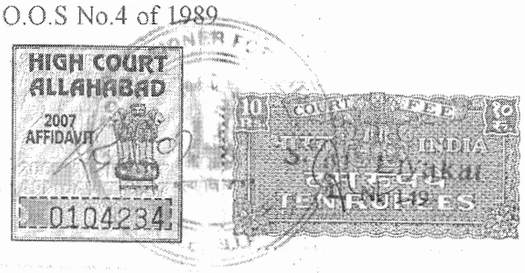
DW-20/5

In The Hon'ble High Court of Judicature at Allahabad, (Lucknow Bench) Lucknow.

O.O.S No.4 of 1989



Sunni Central board of waqfs and others .....Plaintiffs

vs

Gopal Singh Visharad (now dead) and others .....Defendants

Affidavit of Jayanti Prasad Srivastav under order 18 Rule 4 CPC

www.vadaprativada.in

I, Jayanti Prasad Srivastav, aged about 74 yrs, S/o Late Yadunath Singh, R/o B-117 F3 Bharat Apartment Shalimar Garden Ex-2 Sahibabad, District Ghaziabad, do hereby solemnly affirm and state on oath as under:

1. That the deponent has retired as Superintending Archaeologist, Archaeological Survey of India, Government of India, excavation Branch II, Purana Quila New Delhi on 31/7/1991.

2. That in the year 1955 the deponent passed his M.A. in history with specialization in Ancient Indian history and culture from the Lucknow University, Lucknow U.P.

3. That the deponent also passed his Vidya Vachaspati Examination with a Combined Degree Course in Comparative Religion and Vedic Philosophy, Hindi & Ancient Indian Social Studies during the year 1960-61 from Arya Sahitya Mandal Ltd., Ajmer, Rajasthan.

www.vadaprativada.in

www.vadaprativada.in

www.vadaprativada.in

4. That the deponent was a Research Scholar of the Vikram University Ujjain (MP) under the able guidance of Prof. M.N. Kaul, Former Head of History Department Victoria College, Gwalior 1964-1968 and worked on the "History of Gwalior Region during the Early mediaeval Period from Circa 800 AD to 1300 AD."

5. That after completing the Post Graduation from Lucknow University in the year 1955 deponent has served as a temporary Lecturer in history in Shri Gandhi Vidyalaya Sidhauli District Sitapur and the deponent had explored an ancient mound known as Maniva Kot in district Sitapur U.P. It was brought into the knowledge of the Department of Archeology and Museum Govt. of U.P, Lucknow subsequently it was excavated by them to establish its antiquity, which went up to the sixth century BC.

6. That the deponent also explored mounds and brick temples of Gharwal Period in village Nasirabad, Tehsil Misrikh, District Sitapur U.P.

7. That the deponent visited a site at village Unchgaon, Tehsil Sadhuli, District Sitapur in the year 1956-1957, which was excavated by the Directorate of Archeology & Museum, U.P Government, Lucknow. They have exposed the basement of a massive Shiv temple of the Pratihar period of early Mediaeval Indian History.

8. That the deponent had joined the Archeological Survey of India as an Exploration Assistant in the Central Circle Bhopal in 1957 and explored an ancient mound at Ashta in the District Sehore (MP) and also attended the excavation site at Ujjain in year 1957-1958, conducted by the Archeological Survey of India. The deponent also attended the excavation site in District Sagar (MP) in the year 1960-1961 to 1961-1962 undertaken by the Department of Ancient Indian History and Archeology, Sagar University.

9. That the deponent explored sites in District Hoshangabad (MP) during the years 1960- 1961 in Tawa Narmada River Valley.

10. That in the year 1966-1967, the deponent explored a site in Daddakadatur near Mysore in District Kolar in Karnataka.

11. That the deponent also explored sites in District-Karnool in Andhra Pradesh in the year 1967-1968.

12. That the deponent served as Exploration Assistant in Central Sub Circle Gwalior Madhya Pradesh from July 1957 to 14th May 1964.

www.vadapativada.in

www.vadapativada.in

13. That the deponent has served as Technical Assistant in the Archeological Survey of India. Excavation Branch Nagpur (Maharashtra) from 15th May 1964 to December 1971, for excavations in different parts of the country.

14. That the deponent had served as Technical Assistant in Archaeological Survey of India excavation Branch II in year 1972 for excavations at Purana Quila, New Dehli.

15. That the deponent was posted as Deputy Superintending Archaeologist (Sea Customs) Archeological Survey of India, Government of India, New Custom House Bombay, as an Art and Antiquity Expert for assisting the Customs Authorities in identifying the objects and antiquities which are prohibited for export purposes.

16. That the deponent was posted as Deputy Superintending Archeologist, Northern Circle Agra, for assisting the Superintending Archeologist of Circle, to run the Circle administration and to carry out the conservation of the National protected Monuments from July 1976 to May 1978.

17. That the deponent was promoted on the post of Superintending Archeologist (publication) in the Office of Director General, Archeological Survey of India for assisting the Directorate General in editing and publishing the Archeological reports, Journals, Guide books etc.

18. That the deponent was posted as Superintending Archaeologist, Northern Circle Agra for carrying out conservation of National Protected Monuments.

19. That the deponent was posted as Superintending Archaeological (Special) for Delhi Group of Circles, Northern Zone, Delhi from July 1984 to May 1987 for demarcation of area around the national protected monuments.

20. That as per programme of the Archaeological Survey of India, the deponent was posted as Superintending Archaeologist, Excavation Branch w.e.f. 20.11.1987 to 31.07.1991 to conduct excavation and exploration in the States of Punjab, Haryana, Uttar Pradesh and Madhya Pradesh.

21. That the independent exploration results of the deponent had been briefly published in the "Indian Archaeology a Review" Volumes, from 1957 to 1964 which runs as follows:-

1. Indian Archaeological Review - 1957-58; page:67 and Item : 20
2. I.A.R.-1958-59; Page - 26, Item : 22
3. I.A.R.-1959-60; Page - 69, Item : 15 & 16
4. I.A.R.-1960-61; Page - 59, Item : 26

www.vadaprativada.in

5. I.A.R.-1961-62; Page - 98, Item : 21 & 22
6. I.A.R.-1962-63; Page - 68, Item : 20 & 30
7. I.A.R.-1963-64; Page - 87, Item : 13 & 14

22. That explorations in District Hoshangabad (M.P.) have been reported vide reference IAR 1960-61 Item 31, explorations in Kolar, District Mysore and Karnool were published vide reference IAR 1967-68 Page 3 Item 6.

23. That the deponent has excavated the following sites:-

1. Adamgarh (Hoshangabad) MP 1960-61
   (A Palaeolithic and Microlithic site)
2. Basenagar Vidisha (M.P.) 1963-64
   (A Chalcolithic and early historic site)
3. Kalibangan (Sri Ganganagar) Rajasthan 1964-65
   (A Pre Harappan and Harappan site)
4. Kalibangan (Sri Ganganagar) Rajasthan 1965-66
   (A Pre Harappan and Harappan site)
5. Paiyampalli (North Arcot) Tamil Nadu 1966-67
   (A Neolithic and Megalithic site)
6. Singanpalli (Karnool) Andhra Pradesh 1967-68
   (A Neolithic and Chalcolithic site)
7. Kalibangan (Sri Ganganagar) Rajasthan 1968-69
   (A Pre Harappan and Harappan site)
8. Pauni (Bhandara Maharashtra) 1969
   (An Early Buddhist Stupa site)
9. Pauni (Bhandara) Maharashtra 1969-70
   (An Early Buddhist Stupa site)
10. Malwan (Surat) Gujarath 1970
    (A Post Harappan and Chalcolithic Port Site)
11. Surkotada Bhuj (Kutch) Gujrat 1970-71
    (A Harappan Site)
12. Purana Qila (New Delhi) 1971-72
    (A Proto Historic Site)
13. Mathura (U.P.) 1973-74
    (A Proto Historic Site)
14. Fatehpur Seekri (Agra, U.P.) 1976-77
    (A National Project of Mediaeval Archeology)
15. Fatehpur Seekri (Agra, U.P.) 1981-82
    (A National Project of Mediaeval Archaeology)
16. Thaneshwar (Kurukshetra, Haryana) 1987-88
    (An early historic site)
17. Sanghol (Ludhiana, Punjab) 1987-88
    (A late Harappan site)

www.vadaprativada.in

www.vadaprativada.in

18. Sanghol (Ludhiana, Punjab) 1988-89
(A Late Harappan site)

19. Sanghol (Ludhiana, Punjab) 1989-90
(A Late Harappan site)

20. Directed explorations in districts Ludhiana, Ropar & Patiala during 1988-80.

21. Directed explorations in District Farrukhabad in Uttar Pradesh. Visited Sankisa, Pakhana Vihar & Kannauj and Naimisharanya in District Sitapur, U.P.

PUBLICATIONS

Papers:-

1. अशोक कालीन भारत पर एक विहंगम दृष्टि
2. मध्य प्रदेश के सन्दर्भ में प्राचीन भारतीय इतिहास एवं पुरातत्व पर एक विहंगम दृष्टि
3. आदमगढ़ के प्रागैतिहासिक गिरिगह्वर
4. आधुनिक परिस्थितियों में प्राचीन भारतीय समाजवाद की उपयोगिता

Published Archaeological Reports

1. A Chapter on sculptures in the Pauni excavation Report 1969-1970 Nagpur University Press in the year 1972 (A collabration Report of the Nagpur University Nagar and the Archaeological Survey of India.) Dr. S.B. Dev and Sri J.P. Johri.

2. A Chapter on the other Antiquities in Pauni excavation Report, 1969-1970 in joint authorship with Sri J.P. Johri.

3. A Chapter on "Antiquities" published in Malwan excavation Report, 1970(A collaboration Report of the Cambridge University England (U.K.) and Archaeological survey of India Nagpur) Dr. F.R. Alchin and Sri J.P. Joshi printed by the Director General Archaeological Survey of India.

Unpublished Contributions

Several hundred technical reports on archaeological material (on Form D) in District Bhind (M.P) submitted to the central circle ASI, Bhopal (M.P) as a result of independent village to village explorations in the dacoit infested region 1957-1964 and classified list of Manuscripts in District Bhind (M.P)

www.vadaprativada.in

Gwalior.

OTHER EXPERIENCES

1. Ex-Officio, Member Archaeological Society Gwalior (M.P)
2. Former President All India Archaeological Service Association Old High Court Building Nagpur.
3. Life Member Indian Archaeological Society Katwaria Sarai New Delhi.
4. A Panel Member of Expert in Antiquities and Art objects, Archaeological Survey of India.
5. Former Me,ber Museum Associations of India, National Museum, Janpath New Delhi.

22.A That the excavation at disputed site was carried out by the Archaeological Survey of India from 12th March 2003 to 7th August 2003.

23.A. That the deponent spent five months i.e. March 2003 to August 2003 at the excavation site at Ayodhya and observed the entire excavation.

24. That the excavation at disputed site at Ayodhya was carried out with limited but defined objects.

25. That during excavation, the Archaeological Survey of India adopted the latest techniques of layout of trenches where limited space was available.

26. That the excavation work was planned in phased manner in particular areas as per significant signals pointed out by the Ground Penetrating Radar Survey.

27. That the Archaeological documentation including drawing and photography of the structural remains, pottery and antiquities were done in very organized manner as per the norms of Archaeology.

28. That in order to maintain transparency all the excavated materials including antiquities, object of interest, glazed pottery, tiles and bones which were recovered from the trenches, were sealed in the presence of Advocates, Parties or their nominees and kept on the same day of their recovery in the Strong Room provided by the authorized person.

29. That a large number of pillar bases had been found during excavations which indicates the existence of an extensive pillered mandap like structure.

30. That the evidence of pillar bases, circular or squarish are available in 50 places in different trenches from North to South and East to West in particular portion of the area, forming a sort of big rectangle, it is undoubtedly a

www.vadaprativada.in

very great evidence of Archaeological activity thus it can not be brushed aside lightly and casually. An evidence coming from the womb of the earth has got its own worth and relevance in Archaeological digging. The pillar bases found were neither created nor manufactured by the A.S.I. Creation or manufacture of walls, pillars and piller bases is impossible. The piller bases were found in presence of parties, their counsel, their nominees and observers appointed by this Hon'ble Court and never any oral objection was raised by any of them in respect of creation of piller bases.

31. That a big stone 'Pranal' of crocodile shape with carving was found in the South West corner beyond the disputed structure during digging along with other carved stone Panels in the upper layers which definitely belong to some temple structure. A stone sculpture noted as divine couple in the antiquity seems to be the representation of Lord Shiva and Goddess Parvati.

32. That the presence of bones in the debris of the demolished temple can not be a reason for absence of the temple.

33. That Archaeological evidence of a massive structure just below the disputed structure is in itself an evidence of the continuity in structural phases from the 10th century onwards up to the construction of the disputed structure along with the yield of stone and decorated bricks as well as mutilated sculpture of divine couple and carved architectural members, including foliage patterns, amalaka, kapothpali, door jams with semi circular pilaster, broken octagonal shaft of black schist pillar, lotus motif, circular shrine, having a pranal in the North, fifty pillar basis in association of huge structure are indicative of the remains of a temple.

34. That there was a Temple Structure beneath the disputed Structure.

Lucknow

Dated: 15/1/07

Deponent.

Verification

I, the above named deponent do hereby verify that the contents of para 1 ~~to~~ ___ ___ of this affidavit are true to my personal knowledge and those of paras- 2 to 34 are true on the basis

www.vadaprativada.in

of records available. No part of it is false and nothing material has been concealed. So help me God.

Lucknow:
Dated: 15/1/07

Deponent

I identify the deponent who has signed before me.

Ranjana Agnihotri
Advocate

Solemnly affirmed before me on 15/1/07 at 9:10 am/pm by the deponent Jayanti Prasad Srivastava, who has been identified by Ms. Ranjana Agnihoti Advocate, High Court, Lucknow.

I have satisfied myself by examining the deponent that he understands the contents of this affidavit which have been read out and explained to him by me.

