is referred in the west from a place but from which place, it is not referred. Vighnesh is referred in 16th and 17th Couplets given at this page. Vighnesh is referred in 16th Couplet and Vighneshwara in 17th Couplet. In my view both the places should be different. I have seen both the places. The distance in between the two places would be about one kilometer. Vighnesh is near the Pindarak. There was a temple at a place called Vighnesh. But now there is a rock only. The distance in between Pindarak and Vighnesh is about 5 to 10 feet. It is not correct to say that in the above Couplets Vighnesh and Vighneshawara are used for one and same place. In 19th Couplet, Vashishta is stated to be in the east of Vighneshawara and Janmsthan is stated to be in the north of Vashishta and west of Lomash but distance of Janmsthan from

any place is not mentioned. Vashishta Kund may be at the west south corner from the disputed site but so far I remember it is in the south of disputed site. As per my knowledge the Couplet written in the above page might have been taken from Skand Puran. However I am not sure because I do not remember these Couplets. Whether Janmsthan is referred only in this Couplet of Skand Puran or it is referred in anywhere else, this I can say only after seeing the Skand Puran. I have got Skand Puran, in Lucknow. I can bring this book tomorrow.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 312 C -1/48 of Other Original Suit No. -5/89. Witness after seeing this said that this is the same Gazetteer, which I have referred in my examination in chief affidavit. Page No. 34, 36, 46, 47, 352, 353, 254 of this Gazetteer has been given in it. Above Pages of the Gazetteer are related about Ayodhya. It is written in the last Para at page -34 of the Gazetteer that the Vikramaditya who had inhabited the Ayodhya was Chandergupta -Second, who ruled from 379 A.D. to 413 A.D. I have in my statement referred about Vikramaditya. The Rule period of this Vikramaditya was not given correctly in the Gazetteer. Volunteer : that the definite period of this Vikramaditya was also not mentioned in the Gazetteer. Volunteer : that the word "usually" was used in the Gazetteer, which means that the author of Gazetteer himself was not sure about the Vikramaditya and his period, which has been referred in the Gazetteer.

Details about Babar's arrival in Ayodhya have been given at Page -46, running in to Page -47, of this Gazetteer. It is written therein that Babar came to Avadh (Ayodhya) in 1528 and appointed Meer Baki Tashkandi as a Governor and Meer Baki Tashkandi had got constructed a mosque in Ayodhya. Rock inscription fixed in the mosque was referred in it. I have read the parts of Gazetteer. I have referred this in Para -24 of my examination in chief affidavit.

Verified the statement after reading

Sd/-

Swami Avimuketshwaranand Saraswati

11.07.2005

Typed by the stenographer as dictated by me in the Open Court. In continuation to this suit may be listed for further Cross-examination for 12.7.2005. Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

11.7.2005

Before: Commissioner Shri Hari, Shankar Dubey,
Additional District Judge/Officer on Special Duty, High
Court, Lucknow Bench Lucknow.

Dated 12.7.2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench in Other
Original Suit No. -4/89 vide order dated 26.5.2005).

(In continuation to dated 11.7.2005, Cross-examination on
an oath, of D.W. 20/2, Swami Avimuketshwaranand
Saraswati, by Shri Zaffaryab Jilani, Advocate on behalf of
plaintiff No. -1, 6/1, 8/1, Sunni Central Board of Waqf,
Jiyauddin and Maulana Mahfuzurrehman, continued).

Learned advocate cross-examining the witness draw
the attention of witness towards last seven lines of
document No. 312 C -1/3. Witness after reading these
lines, in reply to a question, said that it is written therein
that an outer enclosure, opposite to mosque, was
constructed in 1858. Hindus were not allowed to go inside
so they used to perform Pooja at the outer Chabutra It is
also written therein that this situation changed in 1949 and
Hindu people succeeded in installing idols of Shri Rama
and Sita in the mosque, as a result of which suit was filed.
I have read this Gazetteer also.

Learned advocate cross-examining the witness draw
the attention of witness towards Para -24 of his
examination in chief affidavit. Witness said that it is
written in the third and fourth line of this Para that
"However construction of any mosque was not written
therein". The word "Ismain" in this sentence was used for
rock inscription. Construction of a mosque and its place

was referred in this Gazetteer. Volunteer : that it is written therein that battles have regularly been fought for this.

Learned advocate cross-examining the witness draw the attention of witness towards Para -31 of his examination in chief affidavit. Witness said that Ayodhya Mahatmya is a part of Skand Puran and it was written before the period of Ramchanderji. Since the Mosque was constructed in 1528, hence the question of making any reference about it in Skand Puran does not arise. Volunteer : that Skand Puran was written before the period of Ramchanderji. It contains the details of incidents happened during the period of Ramchanderji and which did not happen during the time when Purans were written. As such, from the fact that mosque was not referred in Skand Puran, it cannot be concluded that Skand Puran was written before and as such the question about having reference of the construction of mosque in it does not arise.

Question: If according to you, Skand Puran contains the predictions about the future's important incidents, and then please tell, why it does not contain the reference about RamJanam Bhoomi to be constructed and its demolition by so called Babar and Meer Baki?

Answer: From the fact that future incidents were detailed in Skand Puran, it cannot be concluded that incidents to be happened after the creation of Skand Puran, cannot be included in it. In this regard I have a clear view that Babar and Meer Baki had neither demolished the temple constructed at the questioned site nor had they

ever constructed the mosque. Hence the question of inclusion of these facts in Skand Puran does not arise.

Learned advocate cross-examining the witness draw the attention of witness towards Para -30 of his examination in chief affidavit. Witness said that I have not filed the extracts concerning to Vayu Puran referred in this Para. I remember half couplet of Vayu Puran. It is -- "Stambhaishchatursheetya he Nirmitam Mandirm Shubham", This couplet means a holy temple was constructed over 84 pillars. It is written in this context that a temple was got constructed at Janmsthan. It is not referred therein that at what specific place the Janmsthan is in Ayodhya. In which chapter of Khand of Vayu Puran it is written, I can say only after seeing Vayu Puran. In this regard I do not remember it verbally. I did not bring Vayu Puran to day. This temple with 84 pillars was renovated by king Vikramaditya. This temple was in existence up to 6th December 1992 and was demolished on 6th December 1992. I have referred Babarnama and Aaine-Akbari in Para -32 of my examination in chief affidavit. I have not read these original books. I have read the translated version of these books. I have read the Hindi version of Babarnama and English translation of Aaine-Akbari, but I do not know who had translated it. I have read these books partially and not thoroughly. I have read these books 5-7 years ago. The book Babarnama is with me. A person brought the translated version of Aaine-Akbari and I read it there at the time. There is no reference about demolition of RamJanam Bhoomi Mandir in these two books.

Lav and Kush were the sons of Ramchanderji. Both were the descendants of Ramchanderji. Descendants of

Lav and Kush, both, would be called Raghuvanshi because their ancestors were Raghu. Descendants of Lav and Kush are found throughout India.

I have, in fourth and fifth line of Para -20 of my examination in chief affidavit, referred only one son, Kush and about his becoming the king of Ayodhya and descendants of Raghuvanshi Kshatriya. I have not referred Lav, son of Ramchanderji because Kush was his elder son. There is no other reason for not referring the name of Lav.

I have written in Para -33 of my examination in chief affidavit that no Muslim brother has ever read Namaz at the questioned site. I have written it on the basis of public sayings. I have heard this from the Hindus and Muslims of Ayodhya. A person, named Dr. Haleem went to Ayodhya. A number of Muslims came to see him in Ayodhya. These people have told me about this. I do not remember their names. These Muslim brothers of Ayodhya had told me that Namaz was never read at the disputed site. They also had told me that masjid was never there. It is not correct to say that no Muslim had ever told me that neither masjid was there nor Namaz was ever read there. Volunteer : that these people had also said to me that this was the conspiracy hatched by Britishers because they wanted the people of both the communities to be divided to fight against each other. Dr. Haleem has since been expired.

Question: Had Dr. Abdul Haleem Sahab, with whom you went to Ayodhya, never told you that there was no mosque at the disputed site or Namaz was not read there ever. What you have to say in this regard?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri, on behalf of defendant No. 20 in Other Original Suit No. -4/89 has raised an objection that this question has already been replied. Hence repetition of question cannot be allowed.)