No. 104254 15/1/07

15/1/07

www.vadaprativada.in

www.vadaprativada.in

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

O.O.S.NO. 4 OF 1989
(R.S.NO. 12 OF 1961)

The Sunni Central Board of waqfs, U.P. & others----------Plaintiffs

VERSUS

Gopal Singh Visharad and other ----------Defendants

Dated 15.01.2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Examination in chief of Sri Jayanti Prasad Srivastava aged about 74 years, son of late Yadunath Singh R/o B-117, F-3 Bharat Apartment, Shalimar Garden, Ex-2 Sahibabad, District Ghaziabad, filed on affidavit (page no. 1to 8)taken on record)

(Cross examination on oath on behalf of Sri Moh. Hasim, plaintiff no. 7 in O.O.S. No. 4 of 1989 by Sri M.A. Siddiqui, Advocate started).

xxxxxx xxxxxxx xxxx xxxxxx xxxxx xxxxx xxxxx

I joined as Exploration Assistant in the Archaeological Survey of India, Central Circle, Bhopal, on 21st January, 1957. I continued in the service of Archaeological Survey of India until I retired on 31st July, 1991. During the period 1957 to 1964, I was

www.vadaprativada.in

Exploration Assistant in the Archaeological Survey of India, Central Sub-circle, Gwalior for exploration in district Bhind. During this period of seven years, I independently explored and carried out village to village survey in district Bhind. No excavation was carried out in the district Bhind pursuant to the exploration carried out by me in the said district. Volunteered that excavation during that period was done in the district Hoshangabad during 1960-61. Number of sites where exploration work was carried out in district Bhind, I cannot exactly state but it was done in several hundreds of villages of district Bhind. The details of some of these explorations are published in the Journal of ASI 'Indian Archaeology- A Review". The details are in the journal of the said period. This Journal is published annually. It is not necessary that in every case excavation follows exploration. Rather it is always a practice that excavation is followed by exploration wherever felt necessary. The purpose of exploration is to identify the site which is required for excavation. Different sites are selected for excavation on the basis of exploration. Initially areas are selected for exploration and thereafter, if necessary, the excavation is carried out on one or two sites as the case may be. There are guidelines which are to be followed for selecting the area for exploration. Such guidelines are contained in Form 'D' of ASI. The ASI has posted Exploration Assistants all over India in

www.vadaprativada.in

different parts of Country and the exploration is carried out on the basis of decision taken by the Director General on the basis of the deliberations that takes place in Seminars and discussions etc.

The exploration work is not entirely confined to table work but it is 100 percent field work. Although no digging is carried out during exploration but with the prior permission of the Director General one or two trial trenches may be taken wherever felt necessary. The excavation is done to find out the past history, potentiality of site in chronological order. The Director General selects the areas for exploration and if anything is found worth for the purpose of excavation, then the excavation is carried out as per policy of department. Exploration is carried out on the basis of guidelines in Form 'D' and the finds available on the mounds found in the open ground. Form 'D' still continues as it was started since 1957 onwards. No excavation was done in the district of Bhind. No excavation was carried out on any area where exploration was done by me. I had recommended for excavation of one or two sites but the department did not find any necessity of excavation on those sites. I carried out excavation at Adamgarh District Hoshangabad (MP) in the year 1960-61. The second site, I excavated was Bes Nagar in District Vidisha (MP). The exploration of these sites was conducted by other persons long back. On the basis of said exploration report, the site was selected

www.vadaprativada.in

www.vadaprativada.in

by the department for excavation. This is true that no site can be excavated unless ASI issues a licence. I do not think that any licence is required for the purpose of excavation by the departmental people on the basis of the orders of the department. Three months period was consumed by me in the first excavation. I was one of the Assistants in the said excavation which was carried out under the direction of the senior officers. The said excavation was conducted under the direction of Dr. R.V. Joshi, the then Superintending Archaeologist of pre-history branch of the Survey at Nagpur and Sri M.D. Khare, the then Deputy Superintending Archaeologist of the Central Circle, Bhopal as a joint work. The report of the said excavation has been published. Brief report of this excavation was published in the journal "Indian Archaeology-A Review" in the year 1960-61. Thereafter a detailed report was also published but I do not remember the year in which detailed report was published. I did not contribute any chapter in that report. I do not recollect how many chapters were there in that report. There were chapters in the said report but exact number of chapters I do not remember. The chapter must have been topic-wise. The topics of the chapters in the said report ~~one~~ Palaeolithic, Microlithic, Chalcolethic etc. ~~finds~~. Voluntarily said that I was required to give details of day today digging in field note book. Besides me, there were others also, for digging, to prepare day

www.vadaprativada.in

today field note book. I had excavated about 14 trenches at the site while the other colleague digging other trenches. It was vertical excavation to ascertain the archaeological potentiality of the site. Archaeological potentiality means actual antiquity of the site determined on the basis of finds.

Q. Is archaeological potentiality determined by excavation going through layer by layer.

A. The archaeological potentiality is determined on the basis of finds digging layer by layer up to the natural soil of the site.

The first site which was excavated by me was at Adamgarh in District Hoshangabad within the State of M.P. At that site 14 trenches were excavated by me and their depths were varying. The maximum depth was, however, about 3 meters. Since that site was within the hilly region, we came to bedrock. Over the bedrock mainly stages were there viz. (i) laterite without tools and then (ii) second stage- laterite with palaeolithic tools and (iii) then third stage- Microlethic as followed by (iv)Chalcolethic etc. The first stage i.e. laterite without tools denoted its first stage and in second stage i.e. with tools which was made by human hands and found at the site was followed and thereafter third and fourth stages followed. Thus, barren deposit which was not consisting of any human made tools, was its natural deposit over the natural bedrock. In Archaeology, Chronology is determined from bottom to top

www.vadaprativada.in

although digging is made from top to bottom layer-wise. In hilly sites normally bedrocks are treated to be natural soil. By natural site or soil means where no human finds are available. It is correct to say that where human signs are not found it means that there was no habitation. In the first excavation which was made by me the area over bedrock was not occupied by human beings which is called laterite without tools. Laterite without tools is a geological term which means a deposit because of disintegration of rock. Laterite is red in colour. In other words soil of laterite area is red in colour. Place of antiquity starts from availability of human finds and earlier to it remains natural geological deposits. It is true to say that interest of an excavator is confined to the area of laterite with tools for the purpose of determining its chronology, but while excavating an archaeologist has to go further to ascertain the natural soil i.e. the area called laterite without tools in a hilly region. The colour of soil of laterite with tools is also red. However, the colour of soil of Microlithic area is to some extent red but followed by black soil. It is normally called black cotton soil in that area. Colour of the soil of Chalcolithic area is also black. Chalcolethic means tools with copper or bronze metal along with Microliths. Microliths are prepared of chert stone, chalcedony, crystals etc. It would be correct to say that in Microlethic area, the object found are only of stone whereas in the

www.vadaprativada.in

www.vadaprativada.in

Chalcolethic area, finds also contain metals and potteries. There may be a situation that along with stone tools metallic objects and potteries ceramics are also found in ~~Charcolithic~~ Chalcolithic period. If any object containing only metal is found along with stone objects, Chalcolethic period will start. In other words, that deposit would be taken or considered of Chalcolethic period. In chalcolethic period single object of only metal is found the Chalcolethic period starts from there, as compared to many other objects even if one single object is available it means Chalcolethic period has started at that site. It is impossible that one object contained both i.e. metal as well as stone tools. Volunteered that introduction of metals at a particular site means starting of human activity at that site and then other objects are also taken into account such as potteries and other human left-over. Stone tools are made by human activity. In laterite without tools, human activities are not found, but in laterite with tools human activities start and those tools are made by earlymen. The area which was excavated was assigned period of about two lacs years old which was oldest period in that region i.e. at Narmada River Valley. In no part of India human activities can be found older than that i.e. two lacs years. I cannot say exactly about the other parts of the world, in Europe and Africa there are some places where human activity goes around two lacs years.

www.vadaprativada.in

www.vadaprativada.in

My contribution in the excavation at Adamgarh was to the extent of digging of 14 trenches and preparation of day to day field note book. This is known as site note books also. The site note book and the field note book are one and the same. Day to day register is different. I had prepared the field note book of the concerned trenches excavated by me and not day to day register. Day to day register was prepared but it was not done by me. It was prepared by my other colleagues on the basis of all the field note books prepared by the Trench Supervisor present on the site. The field note book is prepared simultaneously at the time of excavation. If there are more than one trenches being excavated at the same time, the separate field note books in respect of the work are prepared after the day's work is over. The day to day register is prepared on the basis of the findings recorded in the note books. This is the proper method of recording. This is an old and accepted method in archaeology. This practice is being followed in the same way at present also. The same practice was followed at Ayodhya also during excavation, meaning thereby different trench supervisors prepared site note books and on the basis of the said site note books, the day to day register was prepared by some other person at the end of the day. Voluntarily said, during the course of excavation at Ayodhya, all of us used to sit together after the day's work at about 5 p.m. to see all the antiquities etc.

www.vadaprativada.in

www.vadaprativada.in

recovered during the day before all concerned including the representatives of the parties and the nominees of the court and then day to day register was prepared by the ASI people and the same was signed by everyone present there. This is correct to say that the site note books were not placed at the time of preparation of day to day work. Voluntarily said that the same was not necessary nor it was objected to by anybody. I did not see any site note book during the course of excavation throughout the long five months of my stay. Voluntarily said, it was beyond my scope to see the site note books.

The second site I had excavated in Madhya Pradesh was Bes Nagar in District Vidisha. It was in the plain area of Malva Plato. In the first season, three trenches were excavated. The excavation continued in the second and third season, but I was not associated with excavation during the second and third season. At that site, I was associated with the digging of one trench in front of Heliodoros pillar. Voluntarily said, that Heliodoros was a Greek Ambassador, who had visited the court of the then Sunga Ruler. Heliodoros got constructed a Vishnu temple and he had installed a pillar in front of it, which is known as Heliodoros pillar in front of Vishnu temple. This pillar is called Garuddhawaj, which was constructed by Heliodoros in front of Vishnu temple. On this site also, I prepared site note/field note book. On that site, the practice

www.vadaprativada.in

was slightly different. The site note books were not used to be sent by the Site Incharge everyday. The finds recovered during excavation, used to be sent to the pottery yard, where it was read by the concerned incharge of the pottery/antiquity yard. Finds are recorded by them in a separate register which is called antiquity register and this was also called day to day register of the finds.

Q. As stated by you at Adamgarh site, field note books prepared at the different trenches were placed at the end of the day and on the basis of the entries, made in the field note books by different officials day to day register was prepared. Kindly indicate whether this practice was followed in Vidisha also ?

A. No. In our department, field note books are not presented before anybody or anyone for preparing day to day register.

Q. Do you find any contradiction in your statement recorded today at page 16, "that the field note book is prepared simultaneously at the time of excavation. If there are more than one trenche being excavated at the same time, the field note book in respect of the work in each of them is prepared after the day's work is over. The day to day register shall be prepared on the basis of the said field note books and the finds recorded" and reply to the preceding question ?

www.vadaprativada.in

www.vadaprativada.in

R.A To me, it appears that there is no contradiction in the statements, which I have made earlier and the statement which I am making just now. In fact, in the excavation at Adamgarh, after the work was over, the day to day register used to be prepared by a separate person and field note book by the separate Trench Supervisor. The site note book prepared by the trench supervisor was also not placed before the person writing day to day register. The finds recovered used to be sent to the pottery-yard directly and it is pottery section which used to record about the finds on daily basis in a separate register.

As I have said earlier, the 'day to day register' and the 'antiquity register' is one and the same. In reference to Ayodhya also, day to day register was the same in which the antiquities were entered. No separate antiquity register was prepared at Ayodhya.

From Bhopal Circle, I was transferred to Nagpur Excavation branch. After my posting at Nagpur, I excavated the sites as per the instructions of the Department in various parts of the country. It was more than half of dozen sites which were excavated by me. I was Co-Director at Mathura, Fatehpur Sikri(Agra), Thaneshwar (Haryana) and Sanghol(Ludhiana) in Panjab ~~Excavation~~ excavations sites. At Thaneshwar, apart from me, two more seniors were there as Co-Directors. On other three sites, there was one more Co-Director

www.vadaprativada.in

alongwith me. I was not the senior most officer in any of these three excavations. The last excavation in which I was Co-Director, was carried out in the year 1987-88, 1988-89, 1989-90 at Sanghol in Ludhiana District, Punjab. The excavation at that site had commenced long before but I was posted there in 1987-88 as Co-Director. The said excavation was in collaboration with the department of Archaeology, Govt. of Punjab, Chandigarh. This was a joint venture of ASI and Chandigarh Archaeology. At this site, out of the three directors, two including me were from ASI and one from the Department of Archaeology, Chandigarh. I cannot say that how many registers were prepared at this excavation site. Field note books were prepared by different trench supervisors. Antiquity register was also prepared. I do not remember whether apart from field note book and antiquity register, any other register was prepared or not. Voluntarily said that there is no practice of preparation of any other register. Bone pieces were found during excavation at Sanghol. Bones are not recorded in the antiquity register but they are mentioned in the field note book. The bone experts are called to examine the bones to find out whether they are of human or animals. The bone experts identify as to of which animal, the bone pertains. The Zoologists do this job. Anthropologist identify the human bones. The final report contains the report regarding the bones recovered during

www.vadaprativada.in

excavation. At arriving the conclusion, the report regarding the bone recovered, is also considered. The deepest trench excavated at the site of Sanghol, was more than 10 meters. At that depth, the natural soil was found. The last layer in the said trench was assigned to late Harappan period.

During excavation, generally potteries, stone - objects, terracotta, metallic objects, coins inscriptions, structures, walls structures, part of structures and sculptures etc. are found. The period of such finds is determined on the basis of the material recovered. On this basis, the culture of the people of that particular time is also determined. In excavations, all sorts of structures-relating to religion and secular are found during excavations. There is nothing unusual if any religious structure or its parts are found during excavation of the site. In Sanghol also, during excavation religious structures such as stupas, fire alters were found.

During excavation at Ayodhya, I stayed on the site from 12th of March till 7.8.2003 except during the days, when I had gone outside once or twice in a month for few days. While at Ayodhya, I used to stay at the site from morning till evening. I have carefully gone through the report submitted by the ASI in two volumes. Besides the two volumes of the report of ASI, I have not gone through any book or any of the register prepared by the ASI.

www.vadaprativada.in

I know that the ASI has submitted a large number of photographs. In fact, volume 2 of ASI report contains the said photographs. I am not aware of any other photographs other than those contained in Volume 2 of the report. There is no chapter in respect of the bones in the ASI report. I am aware that bones were found during excavation at Ayodhya. The proper recording of the bones recovered during excavation, ought to have been done by the ASI. Voluntarily said that during the evening sitting after the days' work, we used to record the recovery of the bones on that particular date in our personal note books. I am retaining that personal note book. Prior to the order of this court, the details of the bones recovered were not being recorded by the ASI people in day to day register but the same was being entered by them in some other register. The recovery of such bones was being entered in the site note book also by the trench supervisor.

www.vadaprativada.in

Statement read and signed.

15.1.2007.

Typed by Stenographer in open curt on our dictation.

Put up tomorrow for further cross examination.

15.1.2007

www.vadaprativada.in

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

O.O.S.NO. 4 OF 1989
(R.S.NO. 12 OF 1961)

The Sunni Central Board of waqfs, U.P. & others

.....Plaintiffs

VERSUS

Gopal Singh Visharad and other ----------Defendants

Dated 16.01.2007

D.W. 20/5 Jayanti Prasad Srivastava

(Cross examination on oath on behalf of Sri Moh. Hashim, plaintiff no. 7 in O.O.S. No. 4 of 1989 by Sri M.A. Siddiqui, Advocate started).

The examination of Vidya Vachaspati in comparative religion and Vedic Philosophy, Hindi and Ancient Indian Social Studies was passed by me not as a regular student but I had passed the said examination appearing as a private candidate.

Q. Whether as reflected by very name of the above course, Vedic philosophy was not covered within the term of comparative religion?

www.vadaprativada.in

A. Vedic philosophy is covered in the study of comparative religion but there was specific stress on Vedic Philosophy as a part of its religion.

All the important religions are covered in the comparative studies such as Hinduism, Jainism, Sikkhism, Islam, Buddhism, Christianity, Parsi and Judaism religions. The Mosque is a place of worship for the Muslims and they offer prayer in the mosque five times in a day. Namaz in the mosque is offered facing towards the Makka which is the holy place for the muslims. Different shapes and designs of the mosque are prescribed for the different type of mosques depending upon the type of namaz/prayers supposed to be offered therein. By different types of mosque, I mean Idgah, Jama Masjid, Mosque without roof, mosque with roof and kanati mosque. So far as the design of the mosque is concerned, it may be without dome or with dome, without minarets or with minarets but a wall towards Makka in mosque is must in every type of mosque. It is true that the namazee offers namaz facing Makka because the Prophet prescribed it like that. It is correct to say that the wall on the western side of the mosque acts as a curtain between the namazee and the passersby. There was no break in my service in ASI

www.vadaprativada.in

www.vadaprativada.in

during the period 1957 to 1991. I was never on long leave for a period of one or two years during the period of my service. The contents of para 4 of my affidavit are correct. I was a research scholar during my continuance in the service of ASI during the period 1964 to 1968 as an external candidate. I was a lecturer of History in Shri Gandhi Vidyalaya, Sidhauli, District Sitapur during the sessions of 1955-56 and 1956-57 at different periods. The exploration of mounds and brick temples in village Nasirabad, as mentioned in para 6, was carried out during the year 1955-56. During the said period, I was a lecturer in Sidhauli. This exploration was conducted by me along with my students to show them round the mounds and temples. No digging was done at that place. The temple of Gahardwal period in Village Nasirabad was existing at that time. It is still existing. This was an archaeological work in the sense of exploration on the ground survey. The exploration which was done by me was brought to the notice of the Director, Archaeology and Museum, Lucknow. Thereafter, the Director of the State Archaeology got it protected. Archaeology includes the living structures to be brought to the notice of the Government and the scholars working on them. The

www.vadaprativada.in

www.vadaprativada.in

temples in Nasirabad, Tehsil Mishrik, District Sitapur were made of carved bricks in North Indian Shikhar style of temples. In North India the Shikhar style temples are the only patterns of temples. The Shikhar type of temples started prior to Gaharwal period. This style continued during Gupta, later Gupta and Rajput periods. The same style is prevalent these days also so far as the shikhars of the temples are concerned. There are certain innovations right from Gupta period uptil now but the pattern of the shikhar continues the same. Only one shikhar in a temple is the criteria for a temple dedicated to a particular deity. Shikhar is of the same type in all the temples, may be of different deities. The shikhar is always conical going towards the sky and not round. It is not in square shape also. It is triangular in shape. I do not recollect whether the temples at Nasirabad were of Shaiv or Vaishnavas. In India, there are temples of Shaiva, Vaishnava, Shakti etc. In Buddhism, temples are not found but Stupas, Chaityas are there. Chaityas are circular constructions, around which there are circumambulatory paths and then there is a front varanda with pillars facing towards east, west, south and north. Amongst Jains, big temples are found but architectural pattern is the same i.e. North Indian Shikhar

www.vadaprativada.in

style. The temple in Unch gaon is a deserted one. Massive basement of Shiva temple alone was found by the department of State Archaeology, Lucknow. It is also not declared protected monument till date either by the State Archaeology Department or by the ASI in spite of my efforts. Basement means the lower part of temple known as Adhisthan that is the solid lower part over which the temple including shikhar might have been constructed. The building exists over the foundation. Adhisthan does not mean the foundation of the temple but foundation would be below the Adhisthan. The Adhisthan is just above the foundation. This is considered to be the lower part of the building over which the walls of the temple are constructed. It was a Shiva temple which was found in Unchgaon. It was known as Shiva temple amongst the people there and there was a Shiv linga of later period on the Adhisthan also, inside the main garbhagrah.

Q. Whether by seeing an Adhisthan where there is no Shiv linga, can it be identified to be a Shaiv Temple, Vaishnav temple or Shakti temple?

A. Temple is to be identified on the basis of idols, icons and certain symbols found around that area.

www.vadaprativada.in

For identifying a Shaiv, Vaishnav or Shakti temple, some symbols should be found to say that the temples are of Shiav, Vaishnav or the Shakti temples. If no identifying symbol is found, then merely on the basis of Adhisthan, it cannot be identified whether the temple was Shaiv, Vaishnav, Shakti or Jain temple. In common buildings, other than the temples, Adhisthans are not found. In common buildings, there is foundation, then the lower part of the building and the walls. The Adhisthan is above the foundation and is the lower part of the temple. In temples, there is foundation, then Adhisthan and above it the walls while in common buildings also, there is foundation, the lower part of the building and the upper part of the building. This lower part of the temple is known as Adhisthan which has got typical mouldings. The difference of nomenclature is there. Adhisthan has typical mouldings known as Khur, Kapot and Kumbh Kalash etc. Khur means horse shoe. Kapot is a pigeon like design. Kumbh is pitcher shape designs. These designs appear in the lower portion of the temple over which walls are raised, which are technically known as Jangha. Common buildings do also have a large number of designs but they do not have such types of prescribed mouldings. Different

www.vadaprativada.in

www.vadaprativada.in

designs in common buildings of the persons are made according to the financial capability of the owner of the building.

In Muslim buildings, apart from different types of mosques other religious buildings such as Khanqah, Dargah, Maqbara and Imambara are also constructed.These buildings also have foundation, then lower part of the building and upper part of the building. Some name may have been given to the lower part of the building but I do not know. I have not noticed any type of design in the lower part of such buildings.

Such type of Islamic buildings in the upper part of buildings do have designs in the shape of calligraphy. I have not noticed any other type of designs. However, I have noticed flowered designs in such Islamic buildings. I know what is Lata Vallari. I do not remember whether I saw Lata Vallari in Islamic buildings. Lata Vallari means different kinds of leafs in a line. I know what is Mehrab. Mehrabs are generally found in Islamic buildings. These are found over the pillars in the Islamic buildings. Such buildings are archuate type of constructions as against trabeate form of architecture amongst the Hindu buildings which have beam over the pillars. I have seen Kangoore

www.vadaprativada.in

in Islamic buildings. I know there is a 'member' in a mosque. I have seen mimber(pulpit) in the mosque from where the Imam addresses his congregation. Imam delivers Khutaba while standing over pulpit. The place from where he leads the prayer is of arched(Mehrab) shape.

The designs in the Adhisthan, as said by me earlier, are in the outer side of the Adhisthan. It is not a projection over the Adhisthan. It is outward shape of the mouldings.

The Mehrabs in the western wall of the mosque are within the wall. In other portion of the building, the Mehrabs are on the pillars. In temples, such Mehrabs in the walls are not found. In temples, the beams are there to support the structure of the temple. I have seen two or three mosques. I have seen the Jama masjid of Agra and also mosque which is inside the Agra Fort. I have seen the mosque which is in the premises of Taj Mahal also. I do not remember whether there are floural motifs in the Jama Masjid of Agra. I do not remember whether there is calligraphy or not. Besides the above three mosques, I have not seen any other mosque. I have seen the photographs of large number of mosques. I know about Moghal Architecture. I have read book of Prof. R.Nath

www.vadaprativada.in

named as 'History of Moghal Architecture'. I know that Prof. R.Nath has dedicated the said book to the King Babar.

Prior to 1992, I had not gone to Ayodhya. I had not seen the disputed structure. I visited Ayodhya for the first time in 2002. But at that time also, I neither visited the disputed complex or the Ram Janam Bhumi. The disputed structure was a three domed structure. It was known as Babri Masjid. It was a mosque. In absence of any identifying marks of the structure by seeing its mere lower portion, whether the structure is mosque, temple or dwelling house or any other ordinary building can be identified only from the architectural design of the structure. The building can be identified in this manner only on the availability of the lower portion of the said building based on its architectural pattern. In the absence of any symbol being visible on the structure, it is difficult to identify whether such building is a Shaiv temple, Vaishnav temple or Jain temple. Similarly, in the absence of any identifying symbols or mouldings, it will be difficult to say whether the said structure is religious, secular or any other type of structure.

www.vadaprativada.in

During excavation site(ERAN) in District Sagar in the year 1960-61 and 1961-62, I was working in the Archaeological Survey of India and I visited this excavation site just to see the excavation. I visited the said site for 2-3 days just to see the excavation and I was not the member of excavating team. I did not notice anything at that site which could throw any light so far as the excavation on the disputed site is concerned. 'Tawa' referred in para 9 of my affidavit, refers to a small river which is tributary to Narmada River. The exploration work carried out by me, as indicated in paras 10, 11, and 12 of my affidavit, has no relevance with the excavation on the disputed site. The same is the reply in respect of the statements in paras 13 and 14 of my affidavit and the excavation, referred in the said paragraphs has no relevance with the excavation at the disputed site at Ayodhya. I have expertise in identifying the antiquities and the art objects as I have said also in para 15 of my affidavit. The object, mentioned in fourth line of para 15, refers to art-objects. The art-objects are defined in Antiquities Act of 1972. My expertise in respect of the art-object is not confined to the objects given in the definition

www.vadaprativada.in

in the Antiquities Act but it extends to other art objects which are considered as art objects.

Q. What are the other art objects in which you have expertise ?

A. Anything belonging to the previous periods could be said to be the art-object and I have expertise of all such objects.

The art objects and antiquities are similar in nature. The art object includes paintings, sculptures, photos etc. while antiquity means anything belonging to the previous periods including calligraphic and art-objects. In the Antiquity Act, art-object and antiquity are defined separately and at the moment, I am not able to recollect the definition correctly. I have heard about the art History. Since the art objects and antiquities are similar in nature, there is no distinction between the two except that art-objects have some aesthetic value. Some antiquities may also have aesthetic value. Aesthetic value may vary from person to person.

As mentioned in para 16 of my affidavit in capacity of Deputy Superintendent in Archaeology, I have some administrative experience also. According to para 17, I

www.vadaprativada.in

www.vadaprativada.in

was promoted on the post of Superintending Archaeologist of excavation. My work was not confined to any particular branch in A.S.I. Statements in paras 16 to 19 show only my achievements in service and have no direct relevance with the excavation at disputed site in Ayodhya. Para 20 of my affidavit mentions the excavation work carried out by me during the period 20.11.1987 to 31.7.1991. In U.P. I had excavated the sites at Mathura and Fatehpur Sikeri. In Madhya Pradesh., I had excavated two sites – one at Adamgarh, district Hoshangabad and the other at Besnagar, district Vidisha earlier. I carried out only exploration work in district Bhind in Madhya Pradesh during this period but no excavation was done anywhere in M.P. during the period 1987 to 31.7.1991. Sites at Adamgarh and Besnagar were excavated with my participation in the year 1960-61 and 1963-64. Nothing was done by me at Adamgarh or Besnagar during this period. During this period, exploration by me with the assistance of a team was done again in District Bhind at about more than a dozen places where I had already worked in 1957 to 1964. During the period referred in para 20, I had excavated the site in Thaneshwar (Haryana) and Sanghol in Punjab. The names

www.vadaprativada.in

of the excavation sites in Mathura and Fatehpur Sikeri were known by the same name. No excavation work was done at Mathura and Fatehpur Sikeri by me during 20.11.1987 to 31.7.1991. Only the exploration work was done in U.P. in district Farrukhabad and Sitapur. During the period 20.11.1987 to 31.7.1991, excavation work was done by me only in Haryana and Punjab.

Statement read and verified.

16.1.2007.

Typed by Stenographer in open court on our dictation. Put up tomorrow for further cross examination.

16.1.2007

www.vadaprativada.in

www.vadaprativada.in

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

O.O.S.NO. 4 OF 1989
(R.S.NO. 12 OF 1961)

The Sunni Central Board of waqfs, U.P. & others

.....Plaintiffs

V E R S US

Gopal Singh Visharad and others ----------Defendants

Dated 17.01.2007 D.W. 20/5 Jayanti Prasad Srivastava

(Cross examination on oath on behalf of Sri Mohd. Hashim, plaintiff no. 7 in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, advocate resumed).

During my stay at Ayodhya for five months, when the excavation there was going on, I visited Nandigram and Makhaura also during weekly off days. I did not visit any important building in Ayodhya during that period. I had visited Hanuman Garhi and Kanak Bhawan temples. Besides these temples, I had visited one or two more temples there. There is a Gurudwara also in Ayodhya. I had not visited the said Gurudwara. During that period, I had visited Ranopali temple where the inscription of 2nd Century B.C. is found. Certain ghats on river Saryu were also visited by me. In

www.vadaprativada.in

www.vadaprativada.in

Ayodhya during that period, I did not visit any important religious place of Muslims. Ayodhya is an important place of Hindus, Muslims, Jains. I have heard that Ayodhya is called Khurd Makka also. Khurd Makka means mini Makka. Important Jain Mandir is also in Ayodhya. I have read that Ayodhya is an important place for Buddhist also. I cannot say that besides the disputed mosque, how many mosques are there in Ayodhya. I could not notice any other mosque in Ayodhya. Parikrama takes place in Ayodhya. I have heard about Parikrama marg going by the side of the river. They are called chaudah kosi and chaurasi kosi. I do not know whether Parikrama marg is a metalled road or not. I did not see any building in Ayodhya having stone slabs and kankars. Kankar means calcretic stone(keet ka Patthar). I have heard about Dargah of Shah Ibrahim but I had never gone to the said Dargah. I have heard about the annual Urs taking place at the said Dargah and that on every Thursday there is a great rush at Dargah. I have heard about Naugazi grave existing in Ayodhya but I had never seen that site. I have not heard about the grave of Sheesh Paighambar. There is a place called 'Mani Parvat' which I have seen.