Answer: I did not have direct discussions with Dr. Haleem. But I was present at the time when this matter was discussed and he gave his tacit concurrence.

I have, in Para -37 of my examination in chief affidavit stated that there were no tower and reservoir for Vajju. On this basis, I have written that this building did not give appearance of a mosque, I do not remember if I have seen any mosque in Ayodhya. I have seen mosque, outside of Ayodhya, in Kashi and at other places, which were different to the disputed Bhawan. Beside the above two differences, most of the mosques are painted with green colour.

Question: I am to say that according to the Islam religion, neither tower nor water reservoir for Vajju or use of green colour is essential in mosque. What you have to say in this regard?

Answer: I cannot say what is essential or what is not for the mosque in Islam religion. But from the general appearance and size as seen in the mosques, it gives appearance of a mosque. From this it is presumed that some characteristic are must in the mosque, whether presence of these is regarded as essential or not.

The public-view, which I have referred in the first six lines of Para -39 of my examination in chief affidavit, is not my individual view. I have also referred in this para that the traditions in vogue continued from the British time. I have written this on the basis of the history of Babar and his descendents as given in the books. But in which book, I have read it, I do not remember.

The dispute, I have referred in Para -40 of my examination in chief affidavit, have arisen because of the Suit proceedings are going on in this Court. I have no knowledge whether the proceedings are going on since 1949 or not. I have written in my affidavit that regular worship of Shri Ramlalla is being performed at the disputed site. The worship is being performed after the period of Ramchanderji. This worship is being performed since the time of Kush, son of Ramchanderji. As per my knowledge this worship was continuously being performed since 1528 to 1949. It is not correct to say that regular Namaz was being performed at the disputed place since 1528, when mosque was constructed, and upto 22nd December 1949 and worship was never performed there. It is also not correct to say that an idol of Ramlalla was put in the disputed Bhawan on the night of 22nd/23rd December 1949 and prior to this, there was no idol.

Madan Mohan Gupta has given the name of the persons, who are the members of All India Shri RamJanam Bhoomi Revnovation Committee, at page -3 of his application for becoming a party, miscellaneous application No., 19(O)/1989, (document No. 13 -A-2/8 to 13 -A-2/16). Among these, as per my knowledge, Mahant Rajaramacharya, Shri Madan Mohan Gupta, Shri Kailash Pant, Shri Mahant Gopalanand Brahmachari and Shah

O.P. Aggarwal are alive. Name of my Guru, Poojyapad Jagadguru Shankaracharya Swami Swaroopanand Saraswati, has not been referred as a member of the committee. So far I know, he is a patron of the Committee. I cannot say whether Shri Madan Mohan Gupta is a disciple of my Guru or not. He respects my Guru and regards his feelings towards him as of a disciple. My Guru had told me that the laying of foundation stone near disputed site in 1989 was not correct. I will perform the stone laying ceremony again, according to the religious books. So far I know, his aim was not to lay the foundation stone again but to tell the entire country that laying foundation stone was done at the wrong place. My Guru is not associated with Vishwa Hindu Parishad or R.S.S, in any way. My Guru had criticized the demolition of disputed Bhawan on 6th December 1992. Volunteer : that these people who had demolished the temple, had committed a grave sin. He further said that his Guru had also said that those who had demolished the structure have also committed a practical mistake. As they had also destroyed the evidences of Hindu Temple, which were available there.

In this regard my Guruji had also said that decision of the Court should be honoured. Volunteer : that he used to say that it is very difficult for the Court to decide and also difficult to implement the decision of Court. Because any party, against whom Court verdict would be announced can create unpleasant situation in the country. Therefore, some just solution will have to be arrived after conciliatory approach. I am deposing in this case to help the Court to arrive at a just decision. I am giving statement to express my feelings. My aim is also to uphold the dignity of the Court. It is not correct to say that my statement about the Ram Janam Bhoomi at the

disputed site is not correct. It is also not correct that there was no temple at the disputed site when mosque was constructed and this place was not called Ram Janam Bhoomi. Volunteer : that mosque was never constructed. It is also not correct to say that neither worship was performed in the disputed Bhawan up to 22nd December 1949 nor this Bhawan was called a Ram Janam Bhoomi Mandir..

(Cross-examination on an oath of D.W. 20/2 Swami Avimukteshwaranand Saraswati, by Shri Zaffaryab Jilani, Advocate on behalf of plaintiff No. -1, 6/1, 8/1, Sunni Central Board of Waqf, Jiyauddin and Maulana Mahfuzurrehman, concluded.)

XXX XXX XXX XXX

(Cross-examination by Shri Mustaque Ahmed Siddiqui, Advocate, on behalf of plaintiff No. 7 in Other Original Suit No. -4/89, begins.)

XXX XXX XXX XXX

The difference in Virakt (detached) and Grihastha (family person) is that Grihastha is a Ashram, whereas the Virakt is used for a person who is detached with the worldly things. Virakt is usually used for Sanyasi. However there is some difference in between Virakt and Sanyasi. Sanyasi is one, who duly entered into Sanyas Ashram and Virakt is one who becomes detached from the wordly things by emotions.

I am familiar with the English word "Monk" which is generally used for Boddh Sanyasi. There is difference in between Boddh Sanyasi and Hindu Sanyasi. Hindu Sanyasies are Chaturashrami. He enters in to the Sanyas

Ashram with due procedure. Boddh Sanyasies opts for Sanyas by other procedure. I have no knowledge about their procedure for opting Sanyas. After opting for Virakt life, his relation with the property comes to an end. His all worldly relations come to an end. After opting for Virakt or Sanyas, that person, does not remain a "person" from the Legal point of view. "Swami" is a Hindi word. It means an "Owner". The word Saraswati is suffix to my name. This word means, a person, who knows the essence of words. This name is one among the ten names given by Aadi Shankrarcharya to Sanyasi. It also indicates that this particular person is Sanyasi of this tradition.

A person who is living usual life cannot be called a Grihastha. Grihastha is one who had opted for Grihastha Ashram. Hindu cannot be called a Grihastha simply because he is leading usual life i.e. has a family and property, because before entering into Grihastha Ashram he had to undergo Varna Ashram with due procedure. A person can take Sanyas or can become Virakt at any time. King Janak was not a Sanyasi, He was, however a Virakt person. I am a Sanyasi and a Virakt also. I have stated in Para -4, at page -2 of my examination in chief affidavit that I left my formal studies because of Sanyas initiation. My Sanyas initiation was performed with due procedure. I became Sanyasi after 2000. Before that I was living the life of Brahmacharya under the patronage of my Guruji. The Sanyas initiation, which I have referred in Para -4 of my affidavit and the "Naishtik Brahmacharya" in Para -6 of the affidavit are different. But in general both will be called as taking Sanyas. Initially I became a Sanyasi at the time of initiation of "Naishtik Brahmacharya" but formally later on. Sanyas initiation referred in Para -4 of affidavit and "Naishtik Brahmacharya", referred in Para -6 of affidavit, both are one. The word Sanyas is used in

Para -4 whereas definitional word "Naishtik Brahmacharya" is used in Para -6. Dand Sanyas is referred in Para -7 of the affidavit. Dand Sanyas means, a person who formally and with due procedure, renounced Shikha, Sutra and Agnihotra and take Sanyas initiation for the research of spirit and Guru accepts him as a disciple and gives him Dand. Then Dand Sanyas initiation becomes complete. Dand Sanyas is the last stage of Sanyas. Thereafter no Sanyas is taken. The Dand in my hand is not to hit anybody i.e. it is not used as an arm. In fact its use is such that people may understand that the person had left the act of punishing and nothing should be feared from him. Those persons who hold Dand in their hand, assured others and their resolution as "Abhay Sarvabhutebhaya". This means there is nothing to fear from me. Before initiation, I had movable and unmovable property. Now I have no property. I have used the words Sanatan Dharma and Sanatan Sanskriti in my affidavit. In Hindi it means "One who is continuous".