I have read about Ayodhya in gazetteer of District Faizabad. So far as I remember, I read the new gazetteer published by the Government. Gazetteers are being revised all over the country and Faizabad gazetteer has also been revised. So far as I remember,

www.vadaprativada.in

www.vadaprativada.in

the District gazetteer of Faizabad was revised on the last time in the year 1952 or so.

I have written reports on excavation conducted by me at Pauni, District Bhandara, Nagpur. It was a chapter on Sculptures that I have contributed in the report prepared on the excavation at Pauni during 1969-70. I am the sole author of the said chapter. I was a member of the excavation team being headed by Shri J.P.Joshi of the Archaeological Survey of India and Dr. S.P.Dev of Nagpur University. In the same report, I jointly contributed with Shri J.P.Joshi on other antiquities, in the excavation report of Pauni, I had written a chapter in Malvan excavation report in the year 1970. It was a collaboration work of Cambridge University and the Archaeological Survey of India in the supervision of Dr. F.R. Alchin and Shri J.P.Joshi of the ASI. I had not prepared any separate report of the excavations wherein I was a co-director. The report of the said excavations have not yet been published by the department. Brief reports regarding the excavation of the three excavations in which I was a co-director were published in the Journal 'Indian Archaeology - A Review' but no final report was prepared by me or the co-director so far. The normal practice of preparation of the excavation report is that the various officials associated with the excavation contribute their reports on particular

www.vadaprativada.in

subjects they are assigned with and then a final report is prepared on the basis of the said contributions by the Director of the team.

During my service in the ASI, I had never any occasion to supervise or review the report of any excavation, except the reports in which I was associated with the excavation of any site. Details of my published and unpublished works are given at page 5 in para 21 of my affidavit. Pauni excavation report in which I had contributed a chapter on 'Sculpture' has been published by Nagpur University. In the journal published by ASI known as 'Indian Archaeology – A Review' also Pauni work has been reported. Full report was not published by the ASI. It was published by the Nagpur University only. I do not remember at present how many chapters the Pauni excavation report contained. There may be various chapters on different topics. Since it was an exhaustive report, it contain from introduction upto the conclusions arrived alongwith the illustrations, photographs, etc., as required in an excavation report. Conclusion in an excavation report is arrived from the finds, as reported in various chapters contributed by the team members. Before arriving at the conclusion, all the members of the team sit together and discuss about various items included in the report and then a conclusion is drawn. This is normal practice in almost all excavations adopted in the matter of all excavations.

www.vadaprativada.in

www.vadaprativada.in

Interpretation is an important aspect in excavation. I have expertise in the matter of identification of articles found during excavation and also interpretation of the items and publication in the presentable form. I have an expertise not only in respect of sculptures, but in all types of finds found in an excavation. At Pauni during excavation, two 'stupas' were found. The period of stupas was determined. They belonged to 3rd and 2nd century B.C.

Many inscriptions were noticed during excavation at the Pauni site. The period indicated in the report is based on inscriptions. This period of 3rd Century B.C., as stated by me, above is on the basis of the said inscriptions. The dating may be done without any inscription having been found, on the basis of C-14 method of dating i.e. commonly known as carbon dating. The dating can be arrived at on the basis of the coins, seals and sealing also. Mounds, if excavated from the top to bottom, then finds are to be arranged in chronological order from bottom to top and then periodization is determined. This is called stratification also. It is a part of system and I am aware of it. I am an expert of stratification. In the matter of coins recovered, sometimes year is not mentioned on the coin. In such cases period is determined on the basis of other finds like pottery. In case the coin bears the year, the period of layer is determined on the basis of that year. This is a satisfactory and scientific method for determining period of layer.

www.vadaprativada.in

www.vadaprativada.in

In case the coins, seal, inscription or sealing are not found, the period can be determined on the basis of the pottery, terracota, ornaments, metallic objects or any other type of finds. In case any find is recovered from a particular layer and said find belong to Sunga or any other period then that layer will be treated to be belonging to the said period. Initially the find is identified and interpreted before the period of that layer is decided. Stratification means determination of layers and it is done by studying finds found in different layers. In case any find has been wrongly identified then period determined on the basis of the said find will be wrong. For identification of the find one has to be expert in history and culture and the different types of finds. It is possible that a particular type of pottery was prevalent in different periods of four centuries.

Q. If a particular type of pottery has been continuously in vogue for 400 years then on the basis of such pottery how you will determine the period within that 400 years?

A. If a division is to be marked within that 400 years then potteries and finds will have to be examined as per the depth of different layers and the proportion in which the items are available in that deposit. Layers are the basis for scientific excavation to determine the period. Now a days excavation is done on inch by inch digging process. Inch by inch digging, simultaneous

www.vadaprativada.in

recording, simultaneous drawing and simultaneous photography. Layers are determined on the basis of colour of the soil, composition of the soil and contents of the soil. When an excavation is started on the above mentioned basis, layers are marked. Afterwards, if the finds are considered to be of the same nature, they are decided to be of the same period and those layers are bracketed and if there is a change, the period also changes afterwards but if the layers are not marked, it is very difficult to separate items afterwards.

I do not understand what is 'texture' of soil. Soil has three components such as colour, contents and composition. Period of soil is determined on the basis of finds found therein. Soil may not be necessarily examined in case the find is not available and only soil is available then the same is to be tested in some laboratory in scientific manner. The examination of soil may be done for tentative analysis by mixing the same in water but that will not give the exact result. Therefore, laboratory testing will be the proper criterion. Filtering of the soil is done to find out smallest finds available there in a particular horizon. The filtering of the soil depends upon the position of the soil. In my opinion the small finds are also important for determining the period. The small finds can be found by filtering the soil and mixing the same in water also. For example, finds like charred grains and pollen remains

www.vadaprativada.in

www.vadaprativada.in

available in a particular trench, are properly sieved and filtered for their scientific analysis and study. This system was followed at Ayodhya also for tentative analysis and for final analysis particulars ~~are~~ were sent to different scientific laboratories. I am not aware particularly to the recovery of any small find in this manner but I know that the system was followed at Ayodhya. This was done by the trench supervisors and the pottery yard staff during the day. It cannot be done in the presence of everybody at one particular time at the close of day's work. Every activity including the above i.e. filtering of soil and mixing of the water is recorded in field note-book by the trench supervisor. I did not notice mixing of the soil with water during excavation at Ayodhya but I had seen the soil being sieved in pottery yard.

Stupas do not have any particular size. They may be small, medium and big in size. The Stupas are circular and solid structures in hemispheric form in elevation. Sanchi Stupa according to me is the biggest I have seen. I do not exactly remember size of said Stupa. It may be roughly 100 Ft. in diameter on the base and 25 to 30 feets in height. The smallest Stupa, according to me, could be of 10 feet diameter. Pauni Stupas are also big Stupas. I do not remember at present whether I had found any relic in a Stupa at Pauni. Relic cannot be seen unless Stupa is dug which is not done. I have read about damaged stupas

www.vadaprativada.in

www.vadaprativada.in

at one or two places but I have never seen any damaged stupa. The British Archaeologists had damaged Stupas at one or two places to take out relics but I do not remember the place where it was done by them. This was done in India during British regime. The other structures belonging to Buddhists are Chaitya and Vihar. Residential apartments are called Vihars. Vihars are built for living of Buddhists i.e. Buddhist monks and Chaitya is constructed opposite the entrance of a Vihar across the courtyard, having pillared varandah with cells for monks to live in. The cells are constructed behind the pillared Varandahs. Vihars are either rectangular or square in pattern. They may be small or big depending on the monks to be accommodated at a particular place. Accordingly the pillars and verandahs would also be small or big. Prior to third Century B.C., mud Stupas were constructed. In Sanchi also originally it was a mud Stupa, which was later on enlarged by brick construction over them which is called 'Achchadan'. The mud Stupas were constructed during Ashoka period and earlier and afterwards they were enlarged by brick additions. Pauni Stupa is the latest as I understand.

There are two sects in Buddhists known as 'Hinyan' and 'Mahayan'. 'Hinyan' sect believes representation of the Lord in symbolic form whereas 'Mahayan' believes in the anthropomorphic form. I have never heard or read that Buddhists

www.vadaprativada.in

of one sect or persons of any other religion damaged Buddhist Stupas. I know the distinction between 'Shaiva' and 'Vaishnava' temples. In northern India, and also through out the country, 'Shaivas' and 'Vaishnava' temples are found even today. There were clashes between 'Shaivas' and 'Vaishnava' and also between 'Brahmins' and 'Buddhists'. I have not gone through anywhere that during such clashes any religious building was damaged by any one of them.

My statement in Paragraph 30 of my affidavit regarding existence of pillar bases is based on ASI report. It is based also on my personal noticing. All the 50 pillar bases were on floor three. The purpose of pillar bases was to have a mandapa like structure based on pillars over the said pillar bases. Pillars were also found during excavation over which roof of the mandapa could be placed surmounted by bracket and beam to make a roof during excavation in the central part at Ayodhya while removing debris during my presence, I have seen a pillar. Besides this, I have seen two other pillars which are installed out side the brick paved forecourt in the east. I had personally seen these three pillars. They were of black schist stone. Although I am not sure but these pillars may be of black basalt also which is commonly and locally known as Kasauti Patthar. The three pillars I had seen were more or less of same size, pattern and dimensions. There was carving also on

www.vadaprativada.in

www.vadaprativada.in

these pillars. The height of one pillar found from central part was 1.65 meters. I do not remember what was the size of other two pillars. All the three pillars were mostly intact. I neither know nor I have seen anything which may be called dovel and which is said to be used to connect pillar base with pillar and the pillar on the upper side. The brackets over the pillars and then the beams are used for construction of roof. The pillar base might have been joined with pillars by bricks. I did not notice any such thing in any of the said three pillars. I had noticed that two pillars out of the above three pillars were still fixed by bricks. I did not notice any such thing on the top of the three pillars. Since the site at Ayodhya was badly damaged, I could not notice anything among the 50 pillar bases which could be said to be used to connect them with pillars.

www.vadaprativada.in

Statement read and verified

17.1.2007

Typed by Stenographer in open Court on our dictation. Put up tomorrow for further cross examination before the Commissioner.

17.1.2007

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty High Court Lucknow.

18-01-2007 D.W. 20/5 Javanti Prasad Srivastava

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S No 4 of 1989 (R. S. No. 12/61) Sunni Central Board Waqf, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 17-01-2007, cross examination on oath on behalf of Sri Mohd. Hashim plaintiff no. 7 in O.O.S. No. 4 of 1989 by Sri M.A. Siddiqui, Advocate resumed):-

I am not very much conversant with Epigarphy and Palaeography. Epigarphy and Palaeography are same thing. In Palaeography on the basis of the forms of letters, its period is determined. Palaeography means writings on stone and Epigraphy means study of inscriptions. Caligraphy is in the same category dealing with writings from right to left pertaining to Arabic and Persian languages in different styles. Age of a document can be determined broadly on the basis of Palaeography.

www.vadaprativada.in

www.vadaprativada.in

I have heard about chart of Concordance in relation to Stratigraphy to co-relate the finds with one each other in different trenches. According to me the object of chart of concordance is only to co-relate the find in different trenches of the site. In the excavation conducted by me charts of concordance were prepared. It has got very much relevance on the finds of different layers. Layers are formed in the natural process of deposit over a particular mound. In the course of digging layers are marked by the excavator. Marking is done to distinguish one layer from the other and it is done on the basis of colour of the soil, composition of the soil and the contents of the soil. Said voluntarily that zoological deposits if any, on a particular site do have natural layers but that is a different issue. For instance lateritic deposits of red colour, the soil over it is black then again the deposits are yellow or brownish etc. These are natural formation of layers.

Q: If during course of digging within depth of 20 feet colour, composition and content of the soil is one and same, would it be marked one layer by the excavator or within the same different layers would be marked by the excavator ?

A: The excavator will mark different layers within the depth of 20 feet as mentioned above based on colour,

www.vadaprativada.in

composition and content of the soil. It is not possible at all to have one and the same layer within the depth of 20 feet.

Q: My question is that if such a situation arises and in that context the question has not been replied to. What you have to say in this regard ?

(Km. Ranjana Agnihotri, Advocate raised the objection to the above question that question is totally hypothetical and beyond practical knowledge such type of question should not be allowed to be asked)

A: Such a hypothetical question has no relevance in modern system of scientific digging wherein an excavator is required to mark as many layers as he feels necessary during the course of digging, instead of no layers. In case subsequently he feels that the finds have got no difference he can bracket the two three layers into one for study purposes but if there are no layers it will be very difficult rather impossible to assign different finds to different periods. That is why a section in the trench of the archaeologist could be called as "Iskanders Mirror" for the study of antiquities pertaining to different periods. So the layers have got a sanctity and ought to be marked very cautiously.

Q: Do you understand that you are appearing as a witness in a Court of Law and you have to reply a question asked by

www.vadaprativada.in

the counsel, unless prohibited by the Court itself and in your reply you have to confine to the very question ?

(Km. Ranjana Agnihotri, Advocate raised the objection to the above question that the witness is replying each and every question properly with the knowledge that he is a witness before Court of Law. Raising such types of irrelevant questions is to harass and demoralise the witness and to waste the precious time of this Court)

A: Yes, I am aware of the situation and I am replying the question within the same limits.

I don't recollect that how many chapters are there in ASI's report volume-I. I am sure that there are chapters in volume I of the above report. The chapters have been contributed by different persons.

Learned cross examiner drew the attention of the witness towards chapter 10 of the ASI's report, volume-I, which deals with ' Summary of results'. This chapter commence from page 268 and ends at page no. 272. It is not possible to decipher as to who has contributed this chapter. Since the name of persons contributing in different chapters are given in list of contents and here no name is mentioned against chapter X it could be the contribution of the Director of excavation of

mound or site but if there are structures and finds in a

www.vadaprativada.in

the site themselves. The Directors of this excavation were Sri Hari Manjhi and Sri B. R. Mani.

According to me chapter 10 could be authored by them jointly being the Co-Directors. It is my feeling. How could I know as to who authored this chapter when it is not mentioned in the report itself. After all this was within the purview of the directors and I was not supposed to know about it unless the report come out.