Vedas are the oldest books, which I have referred as evidence in the context of Ayodhya. Purans are after Vedas. Among Vedas, I have referred Ayodhya Mahatmya of Vaishnav Khand of Skand Puran in particular. Thereafter I have referred Valmiki Ramayana and thereafter Ramcharitmanas written by TulsiDas. Yesterday I had referred "Rudrayamal" in my statement. This book is very old. How old it is, I cannot say. I cannot say whether this book is contemporary to the Ramayana by Valmiki or after that period. Rudrayamal book might be prior to the time of Valmiki. Vedas, Purans and Valmiki Ramayana are crores of years old. Ramcharitmanas was written in 1631 by Tulsi Dasji. Christian era is calculated by deducting 57 years from Samvat year. There are numerous literatures pertaining to the period in between

Valmiki Ramayana and Sri Ramcharitmanas, which throw light on Ayodhya and character of Rama. I have not referred any book in my affidavit, which pertains to the period after creation of Valmiki Ramayana and before Ramcharitmanas. There are a number of Ramayana available relating to the period in between above two books, about the character of Rama. Other books have also its reference. Adhyatam Ramayana, Anand Ramayana, Champu Ramayana, Bal Ramayana, Adbhut Ramayana, Mahabharata and many other books written in other languages abroad are among these books. But I do not know the name of books, which were written outside India. I do not remember the name of publishers and authors of the books. Volunteer : that KaliDas had also written the book "Raghuvansh" and "Uttar Ramcharitam" during that period. In the above books, place specific has not been mentioned, where Rama was born. But Ayodhya was mentioned therein. Vedas, Purans, Valmiki Ramayana, Ramcharitmanas and Rudryamal contain the details about the birthplace of Ramchanderji but at which place, I do not know. Besides the above five books, I have read other books also but I do not remember the names of books at present. Volunteer : that there was no provision such as Khasra etc. to identify the location of the plot, places etc, like we have to day. That is why we identify the location of any particular place on the basis of its fame or visit by our ancestors. Besides this, there are no other evidences according to my knowledge. The evidence, which I have stated, is correct. Volunteer : that Samrities contains the references about it. It is stated in these Samrities that the place used by our ancestors for Dharmasiddhi, is worshiped in the same form. I would not be able to say which Samriti contains this reference. In this regard, I can say after seeing the book. I know, it is not in Manusamriti. I have not studied about this that

what would be the decision if two persons with adverse views having religious faith about a particular place. I will be able to say on this matter tomorrow after seeing the book.

In order to clarify the situation of RamJanam Bhoomi, Pindarak was referred in Ayodhya Mahatamya. "Pindarak" is a Sanskrit word. In Hindi, it means "a brilliant person". Pindarak was a name of a person, after whose name, this place was named. Pindarak was the name of a son of Vibhishan. In the Ayodhya Mahatamya, this word has been used for the place of Pindarak, son of Vibhishan and himself. In my view there might be the residence of Pindarak at that place and Pindarak would have been installed there. Pindarak, son of Vibhishana might have lived at this place. I have no knowledge about the size and style of the residence of Pindarak. Stones were fixed there during the time of Edward Sahib. On the basis of stones that place is called Pindarak. For how much time, the remains of residence of Pindarak were there, it can be said after conducting research. Remains of the Pindarak's residence would have been there, one thousand years back. In my view, its remains might be there before fixing of stones by Edward. Edward fixed such stones at 149 places in Ayodhya. Pindarak named place and the house of Pindarak might be there at the time of fixing stones. I am saying this on the basis of presumption. The source of this presumption is that there is a hillock. This hillock indicates that something would have been buried there. Volunteer : that people have told him that there was a temple of Pindarak. A temple of Pindarak's mother Sarma still exists there, at a distance of one mile from the temple of Pindarak. On the other side of Pindarak, there still exists the temple of Matgajendra, elder brother of Pindarak. I cannot say at what distance the Matgajendra

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temple is from Pindarak. Matgajendra may be at a distance of about 100 meters from Pindarak. Ayodhya Mahatamya does not contain the reference of Pindarak's mother "Sarma".

Verified the statement after reading

Sd/-

Swami Avimuketshwaranand Saraswati

12.07.2005

Typed by the stenographer as dictated by me in the Open Court. In continuation to this suit may be listed for further Cross-examination for 13.7.2005. Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

12.7.2005

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Before: Commissioner Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special Duty, High
Court, Lucknow Bench Lucknow.

Dated 13.7.2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench in Other
Original Suit No. -4/89 vide order dated 26.5.2005).

(In continuation to dated 12.7.2005, Cross-examination on
an oath, of D.W. 20/2, Swami Avimuketshwaranand
Saraswati, by Shri Mushtaq Ahmed Siddiqui, Advocate on
behalf of plaintiff No.- 7 of Other Original Suit No.-4/89
continued).

I have referred Mahabharata in my statement.
Mahabharata is itself a Granth (Voluminous book)
containing the incidents of Mahabharata. Mahabharata
was written after Valmiki Ramayana. It is written by Vyas
ji. Mahabharata also contains the things of the future.
The incidents written in Valmiki Ramayana are of the past
time and incidents written in Mahabharata are of the later.
I have studied Mahabharata partially. Original
Mahabharata is in Sanskrit but I have read its Hindi
version.

A person, after taking Sanyas, becomes aloof from
worldly things.

Question: What do you mean by aloof from worldly things.
Does a Sanyasi abandon his daily routine like –
food, water, sleep etc.?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri on behalf of defendant No. 20, Other Original Suit No. -4/89, has raised an objection that the question is totally irrelevant and full of ill-will and is not related to any point of Suit. It is being asked to hurt the witness and to waste the time of Court. Hence such question should not be allowed).

(Upon this question, Learned Advocate Shri Ajay Kumar Pandey, in Other Original Suit No. -5/89, has raised an objection that this question is fully irrelevant. Two questions cannot be asked together. Second part of the question has been asked for to hurt the feelings of witness and Hindus. Hence such question cannot be allowed).

(Learned advocate cross-examining the witness has replied the above objection that witness in the various paras of his examination in chief affidavit detailed about Sanyas and these facts are being asked in that order. Learned Advocate, raising objection, have felt it. For which I feel sorry).

Answer: From the word, Virakt from Sansarik Raag, I mean, no attachment with the worldly things and not to leave or to be away from the world. That is why even after taking Sanyas, the person lives in this world. He fulfils all his basic needs but always remain aloof from the worldly things.

Learned advocate cross-examining the witness draw the attention of witness towards the part written in second and third line of Para -10 of his examination in chief affidavit and asked which books, the witness had read

under atheist darshan. Witness said that I have studied a book named "Bhartiya Darshan". Pandit Rammurti Sharma have written this book. I have not only read the book written about atheist Darshan but have read about it in different books. Atheist is a person who does not recognize Vedas as evidence. A follower of Islam, who does not believe in holy Quran Sharif or a Christian who does not believe Bible, is an atheist. This question should be asked for from the followers of Islam and Christianity. I have not studied about it. I have read both, atheist and theist philosophy in general. Philosophy has not been my subject. Hence I did not study it deeply. The matter, which I have written in Para-10 of my examination in chief affidavit about all atheistic and theistic philosophies of India, is correct. In this regard I have to say that since I have not studied it as a subject hence I have no specialization in this matter. There are 6 atheistic and 6 theistic philosophies under Indian philosophy. Islam and Christian philosophy does not fall under it. Theistic philosophy is – Nyaya, Vaishashik, Sankhya, Yoga, Poorva Meemansa, Uttar Meemansa and Atheistic philosophy is – Chavaark, Jain and four types of Buddha philosophy. Four type of Buddha philosophy is – Vaibhashik, Shaudrantik, Yogacharya and Adhyatmik.

I have not been impressed from any atheistic philosophy. In theistic philosophy, I am much impressed by Aadi Jagadguru Shankaracharya. He had written a number of books. I know the names of some of his books. They are – Gita Bhashya, Bhashya on ten prominent Upnishads, Bhashya about Brahmasutra, Sanad-Sujatiya Bhashya, Lalitatisadi Bhashya, Parmanand – Tantra, Vivekchuramani, Updeshsahsashi, TatvaBoddh, AatmBoddh, Soundriya Lahari, Maniratnamala etc.

Aadi Shankaracharya was born 2511 years ago. There were philosophers in India in 20th Century. Among the philosophers of 20th Century – Dr. Radhakrishnan, Swami Karpatriji and my Guruji are the distinguished philosophers. My Guruji has written books about philosophy. Aadi Shankaracharya's philosophy contains the elements promoting the state and religion. It was stated therein that society is controlled by the State and the king is controlled by the religion. Religion is above the State. I do not remember if any philosopher had said contrary to it. I am recollecting the views of Marxist, who said that religion is Opium and advocated the separation of religion from State. As per my knowledge Edward had fixed 149 stones in Ayodhya perhaps in 1902.

I do not know who was Edward. I have read about this. A stone is fixed in front of Bara Sthan at Ayodhya. There is written on it about this. In addition to this it is also mentioned in the Panchang published from Ayodhya. I do not remember literally what is written on the stone fixed in front of Bara Sthan. However, it means that Edward under the aegis of Teerath Vivechani Sabha of Ayodhya had got fixed 149 stones at these sacred places. Rock inscriptions were fixed at the sacred place by writing the names of sacred places on rock inscription. This Panchang also contains the full list of rock inscriptions. It is not mentioned in the Panchang, which religious books were consulted by Edward before fixing the stones. I have not made any inquiry in this regard. I do treat it as correct whatever is written on it. Edward might have studied the religious books, i.e. Veda, Purans, Valmiki Ramayana etc. before fixing the stones. It is presumed but it cannot be said with certainty, which books he had consulted in reality. In my view all the available books are fully authentic unless these are proved unauthentic. I treat the

facts written in Valmiki Ramayana reliable because it was written during the period of Ramchanderji and eyewitness with Ritambharapragya wrote the incidents. I cannot say it much reliable because all the books are equally reliable to me. Ritambharapragya means intelligence used for promoting truth. Ramcharitmanas is the most modern and recognized book in this regard. Tulsi Das had written Ramcharitmanas after consulting a number of books. Valmiki Ramayana is one among these books. He might have studied Veda, Purans and Rudrayamal before writing Ramcharitmanas. There is a reference in Ramcharitmanas that Tulsi Das had written Ramcharitmanas after consulting a number of books. It appears from reading Ramcharitmanas that Tulsi Das would have studied all ancient books like Veda, Vedanta, philosophy, ethics etc. before writing. Vedanga cannot be said as the interpretation of Veda. Vedanga is only a medium for interpretation of Veda. Vedas are not man's creation but Vedangs are the creation of man.

I have read the book "Shri Ram Janam Bhoomi Ka Rakt Ranjit Itihas" as a historical book on the questioned subject after going to Ayodhya. I do not remember the name of author of this book. Beside this I have not read any history book about this subject. I had talked to the residents of Ayodhya. They are not known as historians. I have read the history of India in general. I cannot say whether history of India is divided in to three parts or not. I am not familiar with the words, ancient, medieval and modern in respect of Indian history. I know little about these three words in terms of history. Ancient history contains the matter relating to ancient time. Medieval history may contain the rule period of Vikramaditya to Mughals. Modern history may contain the period of British to the present time.

I have heard and seen the book "Ayodhya" written by Hains Becker. Questioned site is in the Ramkot Mohalla of Ayodhya. Tehsil is perhaps in Faizabad and District is Faizabad. I do not know about the village and subdivision of this site. I do not know about the boundary and area of this site. There was a provision to identify a place during the ancient times also. During that period a particular place was identified by its borders. That was called Seemasetu.

Direct or secret signs were fixed for demarcation of each property. Which were called boundary pillars in English. Secret signs used to be buried in the earth. Only the Ruler used to had the knowledge about that. Whenever any dispute arose, regarding the demarkation these signs were required to be seen solve the dispute. Records were maintained about direct signs and these records were called as "Aagam".

Pracheen Vadgamaya, means ancient literature. Learned advocate cross-examining the witness Draw the attention of witness towards the book "Shri RamJanam Bhoomi Rakt Ranjit Itihas", document No. 110 C -1/52 of Other Original Suit No. -5/89. Witness after seeing the book, said that he did not read this book. I have read the book, "Shri RamJanam Bhoomi Ka Rakt Ranjit Itihas". Whereas the document No. 110 C-1/52 is a "Shri RamJanam Bhoomi Rakt Ranjit Itihas". Learned advocate cross-examining the witness has again drawn the attention of witness towards document No. 44 C -1/1, "Shri RamJanam Bhoomi Ka Rakt Ranjit Itihas", filed in Other Original Suit No. 3/89. Witness after seeing this said that the complete book has not been filed vide document No. 44 C -1. The extracts of this book were filed as document

No. 44 C -1/1 to 44 C-1/8. It appears from seeing these documents that I have read this book. 84 pillars of stones were referred in the last line of document No. 44 C -1/2. These pillars were again referred at the next page i.e. document No.44 C -1/3. In my view this is about the Ram Janam Bhoomi Mandir. Sita Koop was referred at document No. 44 C-1/3. I have stated in my statement that I have no knowledge about this. It is written in the last Para of this document that 12 pillars among the 84 pillars are inside of the Babri Mosque, 2 were at outside gate, One was at the grave of Faza Abbas, on whose inspiration Babar had demolished the temple, two at his grave and rest are in Lucknow Museum, some are in the Museum of London. Details about the disputed site are given at page -31 (document No. 44 C -1/4). Page -33 of above extract (document No. 44 C -1/5) also contains the same details. Similarly details about the disputed site is also given at page -34 (document No. 44 C -1/6). Unlocking of the structure and situation afterwards was given at the next page-95 (document No. 44 C -1/7. Cunningham was referred at Page No. -33 (document No. 44 C -1/5). I have not heard the name of Cunningham. It is written at Page -34 (document No. 44 C -1/6) that Hindu rioters had taken away the original "Kutwaye" by demolishing the mosque. This was constructed by Tahwwar Khan the contractor. I have read this book only about the disputed matter, as historical book. I have stated my principle above in my statement that the matter written in any book is authentic unless it is proved as unauthentic. 84 pillars of Kasouti made by Vishwakarma, architect of God, were referred in the last two lines at page -14 (document No. 44 C -1/2) of the above extracts. These were the pillars of a temple constructed by Kush. Nothing can be said in this regard as Kush's name was not mentioned therein. Nothing certainly can be said in this

regard whether the 84 pillars referred were the pillars of a temple constructed by Kush or not. It is written in this extract that Hanumanji had brought these 84 pillars, which were taken by Ravana to Lanka, back to Ayodhya. No fact in support of and adverse to this notion has come to my knowledge.

I have written in Para -39 of my examination in chief affidavit about the notion in vogue. In my view public opinion emerged from the time of Britishers and since then it is being propagated. This public opinion emerged before 1857. This public opinion has been in vogue since 17th Century. I cannot say whether British rule came in to existence by that time or not. But the Britishers by that time had come here and they had spread their network. Britishers have originated this. In my view this is not correct. There are other peoples also who support my view that mosque was not constructed at the disputed site by demolishing the temple in 1528. It is a matter of regret that correct facts are not emerging as promptly as required. Mutual enmity will reduce upon bringing the truth to the light.

I have in my statement above mentioned about secret or direct boundary bridges. During ancient time it was used for identifying the place. In my view the question does not arise for identifying the boundary bridge for the important place like Ram Janam Bhoomi because this place was already identified. Stones fixed by Edward and place referred to in Skand Puran and Rudryamal in connection with the RamJanam Bhoomi are within Seemasetu. Except this, no other direct or secret Seemasetu is in my knowledge.

Learned advocate cross-examining the witness draw the attention of witness towards Para -11 of his :

examination in chief affidavit. Witness said that anyone will be most interested in the deity to whom he recognizes as his God. Keeping this in view, even after recognizing Bhagwati Braamba Tripun Sundari Shri Lalita ji as my adorable, I am more interested in the character of God Shri Rama. Thus it is a distinctive fact that in addition to my adorable, I take much interest in the characters Shri Ram and Sri Krishna. "Eashat" means the most wanted thing.

Vedic literature means Vedas, Brahmins, Aaranyakas and Upnishadas. In general the literature which is in accordance with the Vedas is called Vedic Literature.