Colour, contents and composition of the soil are three distinctive features of a layer. By colour, I mean the colour of the soil of the layer. By content, I mean whatever is there in the soil of the layer and composition of the soil comes next to colour to mark a layer. For instance if the soil is loose it will be different from the compact soil and contents will come on the next stage. Loose, solid and compact are the three main components of a layer. For instance, generally, layer-1, may consist of humus and is not very deep then the other layer 2 starts on the basis of loose or compact nature of the soil and so on so-forth, up to the natural soil at the bottom of a trench. Normally the layer should go to a horizontal distance from one trench to the other trench, depending on the situation of the mound or site but if there are structures and finds in a

www.vadaprativada.in

particular portion there could be obstruction in continuation of the same layer beyond a particular portion.

Q: Suppose the digging is carried on at a particular site of hundred meters from point A to B and at point A at a depth of 5 feet a layer has been marked and identified to belong to a particular period say Sunga period whether at this very site at point B at the same depth i.e. 5 feet, this layer is expected to be found within this very area this may change, meaning there by that at point A it is of Sunga period and at point B of Gupta period ?

A: That depends on the contour of the site and situation of the mound where work is being done. A layer may change depending on the undulation of the site and also of the finds or formations of its dumps (pit) etc. and the same layer need not continue in the same depth in all other portions of the mound.

Q: As per your saying there may be variation of depths as per mound situation but whether a layer is expected to be absolutely closed and new layer appearing thereat or it is expected to continue with variation in depth as per mound situation ?

A: If a structure comes in a particular layer then that layer will come to an end at that place because it will be contemporary to the layers of the structure and after the

www.vadaprativada.in

structure or wall comes to an end the same layer may continue on the other side of the trench.

If there is no hinderance the same layer may continue to a larger distance horizontally.

With reference to para 24 of the affidavit the witness stated that the excavation at disputed site was carried out for defined objects as per order of the Hon'ble High Court. These objects were to see whether there was any structure below the disputed structure or it was constructed on the plain ground. This was to be ascertained by the excavators after digging the site. Primarily this digging was meant to see just below the disputed structure but if the structures were continuing to further depth, in that case digging could go further down depending on the requirement of the site, which was to be decided by the excavators and the Hon'ble High Court had not put any restriction in this regard.

Q: Can it be said that the object of the excavation was to ascertain whether the disputed structure was raised by demolishing any alleged existing Hindu religious temple ?

A: I have already explained above whether the disputed structure was constructed over the plain ground or just above any structure be it of any nature.

www.vadaprativada.in

The object of excavation was limited in the sense that the position below the disputed structure was to be ascertained through digging, so it was limited to that extent otherwise the excavation could be carried out as per the requirement of the investigation by the excavators.

Earlier, technique of laying out the trenches was more or less the same but the method of digging was different. Stratigraphic method was introduced afterwards in India, after 1944, after coming of Mortimer Wheeler. During Sir Jon Marshall's time, prior to that period, a system of digging, even though changed in Europe, had not been adopted in India. After 1944 new system of digging was adopted in India. No change took place in the technique of laying out the trenches. Earlier layer by layer digging was not prevalent in this sense of the term meaning thereby stratified digging started in the year 1944 onwards. Technique of laying out of the trenches is more or less same.

In para 25 of my affidavit, it is mentioned that latest techniques of layout of trenches were adopted, meaning thereby, stratified digging was adopted afterwards. volunteered that earlier the area around some monuments was dugout with the help of dumpy level at different depths around a particular monument or mound and the objects found at different depths

www.vadaprativada.in

were studied and period was decided on the basis of coin, inscriptions, sculptures and terracottas etc. But in the new system digging is done on the basis of layers marked from the very beginning of the excavations.

Q: You have stated that changes took place in the methodology of digging in Europe and those were followed in India also from 1944 but no change has taken place in the technique of laying out the trenches. Kindly indicate what do you mean by stating in para 25 of your affidavit that the ASI adopted latest technique of lay out of trenches ?

A: Earlier the trenches were laid out around a particular site, mound or monument to expose the various deposits and study them on the basis of various depths, but in the new system digging is based on different layers around monuments from top to bottom to ascertain its chronological potentiality. I think this is complete answer to the above question.

In my opinion it should have been mentioned as to who authored chapter X of the ASI's report volume-I but if ... names of contributors of other chapters have been given and in this particular chapter names are not given then naturally it goes to the concerned Directors whose names are given in the beginning of the report, they are the leaders of the excavation team. When the names of the team leaders are given in the beginning of the

www.vadaprativada.in

report and with reference to other chapters their contributors names have been specifically mentioned, in that case it will be presumed that chapter X has been contributed by the team leaders of the excavation. Said voluntarily, had there been no names of the team leaders then certainly there would have been roaming in the wilderness as pointed out by the learned cross examiner.

I treat Hari Manjhi and B. R. Mani as team leaders. B. R. Mani's name has also been mentioned as co-author in other chapters. It could be there as they are the persons who know the particular subject and there are areas in which they are not persons to know there. Only those people contribute who know regarding that particular subject. After all no, one person, can be expected to be expert of all the things. The persons who were expert of a particular subject or had knowledge thereof had contributed those particular chapters. In 'Contents' it is mentioned that B. R. Mani has singly contributed chapter 1 i.e. 'Introduction'. While he is co-contributor of chapter II, IV and V. The name of Hari Manjhi appears no where in the 'Contents' as contributor of any chapter.

Q: Whether measured at the yardstick given by you that the conc persons have contributed various chapters of

www.vadaprativada.in

their expertise Mr. Manjhi can be supposed to be not expert in the subject involved in the Ayodhya excavation ?

A: As is very well known, Sri Hari Manjhi was associated with the work at a later stage under the orders of the Hon'ble High Court. As he was a senior member of the ASI in the official hierarchy therefore he is among the Co- Directors as the senior most member of the excavation team. As far as his knowledge of field excavation is concerned, so far as I know, he had participated in the 'Sringverpur' and 'Piparva' excavations to mention a few names. In the ASI Mr. Hari Manjhi and Mr. B. R. Mani both were my young colleagues. They were later entrant to the service cadre. These two had never a chance to work with me during my service in ASI as they were posted in different places at different branches and circle of the ASI.

Sri Hari Manjhi was associated with circle administration, conservation and museum branch etc. But I do not have more information about him than what I have mentioned above.

My statement regarding the construction of a Vishnu temple at Besenagar district Vidisha (M.P.) is based on books studied by me. The temple was buried under the ground having the pillar in front of it, which was not buried. And it has got

www.vadaprativada.in

inscription mentioning about the dedication of a Vishnu temple with a pillar dedicated by him for the Lord Vishnu. The icon of Vishnu was not seen on the site. Temple had assumed the shape of a mound and was earlier excavated by Dr. D. R. Bhandarkar of Pune. But the inscription on the pillar pertaining to Sunga period of 2nd century B.C. was telling all the same. Icon of Lord Vishnu has four arms. When ever an icon of Lord Vishnu is found in any temple it would always have four arms lding Shankh, Chakra, Gada and Pdma. Lord Rama is known as seventh incarnation (avatar) of Lord Vishnu. Vishnu has four arms but all the ten avatars of Lord Vishnu have only two arms. Garudhadwaja also finds mention in the aforesaid inscription, inscribed on the stone pillar. Garuda is the Vahan of Lord Vishnu. Dhwaja means flag. Garud a connotes the mount over which Lord Vishnu is supposed to ride. Garuda is a bird.

Q: By the term Garud adwaja it can be followed to be a bird with a flag ?

A: Garud adwaja and Garudastambha are one and the same. Dhawaja, Skambha and Stambha means one and the same thing and the word Khamba has been derived from the same, which is the name of the site. I don't think flag has any relevance with this Garudadhwaja.

www.vadaprativada.in

In front of a Vishnu temple a pillar is raised and Garuda is installed on the top of this pillar surmounted by a Garuda bird which is called Garuda. Stambha pillar is surmounted by Garuda and this pillar is known as Garudhadwaja also. If Garuda is not on the top of the pillar then it will be termed only pillar. Garuda is never installed at the ground floor, it is installed in the front of Vishnu temple in the centre of lintel. If the temple is dedicated to Vishnu, at the entrance gate in the centre of entrance over door jambs lintel Garuda will be depicted as the 'Vahan' of Vishnu.

Statement read and verified

18-01-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 19-01-2007 for recording the further cross examination of this witness

H. S. Dubey 18.1.2007
Commissioner
18-01-2007

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty,High Court Lucknow.

19-01-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court Lucknow Bench, Lucknow, passed in O.O.S No 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqf, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 18-01-2007, cross examination on oath on behalf of Sri Mohd. Hashim plaintiff no. 7 in O.O.S. No. 4 of 1989 by Sri M.A. Siddiqui, Advocate resumed):-

Before offering prayer in a mosque Muslims wash their hands, feet and mouth to perform wazu. As such storage of water in some manner is always there in the mosque. In old mosque big tank like 'Hauz' is seen.

With reference to para 26 of the affidavit of examination in-chief where it is mentioned that excavation work was done in phased manner, the witness on being asked stated that phased manner I mean that work was done in such a way that after completion of first phase, second phase was to be started and so on. Phase in that particular area means as per

www.vadaprativada.in

signals of the G.P.R survey as G.P.R had pointed out certain anomalies. The excavation was conducted to check those anomalies. I exactly don't recollect the number of anomalies pointed out through G.P.R survey report. Anomalies pointed out and by G.P.R survey were partially confirmed after excavation in some cases they were not confirmed even after excavation. I don't remember the number of those unconfirmed anomalies but digging was done in 90 trenches for truthing the same. All the excavated materials were sealed. In these things antiquities, glazed pottery, tiles and bones were included. 'Object of interest' mean other recovered thing which were found during excavation and were of some importance. I don't remember total number of antiquities found during excavation at disputed site. The information is given in this regard in the registers. I don't recollect the number of glazed pottery, tiles and bones recovered in the excavation, but all were sealed and mentioned in the registers in the presence of all of us including me. No material was left uncared and unsealed. On the basis of pillar bases I have mentioned about the existence of an extensive pillared Mandapa like structure in para 29 of my affidavit. On the basis of large number of pillar bases I have inferred about an extensive pillared Mandapa. All number of pillar bases in their existence, north-south and east-west covering a vast area

www.vadaprativada.in

www.vadaprativada.in

measuring about 160 feet X 90 feet or so. As per plan coming out from the excavation, it was a rectangular structure. Its length was from north-south 160 feet and its width was approximately 90 feet in east-west direction. In my estimation this pillared structure could have been a very big hall consisting of about 84 or 88 pillars, traditionally known in Ayodhya. By 'Traditionally known' I mean to say that as known in the local tradition about this temple having 84 or odd pillars. Out of which 50 have been exposed on plan during this excavation. Regarding height of the pillared hall, I have not heard any thing but the height of temple is traditionally known of 5 storied building. I have heard in Ayodhya people saying so. I have heard in Ayodhya about both the above things i.e. existence of pillared hall and 5 storeyed temple. Main temple is said to be of i.e. 5 storeys. It was beyond the pillared hall. This 5 storeyed temple would have been facing towards the east direction. This temple might have been in the western side of the pillared hall. The size of this 5 storeyed temple would have been enormous. By seeing the size of the height of these pillars I infer that the temple would have been of about 45 feet in height approximately in the 'Punch-tala-Prasada form' of the temple architecture in the north Indian Shikhar style. My opinion about the temple being of 5 storeys is based on the local sayings, where as north Indian Shikhar style of this

www.vadaprativada.in

temple is based on the available temples of that period at different places. I did not hear any thing from the people of Ayodhya about the height of the aforesaid temple except their saying that this temple was of 5 stor and was of very good height. I have not heard any thing about the 5 stor height behind the pillared structure as stated above. In my estimation the size of the 5 stor temple would have been of 10feet X 10feet surrounded by a wall of 5feet width with an entrance in the east. This assessment is based on the distance between the different pillar bases to be approximately of 10feet. I heard about above facts during my stay at Ayodhya when excavation at disputed site was going on. I did not think as an archaeologist that this pillared hall could be any thing else except the big hall of the temple. Sayings can also be relied upon as one of the other two factors by an archaeologist records, remains and traditions (local sayings). Said voluntarily that there is an old saying of a famous writer Goetse, historians duty is to separate truth from the false, certain from uncertain and to deduce doubtful from that which can not be believed. Thus while studying history, traditions may also be utilised as a source of information to a particular position in any part of the area where work is to be done. Traditions should be comparatively studied and on getting their conformation on the basis of some

www.vadaprativada.in

www.vadaprativada.in

tangible evidence if any, they can be believed as a source other wise they can be rejected. Tradition need not have any time limit. Even a quite recent tradition can be relied upon if comparatively it is found to be correct. Traditions may be compared on the basis of available facts of a particular period at a particular place.

Q: As regards the tradition which you heard at Ayodhya in the year 2003 that at the disputed site there existed a 5 storied grand temple. You will compare this aspect by which thing and in what manner. Kindly indicate ?

A: There are published references of big temples having 3 to 5 to 7 storeys as the case may be called 'Dwi-tal-prasada', 'Tri-tal-prasada', 'Punch-tal-prasads' and Sapta-tal-prasada' etc.

By such sayings and finding their reference in various books I inferred that there could be a 5 storied grand temple at the disputed site.

Q: You have stated about the inferences drawn by you regarding the height and the grandness of the temple on the basis of material found in the books. My question primarily is that in what manner and by which thing you compared the very factum of the existence of temple at the place ?

(Km. Ranjana Agnihotri, Advocate raised the object to the above question that this question has already been replied by

www.vadaprativada.in

the witness and repeating this question by twisted its language is wastage of time and putting unnecessary pressure on the witness as such above question should not be allowed to be asked.)

A: It is known that Mir Baqi destroyed this temple and constructed a mosque over it and installed an inscription in the mosque. The incident of temple destruction is also mentioned in some literary work of Goswami Tulsi Das.

Q: Is it correct to say that the inscription at the disputed site indicated by you, the instances in Goswami Tulsi Das's Manas and the mentioning of the raising of the disputed structure by Mir Baqi was there prior to the order for the excavation being passed by this Hon'ble Court and this Hon'ble Court passed the order of excavation thereafter?

(Km. Ranjana Agnihotri, Advocate raised the object into the above question that above question is a compound question it should not be allowed to be asked)

A: The inscription of Mir Baqi had been there and the reference of destruction by Goswami Tulsi Das was also there, in some work of Goswami Tulsi Das other than the Ramchrita Manas as pointed out by the learned cross examiner.

Q: I feel that the question has not been replied at all, kindly apreciate the question which in nut shell is to the effect that order of excavation was passed by this Hon'ble Court

www.vadaprativada.in

despite all such material was there as indicated by you. Kindly reply if you think proper ?