There are Saryupareen Brahmins other than Kanyakubj Brahmins. There are 10 categories of Brahmins. Kanyakubj Brahmins had not participated in the Yagna organized by Shri Rama on reaching Ayodhya after killing Ravana.

Question: Whether in accordance with the Kanyakubj Brahmins there was no need of organizing Yagna?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri on behalf of defendant No. 20 of Other Original Suit -4/89, has raised an objection that the intention behind these questions is to generate revolt among Brahmins and this question is not related to Suit point. Hence such question cannot be allowed).

Answer: Question was not whether Yagna was necessary or not. Question was whether the host of Yagna had the requisite qualifications or not.

I had earlier expressed my unawareness about the length of bow. However, I came to know that a bow is equal to the length of four hands. This length is applicable for all the periods. Length of Bow was as stated above, was appropriate during the period when it was used as a measure. I have stated in my statement that one hand is equal to one and quarter feet to one and half feet in length. On the basis of this, one bow is equal to the length of four hands or equal to 5 to 6 feet. Any place at a distance of 24 bows means it is at a distance of 120 feet to 144 feet. According to the information I have gathered, a bow is equal to 5 feet. I read about it in the books on the day when I went back after making statement, that one bow is equal to the length of four hands. One hand is equal to 24 Anguls. This I have read. I have read it on the same day when I made my statement. On that day I had stated that one hand is equal to the length of one foot to one and half feet. Now after studying in this connection, I have now come to know that five feet are equal to a bow. Thus one hand is equal to the length of one and quarter feet.

Question: Does a bow is equal to four hands and another is equal to five hands' length?

(Upon this question Learned Advocate Kumari Ranjana Agnihotri on behalf of defendant No. 20, Other Original Suit No. -4/89, has raised an objection that this question has already been asked for and replied too. And this question is not related to the suit point. Hence permission to ask such question cannot be allowed).

Answer: A bow is equal to the length of four hands. If it is calculated on the basis of today's

measurement then it can be said that it will come to five feet.

Learned advocate cross-examining the witness draw the attention of witness towards the part written at Page – 160 "if any place is at a distance -----it should be in between 144 feet". Witness said that this statement is correct. I have read about it in the book "Shabdarth Kalpdrum". Volunteer : that the correct name of book is not remembered to me. "Shabdarth Kalpdrum" is a dictionary. Sanskrit words were explained in it in the Sanskrit. I do not remember the publication year or about publisher of the book. In this connection I have seen it in "Amarkosh". It is also a dictionary, wherein Sanskrit words were explained in Sanskrit. I do not know about the publisher and year of publication of this book. I have not read any other book except these two books. I have read these books at Lucknow, where I am residing. I have brought these two books to day in the Court. Yesterday, I had brought 10-12 books. Both these two dictionaries are at my residence. I will bring them tomorrow.

Swami Vivekanand is not recognized as a philosopher. He in fact is recognized as an Orator of Indian Culture and Religion. He in this role had contributed a lot in this connection. He was not a philosopher. He had also not composed any separate philosophy. He had again reproduced what the other philosophers had said. Basically he himself had not said about any separate philosophy. I recognize Dr. Radhakrishnan as a philosopher. He has interpreted the Indian philosophy in the modern context. He has produced new concept about the old philosophical concept of thought. I do not recognize Vivekanand as a philosopher because he had not contributed any original

thinking or new concept. I do not know, if a number of critics says that Dr. Radhakrishnan had also not contributed any original concept in regard to philosophy. These critics are free to express their own views.

Learned advocate cross-examining the witness Draw the attention of witness towards the book written by Hains Becker "Ayodhya", document No. 120 C -1/2. Witness after seeing the book, said that the picture given at front page is of a place of Ayodhya. I have been told that this picture is of "Matgayand". I had not visited the place named "Matgayand". I have heard that there is a place by this name in Ayodhya. I do not know that in how many parts this book is. Witness after seeing the book said that this book is in three parts.

Question: Does the title of Chapter -I, in first part of this book is "The History of Saket Ayodhya 600 B.C. to A.D. 1000"?

(Upon this question, Learned Advocate Kumari Ranjana Agnihotri, on behalf of defendant No. 20, Other Original Suit No. -4/89 and Learned Advocate Shri Ajay Kumar Pandey on behalf of plaintiff in Other Original Suit No. 5/89, have raised an objection that this question has already been asked. This book is on the record. Witness has already stated about this book that he has only seen the book. Hence question about the contents of the book cannot be asked).

(Learned advocate cross-examining the witness, in reply to above objection, said that witness had stated to day itself that he knows about the book and he has seen the book. Now, by adding the word "Only" he is trying to change the meaning).

(Learned advocate cross-examining the witness who raised an objection, has tried to reply the question. This was opposed and it was said that objection raised has been replied. Hence replying time and again is not possible).

Answer: I can tell about this after seeing the book. Witness after seeing the book said that such facts are written in the book.

Verified the statement after reading

Sd/-

Swami Avimuketshwaranand Saraswati

13.07.2005

Typed by the stenographer as dictated by me in the Open Court. In continuation to this suit may be listed for further Cross-examination for 14.7.2005. Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

13.7.2005

Before: Commissioner Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special Duty, High
Court, Lucknow Bench Lucknow.

Dated 14.7.2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench in Other
Original Suit No. -4/89 vide order dated 26.5.2005).

(In continuation dated 13.7.2005, Cross-examination on an
oath, of D.W. 20/2, Swami Avimuketshwaranand
Saraswati, by Shri Mushtaq Ahmed Siddiqui, Advocate on
behalf of plaintiff No.- 7 of Other Original Suit No.-4/89
continued).

I do not treat the Gazetteer as sufficient evidence
about historical facts. I do not believe fully, on the matter
written in the Gazetteer. The Gazetteer of 1960, which I
have referred in Para -24 of my examination in chief
affidavit, is not fully correct.

Learned advocate cross-examining the witness draw
the attention of witness towards Para -36 of his
examination in chief affidavit. Witness after reading it in
reply to a question, said that I have written in first two
lines of this Para that I have once visited Ayodhya in
accordance with the procedure given in Skand Puran. The
sequence of this journey was as under – First I took bath
in Saryu, after that performed worship at Pindarak, then
Vighnesh, Vighneshwara and there after sought darshan of
RamJanam Bhoomi. This order was followed during that
journey. This order of sequence was given in Ayodhya
Mahatamya of Skand Puran. Couplet concerning to this is
not remembered by me. In this order, other places which

were also referred in Skand Puran but I have visited only those places which are mentioned above. I did not go at all places, in the order prescribed in Skand Puran. I had terminated my visit after taking darshan of Ram Janam Bhocmi.

I do not know which other places were described in Skand Puran. I also had said in Para -36 of my affidavit that I got great assistance from the large stone board fixed by a senior officer of British Govt. These stones were fixed in accordance with the order given in Skand Puran and prove the then prevailing geographical conditions mentioned. I visited the above places in accordance with the stones fixed according to the order given in Skand Puran. Witness said that stones had been fixed in the order detailed in Skand Puran. I have written this in general. I have performed my visit in the order prescribed in Skand Puran. I have seen this Panchang during this visit of mine. Stone-boards fixed by Shri Edward are referred therein. I have performed this journey in the year 2000. One Brahmachariji of Ayodhya gave this Panchang to me. Photo of that Brahmachariji was printed in that Panchang. The same Brahmachariji took me to each place. Brahmachariji gave this Panchang to me but I do not remember where this Panchang is at present. I have read the Panchang before typing my affidavit. I do not recollect whether "Nal Teela" was referred in Skand Puran or not. I do not remember whether "Kuber Teela" is detailed in Skand Puran or not. The place named "Chakrateerath" of Ayodhya has been referred in Skand Puran.

Learned advocate cross-examining the witness Draw the attention of witness towards map No. 2 of exhibit in Other Original Suit No. 5/3, document No. 289 C-1 of the

book named Ayodhya Ka Itihas Aur Puratatva, "Ayodhya Nagri" document No. 289 C -1/202. Witness after seeing the map said that Ghaghra is written therein towards above and Saryu River is written next to it. Dash (-) had been put in, after the word Ghaghra, and Saryu River is written next to it. This means that Ghaghra should be read with the Saryu River. I will not be able to say whether or not Ghaghra was referred in any book in respect of Ayodhya.

I will not be able to tell at present that Vibhishan Kund is written in the middle of this map. Below the Vibhishan Kund, on the southern side, Ramkot is written. Pindarak has been shown in the east of Ramkot. Vighnesh is written below Pindarak. Vighnesh has been shown in the south of Pindarak. I came across the name of Pramod Van perhaps in the book concerning to fun and frolics of Ramchanderji. Pramod Van has been shown in the east of Pindarak in this map. "Dharmhari" named place has been shown above the Pramod Van. I do not remember, if this place is mentioned in the religious book "Ayodhya Mahatamya" or not. However, I have read about this name in a book. "Mazaar Juranshah" is written at one place of this map. I did not find the detail of it in the Skand Puran. I have stated in my statement that Vighnesh and Vighneshwara are separate places. The place named Vighnesh is shown in this map. Vighnesh should be at the place where it is shown in the map. I have stated that Vighnesh is at a distance about one or one and half kilometer from Vighneshwara. But how far was Vighnesh from the place named Vighneshwara, I cannot say. How far Vighnesh is stated to be from Vighneshwara, in Ayodhya Mahatamya, I cannot say. In the Ayodhya Mahatamya, the distance between Vighnesh and Vighneshwara has been mentioned in terms of bows which I

will not be able to tell. In Ayodhya Mahatamya, directions of some places were given with reference to some places. But I do not remember which place was shown in which direction. Directions and distances of some places were given in Ayodhya Mahatamya, about which I could say after seeing the book. It is not correct to say that Vighnesh and Vighneshwara have been stated to be one and the same place in Ayodhya Mahatamya and I am giving false statement about this that both these places are separate. Ratnamandap named place is shown in the proximity of Vighnesh. I cannot say if it is an important religious place or not. I do not remember, if Ratnamandap is referred in Ayodhya Mahatamya or not. RamJanam Bhoomi-Babri structure is written in the west south of Ratnamandap.

Seemasetu Ratnamandap, situated in the north east of "RamJanam Bhoomi-Babri structure" can said to be in that direction if Ratnamandap is treated as Seemasetu. In that case there will be no doubt. "RamJanam Bhoomi-Babri structure" and Ratnamandap, as shown in the map, I will accept it, if Ratnamandap is called Seemasetu. The Seemasetu in the northwest, of "RamJanam Bhoomi-Babri structure", shown in the map, can be called to any place among the places - Satbali, Brahmkund, Sumitra Teerath, Kaushalya Teerath and Gandhmadan. I can say after reading the book that which place is called Seemasetu in the northwest of RamJanam Bhoomi in Ayodhya Mahatamya. Volunteer : that about the map document No. 289 C -1/202, shown by Learned advocate cross-examining the witness to me, nothing can be said undoubtedly in respect of its authenticity. Thakur Prasad Verma and Swaraj Prasad Gupta are the authors of this above mentioned book. I cannot say if Thakur Prasad Verma is a fast friend of Ramlalla or not.

Vedas and Purans are contemporary. However some scholars do not agree with this view point.

In order to ascertain whether this is a mosque or not, generally there are some characteristics – Mosque, in general, should have towers, green in colour, symbol of moon and star, sometimes a green coloured Flag, however there should not be an idol, no Ganesh or Dwarpal at the gate. I am stating this on the basis of my common knowledge. So far I know, towers in mosque are meant to announce the "Aazaan". A person announcing Azaan may climb to the tower so that his voice may reach up to far off places. This is the purpose of construction of towers. Volunteer : that now a days mike is used for this purpose. Steps are constructed inside the Mosque for going to tower, I know about this. Qutab Minar in Delhi has such steps. I never climbed to the tower of any mosque. However, it is my presumption that steps are constructed in the tower to group stairs. Steps are constructed in the inner part of towers. Tower should be thick in size to construct the steps. I have stated in my statement that reservoir is must in the Mosque. Reservoir according to me means pond or Kund. I have seen pond, kund or Hauz in the mosque. I have seen a kund in the mosque at Varanasi, this mosque is on a new road in Varanasi. I have not seen earthen pot to be used for the purpose of Vazu. However, I have seen taps being fixed for this purpose. Volunteer : that one Muslim brother during their conversation had told me about this. He said that Kund is situated at the place where taps are used, so that it should be taken as a symbol. However for practical purposes water from taps is used for Vazu.

I have heard the name Shakespeare in English literature. I cannot say how much time before he was there from today. He might be within one thousand years. I have heard from some peoples that there was no person by the name of Shakespeare.

Learned advocate cross-examining the witness draw the attention of witness towards 12th and 13th line at Page -31 of the book "Ayodhya" written by Hains Becker. Witness was asked to explain the meaning of "Skand Gupt Vikramaditya-----the lacks of Gold". Witness said that I do not know the meaning of the word "Bestowed", hence cannot say the meaning of this sentence. It is written in the next 2 lines that this amount was divided into three parts, from which he constructed three monasteries. Skand Gupt Vikramaditya was written with the name of Vikramaditya refered in the above lines. So I will not be able to say about him because I know only about Vikarmaditya.

Question: In the second sentence beginning with the word "a part" and concluding with the word "Peer" at page -32 of this book, no reference is given about any construction concerning to Hindu, other than a small linga and River?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri, on behalf of defendant No. 20 of Other Original Suit No. -4/89 has raised an objection that witness had neither read this nor made in-depth study. Objection in this regard has been raised already. There is no justification to ask this question by showing book, from time and again. Hence such question should not be allowed).

Answer: This fact is written in the above sentence.

Learned advocate cross-examining the witness draw the attention of witness towards six lines, written under the title "Buddhism" of this book. Witness said, I am not familiar with most of the English words. Hence cannot say the meaning of entire para. I do not know the meaning of "Canonical evidence" written in the second line from the word "From the Canonical evidence" to "from 500 B.C." under the above title "Buddhism". In the rest sentences, it is written that people of Buddha community were inhabited in Saket before 500 Christian era. Learned advocate cross-examining the witness draw the attention of witness towards last two lines at Page -37 of the book - "Traces of this-----to day Kuber Teela". Witness said that sign of Boddh activities are available in the second floor of Mani Parbat Monument and perhaps on a Teela on hillock which is nowadays called Kuber Teela.

Learned advocate cross-examining the witness has asked the witness whether he brought the book "Shabdarth Chintamani" referred by him in his statement dated 13.7.2005, with him or not, which was stated by the witness as "Shabdarth Kalpdram". Witness said that he had brought the book "Shabdarth Chintamani", which is in four parts. He had brought all the four parts, written by Brahmavdhoot Shri Sukhanandnathan and published by Printwell, S-12 Sawin Complex, Tilak Nagar, Jaipur and first edition of which was published in 1860 and republished in 1992. Witness said that the literal meaning of "Dhanush" called "Dhanu" in Sanskrit is given at Page - 1288 and 1289 of this book. At Page -1289 next to starred portion "Hastchatushtya Parimane" is written which means one Dhanush is equal to the length of four hands. Next to it, it is written that twenty-four angul is equal to

one hand and four time of it, is equal to one Dhanush. The word Dhanush in Hindi is called Dhanu or Dhanush, both, in Sanskrit. 12 meanings of the word Dhanu have been given in it. One meaning is "Dhanu" Zodiac among the 12 Zodiac signs. Second meaning is "Priyal"; I do not know its meaning. "Taukshik" is another meaning. I do not know its meaning. "Sharasan" which means Aasan of Bans. "Kodanda" means bow of God Shiva. "Kaarmukta" means Dhanush and "Kattha" . the word "Kattha" is from Bengali language. "Kattha" means Dhanush in Bengali language. (Witness on the order of Commissioner has filed the photocopies of page No. 1288 and 1289 for the future use if required).