(Km. Ranjana Agnihotri, Advocate raised the objection to the above question that the question had already been replied by the witness as an expert archaeologist, so far as question related to order passed by Hon'ble Court neither he is a party nor he is a counsel and a parokar in this suit and the second part of the question is not related to any archaeological expert opinion. And such question should not be allowed to be asked)

A: All the above things as enquired by learned cross examiner were present before passing of the order regarding excavation by Hon'ble Court.

Local saying that there existed a grand temple at the disputed site was verified by me on the basis of tangible evidence i.e. the pillar bases exposed during the excavation from north to south and east to west at regular distance in alignment and in a symmetrical order. I do not consider the exposed pillar bases as the "so called exposed pillar bases" they are real pillar bases in-situ, which have been brought out on plan during the excavation. This is an evidence to conjure up a picture of the temple which could have existed there having a multicolumned big hall and entrance chamber as seen in the

www.vadaprativada.in

published works of temple architecture of that period at different places.

Q: Whether you compared the tradition/local saying about the existence of a grand temple at the disputed site by any other tangible evidence apart from the so called pillar bases ?

A: Such instances are available in the Indian history. Wherein temple Mandapa has been used after demolition for the construction of the mosques at Delhi, Ajmer and Dhar etc. I think I have replied the above question.

By the word conjure, I mean conjectural picture which could be based on the available evidence and it is very much in practice in archaeological diggings. I have derived my inference regarding existence of temple at disputed site on the basis of the temples of 11^{th} – 12^{th} century A. D. Meaning thereby a temple was built at disputed site in 11^{th} – 12^{th} century A.D. which was demolished and a mosque was erected over it for which epigraphical and literary evidence is also available as already explained above. During excavation, different floors have been noticed at disputed site. The temple mentioned by me above existed at floor 3. This temple was built by a Gahadwal ruler of Kannauj some where around 1130 A. D.

I have heard the name of the book of Goswami Tulsi Das in which it is mentioned that the temple was demolished and

www.vadaprativada.in

mosque was constructed at that place by Mir Baqi, the commander of Emperor Babar, but I don't remember the name of this book at this stage. I don't remember the year of publication and the name of the publisher by which this book of Goswami Tulsi Das was published. This information can be given by me later on. I have not read this book personally but I have heard about its contents to that effect. I heard about it in Ayodhya itself during the period of my stay from March 2003 to August 2003 while the excavation was going on and I was staying there. I believed about the contents of above book, as local tradition was also there regarding the demolition of temple and construction of mosque over it.

The inscription of Mir Baqi installed in the disputed structure as epigraphical evidence and reference of Goswami Tulsi Das's book as literary evidence, the record, remains and traditions were there to prove the fact. Besides the above two evidences about the demolition of temple by Mir Baqi, I have not gone through any other evidence. I have not seen the inscription of Mir Baqi but I have read about it, in a book. The name of book I don't remember at present. I know about only one inscription in this regard as referred to above. I have hurriedly read the contents with translation. I don't recollect the

www.vadaprativada.in

language or the script of the above inscription. The language of this inscription was Persian and its translation was in English.

Q: Despite all the same you are not in a position to say that in which script that Persian inscription was written ?

(Km. Ranjana Agnihotri Advocate, raised the objection to above question that the question is neither related to excavation at disputed site which was done in the year 2003 nor it is related to ASI report, hence at this moment the question is totally irrelevant and the purpose was only to waste the time)

A: This script was in Persian language so far as I recollect it was in 'Nastalique' form of Persian script written from right to left in the tradition of Kharosthi as against Brahmi script which is written from left to right.

By 'Nastalilque' I mean as one of the 7, 8 varieties of writing for instance Nastalique, Shikast etc. Language and script are two different terms. I don't recollect presently the exact wordings used in the aforesaid inscription of Mir Baqi but I have read the contents of this inscription.

Q: Have you read on the original inscription as well as translation or both about the demolition of temple by Mir Baqi and then raising the mosque at that very place ?

A: I don't recollect at this stage as stated above.

www.vadaprativada.in

I may be incorrect in saying that there is mention of demolition of temple by Mir Baqi in the above inscription. It is wrong to suggest that there is no mention of the demolition of temple and construction of mosque over it, in the literature of Goswami Tulsi Das.

By the existence of pillar bases at the disputed site as noticed by ASI, I infer the existence of a pillared Mandapa like structure at that place. This has been stated by me in para 29 of my affidavit.

Q: Your saying that you compared the tradition/local saying and regarding the existence of grand temple at the disputed site you compared this local saying by these pillar bases falsifies your own saying that a tradition or a local saying is to be compared and confirmed by a tangible evidence. What do you have to say in this regard ?

(Km. Ranjana Agnihotri, Advocate raised the objection to the above question that the purpose of asking such compound question is only to confuse and pressurise the witness hence such question should not be allowed to be asked)

A: As I have already stated earlier, that there is a tradition of demolishing of temple and construction of a mosque over it there at Quwatul Islam mosque in Delhi, Arhai Din Ka Jhopra at Ajmer, Rajasthan and the Kamal Maula Masjid at Dhar in

www.vadaprativada.in

Madhya Pradesh to name a few, is already there and we draw our conclusion from known to unknown principles, if such an evidence is available in Ayodhya during the excavation at the Ram Janam Bhumi site the conclusion drawn by the ASI report seems to be correct. The temple bases are already there and have been seen by the persons attending the excavation, including me.

Statement read and verified

19-01-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 31-01-2007 for recording further cross-examination of this witness

H. S. Dubey 19.1.2007

H. S. Dubey

Commissioner

19-01-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty High Court Lucknow.

31-01-2007 **D.W. 20/5 Javanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court Lucknow Bench, Lucknow, passed in O.O.S No 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 19-01-2007, cross examination on oath, on behalf of Mohd. Hashim plaintiff no. 7 in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

With reference to last sentence of his statement dated 19th January 2007 the witness stated that I have seen pillar bases over the area and the actual black stone pillars having carvings of Hindu pattern. Since these pertain to temples as mentioned else where in the texts, I feel that it is sufficient to think of a temple at the site which must have existed there before the construction of disputed structure. By pillar bases I mean 50 pillar bases about which I have already stated. About carved stone pillars I have also stated in my earlier statement regarding 3 carved pillars. My

www.vadaprativada.in

statement with regard to temple bases is confined to 50 pillar bases and 3 carved stone pillars and 1 crocodile shaped pranala is also there, which must have been a part of 'Shaivite shrine'. Except these things which are main indications of temple bases, at present I don't remember any other thing which may constitute temple base. Crocodile shaped pranala was found in loose manner as is so common at the archaeological sites. This 'makar pranala' was found in the section of excavated trench. So far as I recollect this 'makar paranala' was embedded in a wall below the surface in trench D-7 behind the south-western corner of the demolished Babri Masjid. I don't remember at what depth this 'makar pranala' was found from the surface of the earth but it was not very deep, it was in the upper phase of the area.

These pranalas are meant to drain out the water offered to Lord Shiva standing towards north and the water flows towards north. Volunteered that because Lord Shiva is supposed to have his abode in the Himalayas, Kailash Parvata, Mansarover etc which are related to that tradition and that is why invarialbly these pranalas are found in the northern side in the Shaivite temples. Pranalas are used for draining water of roof water or courtyard water or any water out side a particular construction where ever water is easily found to flow out. This Makar pranala was not this type of pranala. It was different which is associated

www.vadaprativada.in

with Shaivite Shrines only where Jal-Abhishek was done on Shiva Lingum, water flows from this type of Pranalas across the wall in the north.

In Shaiva temples, this type of 'makar pranala' or some other type of pranala without any specific shape or design such as consisting of 'Crocodile' or 'Gomukh' design are used. Designed pranalas or shaped pranalas are not generally used in non religious or common buildings. I don't recollect whether there is any prohibition in using specific shaped pranala as mentioned above in common buildings, but there may be some ornamental shaped pranalas for which there may not be any hard and fast rules.

In para 29 of the affidavit I have stated on the basis of large number of pillar bases that there could be an extensive pillared Mandapa like structure.

Q: Is it correct to say that now you have made an improvement and you state these alleged pillar bases to be a temple base ?

A: I have always mentioned that the pillared halls were found in front of the Shrine, so there is no question of improvement in my statement. Volunteered and stated that I have already explained the position of the Vishnu temple at the site giving its probable dimensions to the west of the pillared hall.

www.vadaprativada.in

www.vadaprativada.in

With reference to para 30 of the affidavit, the witness stated that in this para also I have mentioned about pillar bases in detail.

Q: Is it correct to say that in para 29 and 30 where you have stated in detail regarding the pillar bases you have not said any thing about temple base ?

A: Yes, it was not relevant to mention the point at that place.

As per my assessment there could be one very big pillared hall from north to south which could be divided into three parts.

Besides this big pillared hall there was no other hall but that big pillared hall could be divided into three parts viz. the central hall and the side two halls, Parshva mandapas in the north and south.

Q: At page 74 you have stated 'I have always mentioned that the pillared halls were found in the front of Shrine'. Whether by word 'halls' in the above reply you mean this hall or any other hall?

A: As already explained that the complex consisted of the central hall and the two side-halls portions in the big complex. Although it is big one hall but it is divided into three parts, in my statement I have used word 'halls' for this big one hall because it is divided into three parts.

www.vadaprativada.in

Such division was noticed during course of excavation. I don't recollect whether this division of a big hall into three halls is mentioned in the ASI report or not . The division is observed on the basis of positions of existing pillar bases in the central, northern and southern portion of the complex. In the central portion there could be 10 pillar bases out of those pillar bases indicated by me. In north there could be 35 pillar bases and in south also 35 amounting to 80 and then 2 pillar bases in front of the main shrine in the porch or antarala and 2 in the entrance part or 'Mukha-mandapa'. I think 22 to 24 pillars were in the north and the same number would be in the south as regards the 50 pillar bases noticed by me during excavation and also mentioned in the report of the ASI.

In figure 3-A (page 48-A) of the ASI report volume-I all the 50 pillar bases are visible. In the northern portion there are 24 pillar bases which have been numbered as pillar base no. 1 to 24 in figure 3-A these were in the northern hall. Three pillar bases numbered as 25, 26 and 27 have been shown as exposed in the above figure might have been in the central hall. In the southern portion from pillar base no. 28 to 50 as shown in figure no. 3-A. There might have been these two pillar bases which have been stated to be in antarala could be in trench D-4. Other two pillar bases

www.vadaprativada.in

stated at entrance gate of 'Mukh Mandapa' could be in trench no. H-4 somewhere.

By 'Mukh mandapa' I mean the entrance of the temple complex which is followed by the 'Madhy mandapa' and an antarala (porch) just in front of the main Shrine. ASI people had not shown these things in the report as those portions were prohibited for excavation because they consisted of sanctum-sanctorum and its front part which was also not to be excavated (but for one or two trenches which were excavated) and that is why the position of central complex is not given in figure no. 3-A.

It is correct to say that my statement regarding the three halls, the antarala(porch) and the entrance gate is based on my own assessment. However it is wrong to suggest that my assessment regarding these things is not based on the excavation and on the discoveries made on the site. My observations can not be termed as unscientific, they are based on principles of ancient Hindu temple architectural for which ample evidence is found to be there on the site.

Q: Whether your above assessment regarding existence of these things has been noticed during course of excavation at the disputed site ?

www.vadaprativada.in

A: Yes, it is based on the coming out of the evidence on the plan during the excavation.

Q: Kindly indicate the evidence in this regard which has been noticed during course of excavation ?

A: The pillar bases, makar-pranala and figure of Shiva and Parvati riding on the mount of Nandi (bull), the evidence of Pushkarni (small pond) are some of these things which are indicative of a Shrine like edifice in that area.

Q: Would it be correct to say that apart from above no tangible evidence has been found ?

A: This is all tangible evidence which have been mentioned above. After all an archaeological site yields only sporadic evidence out of which a picture is to be built up on the basis of known published or unpublished works.

Makar-pranala as mentioned earlier could be attached to the square/rectangular or circular shrine, as the case may be, but it must be in the north. This makar-pranala is in a fallen/dilapidated state and was also in the north of some Shivite-shrine which must have been there, somewhere near about.

Q: Whether any such sign/symbol was noticed during excavation ?

A: This Makar-pranala was itself an indication of some Shiva temple at the site.

www.vadaprativada.in

www.vadaprativada.in

Q: What is the basis of your saying that it was also in the north of some Shivite shrine in the statement which reads 'This makar-pranala was is in a fallen/dilapidated state and was also in the north of some Shivite-shrine which must have been there somewhere near about' ?

A: I think I have already clarified the position briefly that such pranalas are found towards the north of some Shivite shrines and since the pranala at excavated site at Ayodhya is found there it suggests the presence of such shrine in the same area.

Q: As per your own statement no sign or symbol of Shaivite shrine has been noticed during course of excavation and as such what is the basis of saying that Makar-pranala was at north of some Shivite shrine except to be a mere guess work ?

A: I have explained the position that such pranalas are associated with the Shivite shrines and that some such shrine must have existed there near about, which is now demolished. furthur in the earlier phase in that very area a circular small Shevite shrine was excavated. Thus my position stands vindicated that in this part of whole complex some Shivaite shrine must have been there which is now demolished.

www.vadaprativada.in

www.vadaprativada.in

Q: Do you know the principle that in archaeological excavations importance is only attached to the artefacts found in situ ?

A: Yes, I know the principles and my position is in no way shaky in this regard also.

Q: What is your assessment whether by word 'near-by' you mean that some Shivite shrine was in the vicinity of the Makar-pranala where it has been noticed during the excavation or it was, as indicated by you associated with an alleged earlier circular shrine?

A: Since it was a part of demolished complex the evidence in hand is an indicative of some Shivite shrine which must have existed there near the place where Makar-pranala is found as some sort of subsidiary shrine of the Vishnu temple complex. I don't feel that this Makar-pranala was associated with the circular shrine found during course of excavation at the lower level.

The term 'Pushkarni' used in my above statement denotes a small pond. Pond is associated with the Shivate temple in the vicinity somewhere near about. These small ponds are not necessarily part of the Shiva shrine but are found near Shiva temple as one of the so many associated portions.

Q: Could a 'Pushkarni' be conceived without a Shiva temple ?

www.vadaprativada.in

www.vadaprativada.in

A: Yes, there could also be a 'Pushkarni' or water reservoir even without that.

There should be a small water reservoir or Kund to collect water near a Shiva temple which comes out of the outlet. Meaning thereby this water reservoir is used for storing water coming out from Shiva shrine after being offered by the devotees by Jal-Abhishek. The water to be offered is to be taken from the Puskarni or the well situated near about and the offered water falls in some small 'Kund'. The water which comes from outlet after being offered by the devotees is stored in a small 'Kund' (storage enclosure).