Dhanush and Ban (Bow and Arrow) are used as an arm. The children make Dhanush and Ban as a toy and play with it. Child also can make bow according to their requirement, to play with. If a person wants to use a bow as an arm, he can construct the bow according to his size i.e., less in height, less the size of bow and vice-versa. The book, from where I stated the size of bow, is a "Shabdkosh". Measurement is prescribed in a separate book. I do not know about this book. This book also contains the measurement of other words like – Yojan (Kos). "Yojan" perhaps stated to be equal to one thousand Dhanush. Volunteer : that the word "Yojan" is not clear because publication is very old and is reprinted. So I could not read it properly. In addition to this, the word "Kos" perhaps used now a days. I do not remember the measurement of "Kos". Perhaps, it is defined in Dhanush. Yojan also, perhaps is defined in Dhanush. Since the first edition of the above "dictionary" was published in 1860, so the words which were in use at that time and the then meanings were included in it. Although I do not have any concrete knowledge but I have heard

that ancient people were big in height and later this height started reducing and now it is again on increase. I also have heard that a thirty three thousand years old skeleton was found. He was only one and quarter feet in height. I have no knowledge about the size of human of one crore forty lakh years before. However I know that height of each human being, in every period, is found about three and half hand if measured by one's own hand. Other dictionary namely "Amarkosh", which I have referred in my statement, could not be available to me. I have, in my statement, yesterday, said that I have two dictionaries but the other dictionary "Amarkosh", before I reached home, was taken away by the person from whom I have taken it. I have stated that Dhanush is equal to five feet in length. I have stated this on the basis of one of the books, named – "Manusamriti" or "Dharmshastra Ka Itihas". I have brought both the books with me. However I could not find the concerned portion in these books inspite of efforts made to locate it.

Learned advocate cross-examining the witness draw the attention of witness towards the statement " I, in respect of the length of Dhanush-----not read in any other book", recorded at page No. 160 and 161 on 13.7.2005. Witness after reading this said that his statement is correct. I have read these two books only, and not in any other book in this regard. Hence I have given this statement. If found, I will bring these books with me.

Question: It is correct to say that measurement of hands of all persons, in inches and feet cannot be equal? Because a person short in height will have a short hand and a person with big height

will have a large hand and the hand of a child would be shorter.

Answer: It is correct. But where a word "hand" has been used for measuring a length, it is used as a definition. It does not mean the hands of various types of persons. It must be a definite measurement.

This has been used almost in every ancient book as a device to measure. I do not remember whether the word "hand" was used in Rudrayamal as a parameter or not. I do not remember at present whether this fact was given in "Ayodhya Mahatamya" of "Vaishnav Khand" of "Skand Puran" or not. It was referred in Valmiki Ramayana but I do not know that at which place it was mentioned. I can say at what place in Valmiki Ramayana, it is written, only after getting a chance to read it.

Witness after seeing the couplet No. 18 of thirty-fifth Canto of "Sunder Kand" of Valmiki Ramayana, second part, document No. 261 C -1/2-A, said that four hands in height has been written in it. Four hands are equal to five feet. Today, I have tried to locate this fact but due to lack of time and mental tension, I could not locate. I will try to tell by tomorrow in this regard.

Learned advocate cross-examining the witness draw the attention of witness towards document No. 288 C -1/1 and 288 C -1/2. Witness after seeing it said that it was written on the pad of "Shri RamJanam Bhoomi Renovation Committee". I know about this committee. I am giving statement on behalf of this Committee. I do not know how many office bearers are there in the Committee. Besides Ayodhya, people from other parts are also its members.

Raja Ramacharya of Ayodhya is its member. Besides, I do not know any other person of Ayodhya who is a member of this Committee. "Ramalaya Trust" was referred at first page. This is a different organization. I have no knowledge about the location of its headquarters. So far I know, Shankaracharya of all four seats are its members. In addition to this Jagadguru Ramanandacharya is also its member. My Guruji is also a member of this Ramalaya Trust. However, I cannot certainly say, if my Guruji is also in "Shri Ram Janam Bhoomi Renovation Committee". My Guruji, perhaps is a patron of the committee. I have not held any discussion with my Guru about this Suit. I know Mahant DharmDas of Ayodhya. So far I know, he is not related to above Committee or Ramalaya Trust.

I have in para -9 of my examination in chief affidavit stated that I also run 6 Ashrams, situated in Kashi. Ved schools, Shashtra Schools, Cowsheds, Dev-poojan, old aged persons Ashrams, Sadhu Niwas etc. are run by these 6 Ashrams. There are separate Committees for managing these 6 Ashrams. I am the head of executive of the Committees of these Ashrams. These Committees also spend money. All the people manage it together.

Question: Do you have the Bank Account of the Committee, constituted for the management of 6 Ashrams run by you?

(Upon this question, Learned Advocate Ms. Ranjana Agnihotri on behalf of plaintiff in Other Original Suit No. - 4/89 has raised an objection that the question asked for is irrelevant and is not related to any point of the Suit).

Answer: Yes.

These accounts are jointly operated under mine and other executives' signatures. I have stated in my statement, a day before yesterday, when a dispute arise about the ownership of a particular place between the two parties, in respect of their religious faith then solution is given in the religious books or not, I can say only after seeing the books. I have seen a number of Samrities in this connection wherein it is written that the dispute should be solved on the evidences of people of surrounding area. If people do not arrive at a solution, in that case, it should be decided with a majority. It is written in detail in Manusamriti, Vrihaspati Samriti, Angira Samriti, Parashar Samriti, Vadratnakar Samriti etc.

Verified the statement after reading

Sd/-

Swami Avimuketshwaranand Saraswati

14.07.2005

Typed by the stenographer as dictated by me in the Open Court. In continuation to this suit may be listed for further Cross-examination for 15.7.2005. Witness to be present.

Sd/-

(Hari Shankar Dubey)

Commissioner

14.7.2005

Before: Commissioner Shri Hari Shankar Dubey,
Additional District Judge/Officer on Special Duty, High
Court, Lucknow Bench Lucknow.

Dated 15.7.2005

D.W. 20/2 Swami Avimuketshwaranand Saraswati

(Commissioner appointed by Hon'ble Full Bench in Other
Original Suit No. -4/89 vide order dated 26.5.2005).

(In continuation dated 14.7.2005, Cross-examination on an
oath, of D.W. 20/2, Swami Avimuketshwaranand
Saraswati, by Shri Mushtaq Ahmed Siddiqui, Advocate on
behalf of plaintiff No.- 7 of Other Original Suit No.-4/89
continued).

I have in my statement yesterday, said that I will
bring the books. Among these, I have brought the book
"Dharmshastra Ka Itihas"- second and third part with me to
day. About the evidence of length of hand, I have brought
the book "Kautiliyamarthshastram" with me. Among these
books "Dharmshastra Ka Itihas" is the same book which I
have referred in my statement. I could not bring the book
"Amarkosh" to day, which I have referred in my statement
earlier. Second and third part of "Dharmshastra Ka
Itihas", which I brought to day are written by
Mahamahopadhyaya Dr. Pandurang Vamankane and
published by Uttar Pradesh Hindi Sansthan (Hindi Samiti
Pratishthan), Mahatma Gandhi Marg, Lucknow. In both
the books "measurement of Hand" is given on the basis of
feet. In fourth Para at page -1323 of third part of the
book "Dharmshastra Ka Itihas", it is stated that 24 angul is
equal to one hand, 96 angul is equal to one Dhanu and
two thousand Dhanu is equal to one Yojan. In the line
next to it, it is written that 4 hand is equal to Dhanu and

two thousand Dhanu is equal to a Kos and 4 Kos is equal to a Yojan. Its first edition was published in 1966 and present book, which is fourth edition, was published in 2003. It has been cited in this book that measurement given in it is on the basis of Puran. Hence on this basis I can say that this measurement was in vogue during the period when Purans were written. Extracts from Vayu Puran (8/105 and 101/122 – 126), Brahmand Puran (2/2/9-10) and Markandaya Puran (46/37 –40) were given in it. Skand Puran is not referred in this book at that place. Volunteer : that measurement of "Hand" was defined in first chapter of Ayodhya Mahatamya of Vaishnav Khand of Skand Puran. However, a length of a Dhanush as stated there is equal to three and half hands, which perhaps was written on the basis of local usage. The word "Gawyuti" is used in it, which is a parameter for measurement of distance. Gawyuti is perhaps a synonym of Yojan. It is written therein that one Gawyuti is equal to two Kos. It is correct. I cannot say orally about the ancient parameter. I can say only after seeing its reference in the book that how many Kos are there in a Yojan. It is written therein that there is some difference in the parameter of length, which is correct. Volunteer : that two viewpoints are in vogue. According to one view, one Yojan is equal to 4 thousand hands of Dhanush. Second viewpoint is that 8 thousand hands are equal to one Yojan. The parameter stated above may be about Gawyuti. I can say it after seeing the book. The discussion detailed in this para might be about the parameter of Gawyuti and reference about the parameter of hand might have been referred as a context. (On this subject, witness on the order of Commissioner, has filed the extracts of "Kautiliyamarthshastram" from the above book "Dharmshastra Ka Itihas", which were marked as document No. 290 C –1/1 to 290 C –1/5, 291 C –1/1 to

291 C -1/5, 292 C -1/1 to 292 C -1/3, and were taken on record).

I serve the Ashram with the spirit of duty and service. Sanyas life also has some duties. If a Sanyasi is doing service to the people, this work cannot be said as worldly affairs. I have not read the edition of the book "Shabdarth Chintamani" published in 1860, which I have referred in my statement yesterday. I have read the later edition. No word has been added in the later edition in comparison to earlier edition. The words, which were in earlier editions, were reproduced in the later edition. I am saying this on the basis of reference about reprinting contained in the book and type of printing because it appears to be an old. Since I have not seen the earlier edition, so my statement is based on presumption.