Q: You mean to say that there are required two reservoirs near by Shiva temple, one to take water to be offered at the Lingum and the other for storage of the same offered water ?

A: Yes, they are quite separate items.

Statement read and verified

31-01-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 01-02-2007 for recording further cross-examination of this witness

(H. S. Dubey) 31-1-2007
Commissioner
31-01-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

01-02-2007 D.W. 20/5 Jayanti Prasad Srivastava

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S No 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 31-01-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

Subsidiary shrine is a part of the temple complex dedicated to a particular deity. This subsidiary shrine is expected to be on the same floor where the main shrine is there. I have been a student of History. I am not conversant with the rule of elimination which requires to pin-point a thing to be associated with a particular thing the possibility of such thing to be not associated with any other thing to be considered. Initially the surface of the mound over which the disputed building existed was at a lower level, say from 30 to 40 feet

www.vadaprativada.in

www.vadaprativada.in

height as seen from the river side which gradually rose due to human activity over it, from time to time resulting into the present position of the surface. This human activity means occupation of the site for habitational purposes from time to time, in different periods. Human activity involves the addition, alteration, repairs etc. of the dwellings from period to period as per requirements of the situation.

Q: Whether in your understanding the height of the mound as stated by you was raised by bringing the earth from the near by area ?

A: It could not be necessarily due to bringing of the earth from near by area to raise the height, but it could be there in some cases as per masonry or other requirements of the situation. However, at the disputed site earth was not brought from near by area to raise the height of the mound but the height of the mound rose gradually in natural course due to addition, alterations, repairs etc. of the constructions from time to time in different periods.

The floors found during excavations are marked along with the layers from top to bottom but chronological study is done from bottom to top. The layers are marked from top to bottom in the descending order, same process is applied for identifying floors also on the basis of layers and stratigraphy.

www.vadaprativada.in

Q: If in a particular excavation with in a depth of 30 feet total 8 layers are found where as only 3 floors are found from top to bottom how these are to be marked when you say that the floors are to be marked on the basis of layers and stratigraphy ?

A: It is rather a hypothetical question, layers are marked as stated earlier on the basis of colour, composition and contents of the soil in the particular trench of the excavated site and if the floors are met with, they are also marked along with layers. The criteria of depth only may not be the deciderating factor.

By deciderating I mean on the basis of finds, composition of the soil is changed. Layer is changed on the basis of composition of the soil and contents of the soil.

Q: My question is only to the marking / numbering of the layers and the floors and there is no whisper regarding the same in your reply instead of that you have stated about the identification of the layer. If possible kindly make the reply to the question ?

A: Layers are marked for the study of the soil as per observation of the excavator for his convenience to identify the things belonging to different periods and phases. Floors are also included along with the layers to identify their position, contemporary, late etc.

www.vadaprativada.in

Q: Kindly indicate that once within a depth of 30 feet excavation, 8 layers have been identified by the excavators and 3 floors were identified by the excavators. Whether the marking of the floors would be 1 to 3 from top to bottom and the marking of the layers would be serially marked as 1 to 8 from top to bottom or any other method has to be applied as regards marking ?

A: This will be marked from top to bottom in descending order as already explained earlier.

The maximum digging was done up to the depth of 10 meters or so at excavation site at Ayodhya. I don't recollect as to how many layers were noticed during excavation at this place. I don't recollect the number of floors found during excavation. I don't also recollect the number of structures discovered in this excavation but this much I know that so many structures were there and report has given details of the same which are to be relied upon. By report, I mean report submitted by the ASI (volume-I). I have gone through the report, but not deeply. Periodization is a must during excavation. If there is no periodization there can not be chronological study. In this excavation periodization has been done. I may not remember in the numerical sense of the term as to how many periods have been mentioned by the ASI in its

www.vadaprativada.in

www.vadaprativada.in

report. I, however know about the names of the periods mentioned in ASI report. These periods are:- the period relating to (1) Black slipped ware (2) N.B.P.W.(3) Grey ware (4) Kushan period (5) Gupta period (6) Rajput period (7) Sultanate period (8) Mughal period (9) late Mughal and British period (10) Modern period, these periods are in chronological order as found during course of excavation.

Black slipped ware , N.B.P.W. and Grey ware period can be attributed to ranging from 7th – 6th century B. C. to 2nd century B. C. Their dates have been determined on the latest method of Carbon dating process. Kushan period can be attributed to 1st century B. C. to 1st century A. D. Similarly Gupta period can be attributed from 4th century A. D to 6th century A. D. Volunteered that between Gupta and Rajput period there is one more period that is called the period of Maukharis numbered period (5-A). This period ranges from 600 A. D. to about 650 A. D. Rajput period is from 800 A. D to 1200 A. D. roughly. Sultanate period from 1205 to 1525 A. D. and Mughal period (with Sher Shah's interluding period) from 1525 to 1707 A. D. within this period the period of Sher Shah's period is included which is of about 15 years. Late Mughal/ British period starts from 1707 A.D to 1947 A. D. and Modern period broadly speaking ranges from 1947 to present day. These

www.vadaprativada.in

www.vadaprativada.in

periods are in relation to Ayodhya excavation and for North Indian History also meaning thereby these periods and their duration is for whole North India and also for the whole Country. The first three periods i.e. Black slipped ware , N.B.P.W. and Grey ware period are found in one and the same period.

Q: Whether these names as given by you, Black-slipped ware , N.B.P.W. and Grey ware have got some distinctive feature to separate and distinguish them one from other ?

A: Yes, there are distinctive features to differentiate amongst these three broader varieties but since they have been found coeval with one and same, they more or less indicate the same chronology.

The distinctive feature of above three periods is the colour, fabric, pattern of making potteries is different but they are found along with one and other. The identifying feature of the above three periods is the pottery of said period. Since potteries of these three types were found in the said duration therefore their duration can not be separated from one and another at Ayodhya. This redeeming feature pertains to Ayodhya only and not to any other place of North India necessarily. The people using these potteries were contemporary.

www.vadaprativada.in

www.vadaprativada.in

Q: Duration of three period as stated by you ranges to the minimum of 400 years, as stated by you, 7-6th century B. C. to 2nd century B. C., how a man of 7th century B .C. could be said to be contemporary to a man of 2nd century B. C. ?

A: The contemporaneity as mentioned above is the regarding these varieties of pottery but there are other consideration also to decide the age on the basis of coins, inscriptions, sculptures etc. which differentiate the chronology.

Potteries of the three varieties pertaining to aforesaid first three categories were found during excavation at Ayodhya within the same layers and out of which N.B.P.W. has been dated from 7th century B. C. to 2nd century B. C. and Black slipped ware has been found at some places in earlier phase also along with Plain Grey, all these three are found together they have been considered to belong to that time bracket.

Q: Whether the reason for not giving the separate duration for the three periods viz. Black slipped ware, N.B.P.W. and Grey ware at Ayodhya excavation as stated by you is that potteries of these three varieties were found at the same level with each other or is there any other reason for the same ?

A: By naming these potteries separately, separate periods are not meant since these varieties have been found to be coeval

www.vadaprativada.in

www.vadaprativada.in

with one and the same. Chronologically they are bracketed to that period.

By term "coeval", I mean 'found together'. There are various reasons as regards the gap of 200 years in between Gupta and Rajput period. The dynasties change from time to time on some occasions with the change of a particular ~~dynasty~~ ruler, the mode of life and living pattern, construction of houses, uses of pottery also undergoes a change. Hence they are given different names and if there is no change then they can be of the same period, if the dynasty is different also.

Q: My question was that there being a gap of 200 years in between Gupta and Rajput periods as stated by you. What is the reason of this gap, if possible, indicate something in this regard?

A: I have already stated that because of the change of the dynasty, above gap occurred, there is no other reason for this gap.

Q: Can it be said that there is a vacuum for this 200 years as regards inhabitation/occupation in the said area ?

A: No, there is continuation of the same during that period which underwent a change at the close of it and afterwards.

www.vadaprativada.in

www.vadaprativada.in

Above gap of 200 years is confined only for Ayodhya and not for other parts of Northern India.

Q: Can it be inferred by your saying that no inhabitational human activity has been noticed during course of excavation at the disputed site for these 200 years ?

A: There was continuity of one and the same tradition. After all stratigraphy based on layers is meant to achieve a conclusion regarding chronology of a particular site, but is not an end in itself.

Learned cross examiner drew the attention of the witness towards chart at page 37-A and 37-B of the ASI report volume-I and witness stated that these two pages have given occupation of this site by the human activity above the natural soil in different periods as indicated in these pages. The chart given at page 37-A and 37-B are something different from each other as indicated in the report. In the chart at page 37-A tentative periodization has been given whereas in the chart at page 37-B schematic cross section has been given. The term 'Schematic cross section' denotes the different types of antiquities, object and structure etc. to give a clear picture of the potentiality of the site at one place.

www.vadaprativada.in

www.vadaprativada.in

Q: Whether any thing is noticeable in the chart at page 37-B concerning the disputed structure pertaining to its period etc. as stated by you that this chart indicates all such things ?

A: It gives the details of early Medieval Sultanate period. As per my own statement disputed structure was raised during this period.

Black slipped and Grey ware are not mentioned in the chart given at page 37-A. They have not been mentioned in the chart at page 37-B also. At page 37-A Gupta period has been given at two places, at first place it is mentioned as Post-Gupt-Rajput whereas at second place it is mentioned as Gupta period. In the last column, late and post Mughal period has been mentioned which is actually the period mentioned by me as late Mughal and British period. Below the same Mughal period is mentioned which is the very Mughal period as mentioned by me ranging from 1525 to 1707 A. D. I have not mentioned in my statement particularly Medieval period. By reading the chart given at page 37-A, it can be said that Medieval period ranges from 10th century A. D. onwards to 1525 A. D. from where Mughal period starts. Early Medieval Sultanate period as mentioned in chart at page 37-A is the same period which I have mentioned as Sultanate period, however, Sultanate period starts

www.vadaprativada.in

www.vadaprativada.in

from 1205-1206 A. D. and Early Medieval period starts from 800 A. D.

Q: In the description of period given by you no Early Medieval period finds place, in the chart at page 37-A, no Early Medieval period finds place where as early Medieval Sultanate period finds place regarding which you have stated to be synonymous to Sultanate period as described by you. Now kindly indicate that this third phrase coined by you viz. Early Medieval pertains to which period as regards different periods given by you?

A:I had explained the earlier position on the random query of the learned cross examiner, whereas in chart given at page 37-A, the position has been explained as per the details given therein. I have not coined any thing.

Q: Do you feel that you have replied my question ?

A: Yes, I have replied.

Q: Have you to add something in your reply ?

A: I don't think that any thing is to be added to my reply at present.

Since I have to stick on the chart given at page 37-A therefore, according to me 'Post Gupta-Rajput' period comes after Gupta period. According to me Gupta period is separate from Post Gupta-Rajput period. Since the report has given the

www.vadaprativada.in

www.vadaprativada.in

details of Post Gupta-Rajput period separately hence I also rely upon the same. Its evidence has been found as per the chart.

Q: You have described 'Gupta period' separately ranging from 4th to 6th century A. D. and 'Rajput period' ranging from 800 to 1200 A. D. You have also stated that there is a gap of 200 years in between Gupta and Rajput period. Now kindly indicate that Post Gupta-Rajput period and Gupta period finding place in the chart at page 37-A separately cover which duration ?

A: The duration as I have mentioned above tallies with the details given in the chart at page no. 37-A.

Q: My question is absolutely different and distinctive and I feel that for one or the other reason you do not want to reply the same. What do you have to say in this regard ?

A: I have replied every query and there is no reason not to reply.

In the chart given at page 37-A below Kushan period, Shunga period is given, I have not mentioned this period in my random statement. I don't want to make any correction in my above random statement. Shunga period is a period known in Indian History which starts from the 2nd century B. C. and goes up-to 1st century B. C.

www.vadaprativada.in

www.vadaprativada.in

Q: In your description of total 10 plus one period this Shunga period falls within which period among the periods given by you ?

A: I have not mentioned particularly the name Shunga period to the random query as against the query based on the chart.

The entries given in the chart at page 37-A giving the names of different periods are more accurate in comparison to the description given by me in my above statement.

Statement read and verified

01-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 02-02-2007 for recording further cross-examination of this witness.

H.S. Dubey 1.2.2007

(H.S. Dubey)
Commissioner
01-02-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

02-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S No 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 01-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

I can't say the height of the mound over which the disputed structure existed as I don't recollect at this stage.

Q: Yesterday you have given the height of the place at the initial stage to be 30 to 40 feet [illegible] as seen from the river side. You have also stated that the height of the mound stood raised gradually in natural process. Whether despite all such information with you, you are not in a position to say as to how many feet it stood raised ?

www.vadaprativada.in

A: I don't recollect, but it can be worked out from the excavation report. I can state about this fact after going through the report submitted by the ASI.

On being permitted, after going through the report, the witness stated that the height of the mound at the time when disputed structure was raised was about 4 meter from the level along the natural soil. This 4 meter height is the accumulation over initial height of the mound about which I have already stated. My above statement is based on page 38 to 40 of the ASI report volume- I. My statement that the height of the mound from the river level at initial stage was 30 to 40 feet is also based on some writings of this report and other reports also about which I don't remember at this stage.

Q: If there is a mistake in periodization then the entire report based on this periodization will also be defective?

A: I think the mistake could be restricted to the fact only and not for the entire report and conclusion.

Q: If a particular layer has been dated to 13th century and on that basis the dates of the finds and structures found in that layer have been marked to belonging to 13th century and in same process the layer and structure of the above level have been marked to, belonging to 14th century onwards and if subsequently it is discovered that the marking of the said layer

www.vadaprativada.in

to 13th century was wrong then whether the marking of the period to the layers and structures of the above upper level would also not be wrong ?

(Sri Ved Prakash Advocate, raised the objection to the above question that the whole of the question is hypothetical, not based on the facts and is also beyond the scope of the principles of cross examination hence such question should not be allowed to be asked.)

A: The question raised by learned cross examiner in a way already remains answered, Wherein I have stated that if some mistake had been found the mistake could be taken account of and that margin will give a correct position regarding the subsequent conclusion, but the whole thing can not be taken as defective or wrong.

Q: Now an specific question has been put before you kindly reply the same in the above term as an archaeologist ?

A: If such a mistake as mentioned in the question is detected subsequently then the facts could be ascertained and rectified while analysing the overall conclusion.