I have not seen the staircase inside of any of tower of the mosque, which I have seen in Kashi. I have not seen any Mosque of the Pratapgarh I have referred about mental tension, this was due to pressure to search the word, and otherwise there was no mental tension on me.

I have in my statement of yesterday said that any dispute, raised, in respect of ownership of any particular place, in between two communities about the religious faith, it should be decided by "Samant Pratyaya". Samant has two meanings – the first meaning is that dispute should be resolved on the evidences of the people of surrounding area. Second meaning is based on Sukra Policy. Samant also means a king. Volunteer : that king is also called Samant and King Vikramaditya constructed this questioned temple. King Sudhanwa was the ancestor of king Vikramaditya, who was contemporary of Aadi Shankaracharya and had written a *Tamrapatra*. It is

written therein that at a great occasion, Sureshwacharya, who was the then Shankaracharya of Dwarikadheesh, will hold the key, decision on this subject can be obtained from the Shankaracharya of present Dwarika. "*Mahad Vinirnaya Prasktetu Sureshwacharya aivm Nirnayaka Bhawantu*" is a main couplet to this *Tamrapatra*. I have not seen this *Tamrapatra*. Year of this *Tamrapatra* is written in the extract where I have read this extract. However, I do not remember the year. Manusamriti, which I have referred, is in vogue in India now a day. We are governed by it. It is not written in this Samriti that Brahmins are at the helm and Shudras are at the bottom in the social structure. Although caste had been categorized in it. The misgivings about this Samriti are false. "*Dhol, Ganwar, Shudra, Pashu, Nari, Yeh sab tarn ke Adhikari*" is written in Ramcharitmanas and not in Manusamriti. "*Tarna*" here does not mean to kill or to harass. It means to supervise regularly. Work of Brahmin, Kshatriya and Vaishya cannot go without Shudra. Similarly, the work of Shudra cannot go without Brahmin and the three categories.

In fourth line at page 665 of second part of "Dharmshastra Ka Itihas", it is stated that 100 Dhanus are equal to 400 hands and at page 664, it is stated that four Dand are equal to 16 hands. In addition to the extract from the third part of "Dharmshastra Ka Itihas" referred above by me in my statement, 200 "Dhanus" are stated to be equal to 800 hands or about 12 hundred feet at page 1344 of this book. Beside, 105 hands are equal to 160 feet, is written at page 1348 of this book. The fact written at page 664 of the above book is given in the chapter under the title Durg Kila or Rajdhani of chapter 6 of this book. This chapter contains the matter about Durg and its importance. It is written in 5th line of third para at page

664 of this book - "it should have the secret land and water; Rath Marg and those Margs, which leads to Dron Mukh local Rashtra and grazing-lands", should be four dand (Sixteen hands) in width. At this place, while describing width as four Dand, its perimeter has been stated sixteen hands. To days' parameter has not been referred in it. Dhanush is also called Dand. Accordingly at page -665, second part of "Dharmshastra Ka Itihas" next to a trench, at a distance of 100 Dhanush (400 hands) there should be Mandap of holy trees, Kunjs and Dams. Accordingly distance has been referred with reference to trench. This reference is given in connection with a context and there is no free discussion about the perimeter. The reference about perimeter at Page -1344 of this book is also in connection with the context. No free discussion is about perimeter. The author has written that in the perimeter referred therein, there are some differences about the border. 800 hands are written equal to 1200 feet at this page. Similarly the fact where I have stated that 4 hands are equal to five feet, is negated by this part. Further it is stated in the book that 105 hands are equal to 160 feet. This also does not support my view, wherein I have stated that four hands are equal to five feet.

Witness on the basis of page No. -243 of first edition of "Kautilyaarthshastram" edited by Acharya Vishwanath Shastri, published by Sampurnananda University, Varanasi, photocopy of which is filed to day, said that ancient parameter of measurement of distance is referred therein. It contains the parameter from Rathchakra Viprut to Yojan. Rathchakra Viprut means a particle of dust, which fly due to plying of Rath. This particle measures the distance from one side to other. It is written therein that

two Balishta are equal to one hand. No parameter, on the basis of feet has been given comparatively.

I do not remember whether the Samrities, which I have read, have any details or not about the relations between the minorities and majorities.

Learned advocate cross-examining the witness draw the attention of witness towards first two lines of Second para at page -136 of Chapter -I, of first volume of the book "Ayodhya" written by Hains Becker, document No. 120 C -1/2. Witness after seeing it said that it is written therein that information about Ramdurg started getting in from 16th Century. Upon inviting the attention of witness towards second line "the Ramkot-----R. C. M., witness said that I do not know the meaning of word "alluded".

Learned advocate cross-examining the witness Draw the attention of witness towards the fourth and fifth line "Shershah-----use under Akbar" of last para at this page. Witness said that establishment of a mint by Shershah is referred therein, which was remained in use up to the time of Akbar. In the next line "the Muslim district-----largest city of India" is written. It is written therein that Muslim district of the city was expanded and that town became the largest town of India.

Learned advocate cross-examining the witness Draw the attention of witness towards a part "A grove to the west -----Pramod Van" of second para at page 152 of chapter -8 of the above book. Witness said that it is written therein that there is a garden in the west of Ramteerath, known as Pramod Van. I do not remember whether anything against the matter written in the part shown to me of the above book "Ayodhya" is written anywhere or not. Volunteer : that I would like to say that a British wrote this book. It might be possible that this book

might have been written in order to further deteriorate the situation, created by the Britishers.

It is not correct to say that a mosque was constructed at the Virgin land, at the disputed site in 1528. It is also not correct to say that neither there was any temple at that place nor that place was ever called a RamJanam Bhoomi. It is also not correct to say that in my view, Vikramaditya had not constructed the temple. It is also not correct that Namaz was being read at the disputed Bhawan regularly since 1528 to 22nd December 1949. It is also not correct that the mosque still exists at the disputed site.

Cross-examination on an oath, of D.W. 20/2, Swami Avimuketshwaranand Saraswati, by Shri Mushtaq Ahmed Siddiqui, Advocate on behalf of plaintiff No.- 7 of Other Original Suit No.-4/89 concluded.

Thereafter Shri Irfan Ahmed, Advocate on behalf of defendant No. 6/1 in Other Original Suit No. -3/89, Shri Fazle Alam, Advocate on behalf of defendant No. 6/2 in Other Original Suit No. - 3/89 and Shri C. M. Shukla, Advocate on behalf of defendant No. 26 in Other Original Suit No. -5/89 have accepted the Cross-examination conducted by Shri Abdul Mannan, Advocate, Shri Zaffaryab Jilani, Advocate and Shri Mushtaq Ahmed Siddiqui, Advocate.

Cross-examination, on behalf of all plaintiffs concluded. Witness is discharge.

Verified the statement after reading
Sd/-
Swami Avimuketshwaranand Saraswati
15.7.2005

Typed by the stenographer as dictated by me who typed it in open court.

Sd/-(Hari Shankar Dubey)
Commissioner
15.7.2005