Q: May I assume that you do not want to reply my question which is quite specific giving a particular stance and you are avoiding to speak ?

www.vadaprativada.in

www.vadaprativada.in

A: No, I am not avoiding to speak and I have already replied the question. I have nothing to add in my reply. I am satisfied that my reply is complete.

Learned cross examiner drew the attention of the witness towards the chart given at page 37-A of the ASI report volume-I. The witness stated on the basis of the chart that duration of N.B.P.W. is about 400 years ranging from 7-6th century B. C. to 2nd century B. C. The duration of 'Medieval period' was about 650 years ranging from 1200 A. D to 1857 A. D. As per this chart the duration of 'Early Medieval Sultanate' period was of about 400 years ranging from 800 A. D to 1200 A. D approximately. The duration of 'Post-Gupta-Rajput' period can not be stated simply on the basis of the chart given at page 37-A, unless descriptive part of the report is seen. The duration of 'Gup ta', 'Kushan' and 'Shunga' period also can not be given on the basis of this chart unless descriptive portion of the report is seen for this purpose.

Q: Is there some distinctive feature in the chart at page 37-A which has enabled you to state the total period and duration of 'N.B.P.W.', 'Medieval' and 'Early Medieval Sultanate' period ?

www.vadaprativada.in

www.vadaprativada.in

A: There is no distinctive feature given in this chart but for the different colours which have been given do indicate different periods.

Q: All the periods in this chart are marked with distinct colours, I wanted to know the distinctive feature which enabled you to state the period and duration of three such periods, iz, N.B.P.W., Medieval and Early Medieval Sultanate period but did not help you regarding the other periods wiz 'Post Gupta-Rajput', 'Gupta', 'Kushan' and 'Shunga' period ?

A: I have already replied this question earlier and I think no furthur elucidation is required. Volunteered that the details in the ASI report can be relied upon.

Q: Can you indicate the line and para of your above statement in which reply of my above question is there ?

A: The pages from 90 to 92 could be referred for the above query.

Q: You mean to say that for reply to the question put today finding place at page 99 regarding the inability to decipher the duration of certain periods in the chart at page 37-A of the ASI report volume-I the statement given by you yesterday finding place at page no. 90 to 92 is to be read ?

A: Yes.

www.vadaprativada.in

In chart given at page 37-A, the column pertaining to E 2-E 6 gives different floor levels at different periods. Again said E2 – E6, E7 etc. denote different trench numbers. In 'last but one column,' only letter 'K' is written, its number is not given because that evidence is not available in that trench. The evidence regarding floor1, floor1-A is not available in these white columns because that level was not existing there. 'FL' stands for floor.

In column pertaining to trench G-7 below floor 4 number 5 and 6 pertain to Post Gupta-Rajput period and 7 and 8 pertain to Gupta period and 9 to 12 pertain to Kushan period and 13 to 15 pertain to Shunga period and 16 starts the N.B.P.W. level and in layer 17 and 18 the N.B.P.W. levels continued and then finally in layer 19 there is natural soil. In substance these 5 to 19 numbers denote layers. In column J-3 also number 2 to 15 denotes different layers. Meaning thereby in trench G-7 total 19 layers were found whereas in trench J-3, 15 layers were found, similarly in trench J-5, 11 layers were found. Regarding other trenches this description of layers does not find place in this chart because the furthur areas were not excavated in those trenches. Said voluntarily in 'vertical' excavations from top to bottom only 1 or 2 trenches are dug up to the natural soil. Furthur in order to cross check only 1 or 2 directions are taken

www.vadaprativada.in

into account. Same method had been followed in this excavation in Ayodhya which is scientific and as is depicted in the above chart. Trench no. G-7 was in the southern part of the mound and trench no. J-3 was in the eastern part of the mound so these two trenches were excavated up to the natural soil to ascertain the antiquity and chronology of the mound. Whereas other trenches were excavated partly and after ascertaining their position as per orders of the Hon'ble High Court were left over. The depth up to which each trench was excavated other than those trenches mentioned above, their layers have been given in this chart and furthur since those trenches were not excavated up to the bottom, were left over after ascertaining their position.

Q: What ever layers were noticed in the entire excavation are mentioned in the chart no. 37-A ?

A: All the layers noticed during excavation site horizontally are given in the chart at page no. 37-A.

In chart given at page 37-A, except trench G-7, J-3 and J-5 layers are not mentioned in any other trench. Said voluntarily in other trenches the layers up to which they were excavated are given and when they are not excavated layer are not given as explained above. Layers have been given in the above chart in each trench such as in trench no. E2-6 there are three layers,

www.vadaprativada.in

layer number 1, 2 and 3. Layer 1, 2 and 3 in trench E2 –6 are in white colour which means the colour of layers. As seen in the report these layers have been shown in white colour which denotes the position of digging of layer up to that level.

Q: Can you indicate the implication denoting a particular layer with a particular colour as finding place in the chart given at page 37-A of the report ?

(Km. Ranjana Aghinotri Advocate raised the objection to the above question that the question has already been asked and repetition of question is only wastage of time although the chart has not been prepared by the witness neither colours indicated in the chart have been selected by the witness therefore such question should not be allowed to be asked)

A: Since the report does not indicate any thing regarding this, I can not say any thing about it.

Q: Can you say any thing about the depth of these three layers 1 ,2 and 3 ?

A: Since the depth of these layers in this chart has not been recorded therefore I am not in a position to give without going through the details given in this report.

It has to be seen whether any reference of the column and colours used in this chart given at page no. 37-A, pertaining to

www.vadaprativada.in

different layers finds place anywhere or not. Furthur clarifications if any may be given by the excavators.

Q: Whether chart given at page no. 37-A and 37-B finds mention anywhere in the report ?

A: The excavation reports normally give tentative periodization, schematic details in the reports and here also the charts have been given. If something is omitted, it is a different thing which could be explained by the Director of the excavation.

Since these charts do not contain those indications like colour, depth etc. they seem to be lacking in this regard.

Period of layers 1, 2 and 3 in trench no. E2 to 6 are ascertainable as seen from this chart. Layer 1 belongs to late and post Mughal period. Layer 2 belongs to Mughal period whereas layer 3 belongs to Medieval period. Period of these layers is given in the last column of this chart and also in the first column, but I am not in a position to state further in this regard, except to get it clarified by inviting the concerned Directors of the excavations and writers of this report. These two charts have been prepared by the draftsman. These charts must have been checked by the Directors before annexing them in this report.

www.vadaprativada.in

I can not say any thing whether periodization given in these two charts is on the basis of C-14 dating or not. C-14 dating was got carried in this excavation. That apart other scientific tests were got carried out from different scientific organisations. The results of these tests have been utilised while writing this report. Stratification given in this report is based on all those tests.

Learned cross examiner drew the attention of the witness towards page 273, of the ASI's report volume-I. Sample no. and depth of each sample is given in first column at this page such as in case of sample no. 2, it was taken from a depth of 6.20 to 6.22 meters. Similar is the case with other samples also.

Q: From which trench these samples were taken ?

A: Those details are given in the relevant register and records and they are not necessary to be recorded here.

I don't know whether ASI is retaining these records or parties are retaining them. In my understanding these records should be with ASI but since many things have been supplied to the respective parties on their demand and I am not aware whether these records are with the parties or ASI people. Said voluntarily so far as I recollect these samples were also sealed in the presence of all the parties and their representatives daily after close of the excavation at Ayodhya including myself and

www.vadaprativada.in

www.vadaprativada.in

kept in the strong room of 'Manas-bhawan' regarding which entries were daily made in the day to day register singed by the parties including myself.

Day to day register was shown to the witness who after going through first part of this register stated that at page no. 84, there is mention of taking of a Charcoal sample taken from trench no. E-8 (layer no. 6) at the depth of 1.98 meters in the presence of the parties and their nominees. I think this was one of the samples taken by the ASI at the time of excavation and sent to Director, B.S.I.P. Lucknow. It is not ascertainable whether this sample is mentioned at page no. 273 of the ASI's report volume-I or not. The sample which is mentioned in page no. 84, of the day to day register (part-I) is not mentioned at page no. 273, of the above report (appendix-I). In page no. 114 of the day to day register (part-I) Factum of floor samples A and B were collected from trench no. E-8. (Floor no. 3) at a depth of 1.15 meters sample B was to be sent for analysis whereas sample A was just sealed recorded. This sample also finds no mention in appendix- 1 of the ASI report volume-I at page 273 but there must be some record of the same with ASI.

Statement read and verified

02-02-2007

www.vadaprativada.in

www.vadaprativada.in

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 05-02-2007 for recording further cross-examination of this witness

H.S. Dubey 2.2.2007
(H. S. Dubey)
Commissioner
02-02-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

05-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S No 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 02-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

At page 273 of the ASI's report (appendix-1) results of 7 samples have been given. These are samples no. 2, 3, 4-B, 5-B, 1-B, 1-A and 6-B . Report regarding samples no.1, 4, 5, 6 and 6-A is not given in this appendix. I am not in a position to say any thing about it as only A.S.I people can say its reason for not mentioning the results of the aforesaid samples. Carbon dating is done on the basis of charcoal samples found during excavation. Carbon dating of Grains, Pollen samples is also done to get a date. Carbon dating of plaster, bricks, floors is also possible. It is true that samples of all the items which were

www.vadaprativada.in

www.vadaprativada.in

taken during the course of excavation are mentioned in day to day register but all these samples have not been mentioned in appendix-1. This omission could be either because of the non receipt of the result from the respective laboratories up to the time of writing of this report, or not being sent by the A.S.I to the laboratories because of their some short coming as per requirements of the laboratories.

Q: Is it also possible that the result reported regarding such samples might not have been felt relevant by the ASI for this excavation and as such they made no mention about the same ?

A: This could also be clarified by ASI people

With reference to para 29 of the affidavit the witness stated that on the basis of a large no. of pillar bases found during excavation, existence of an extensive pillared Mandap like structure has been mentioned. This mandapa like structure was not built for 'Budhist-Monks' because 'Budhist-Viharas' have a different plan altogether. This pillared Mandapa like structure was not for the purpose of siting of members of 'Panchayat' as that is out of context . For the reason this is a temple complex and temple architectural members have been found in this excavation so this could be a pillared hall in front of religious shrine only.

www.vadaprativada.in

www.vadaprativada.in

Q: Is it correct to say that religious shrine includes the place of worship of all religious sects ?

A: Religious sect could be Vaishnav, Shaiva or Shakt in front of which this pillared grand hall had been there. Here religious shrines mean temples of the above mentioned sects and not of Budhist or Jain or any other sects.

Q: Whether the phrase 'Religious shrine' does not include in it self the Muslim , Shikh , Jain's religious shrines?

(Sri Ved Prakash Advocate, raised the objection that the question which has been put to the witness is beyond the scope of the pleadings and the objections which confine that only the Mosque, Eidgah or Kanati-Mosque existed there in reply to the fact that whatever was found in the excavation tells that there existed a Hindu temple of 'Northern-India Nagar style'. No case has been pleaded by the Muslims that there existed Budhist temple, Jain temple or any other temple and not the Mosque therefore the question which has been put to the witness should not be permitted to be asked.)

A: No, it pertains to religious sects but here it is out of context.

Q: It appears that your mind is so obsessed with the theory of existence of Hindu temple at the disputed site that while answering the question of general nature confined to

www.vadaprativada.in

www.vadaprativada.in

simply indicating the meaning of the particular phrase, you remain within that theory and the answer to the question does not come?

(Km. Ranjana Agnihotri Advocate, raised the objection to the above question that questions asked by the cross examiner has already been replied by the witness in general sense as well as in specific sense and repetition of question by creating a undue pressure on the witness is against the sprit of Evidence Act such types of question should not be permitted to be asked)

A: No, I am not obsessed with any thing. I am simply speaking on the basis of related evidence found here and there on the Ram Janam Bhumi area.

Related evidence means what was noticed during the course of excavation at the disputed site and also the evidence exhibited in the Ayodhya Shodh-Sansthan, which also based on local traditions and published works on the same.

Q: Do you mean to say by saying " and also the evidence exhibited in the Ayodhya Shodh Sansthan which also based on local tradition and published work on the same" whatever is exhibited in Ayodhya Shodha Sansthan is based on local traditions and published work on the same or do you mean to say in conjunctive that the evidence exhibited in

www.vadaprativada.in

the Ayodhya Shodha Sansthan or published work and this local tradition and published work is in addition to the evidence exhibited in Ayodhya Shodh Sansthan ?

A: Ayodhya Shodha Sansthan has exhibited the objects found from the Ram Janam Bhumi complex prior to this excavation and there are some publication based on the same and local tradition also.

Q: The question put to you is to know that whether whatever you say exhibited in Ayodhya Shodh Sansthan is in addition to local tradition and published work or what ever evidence is exhibited in Ayodhya Shodha Sansthan is based up on local tradition and published work. By your reply it is not decipherable as such this question was put to you and you have not replied. What you have to say in this regard ?

(Km. Ranjana Agnihotri Advocate, raised the objection to the above question that this compound question has been asked thrice and the witness has replied the question in-proper manner and it is a tactics to harass the witness and waste the time of this court.)

A: The question was put to me concerning my information regarding the related material found in the Ram Janam Bhumi complex in that connection, I replied about the material exhibited in Ayodhya Shodha Sansthan and some

www.vadaprativada.in

publications which were based on those materials and traditions also. I don't think any thing more is required in this context so far as my information, regarding the excavated area in concerned.

In my assessment there could be more than 80 pillars also at the disputed site but only 50 pillar bases out of the same have been exposed during the excavation. It is only on the basis of ASI report that 50 pillared bases have been duly numbered therein and mentioned.

The 50 pillar bases which were noticed during excavation have been shown in the plan given at page 48-A (figure 3-A) of the ASI's report volume-1. With reference to appendix-IV given at page no. 291 to 309, the witness stated that this appendix comprises 18 pages. On the last page (309) the names of the contributors is mentioned as Sri M. B. Vishweshwar and Sri. Niraj Kumar Sinha. Page no. 291 column no. 4 is about structures found. No pillar base is reported at page 291, 293, 294, 295 and 296. At page no. 297, serial no. 58, two pillar bases are mentioned, at serial no. 59, three pillar bases, at serial no. 60, pillar bases are mentioned, at serial no. 62, part of a pillar base and at serial no. 63 part of a pillar base is mentioned. Six pillar bases and two part pillar bases are mentioned at this page. At page no. 298, at serial no.

www.vadaprativada.in

www.vadaprativada.in

65 apsidal pillar base is mentioned, at serial no. 66 partly extant pillar base is mentioned, at serial no. 67, two pillar bases are mentioned. ' Apsidal' pillar base means the one side of the pillar base is to be in the shape of an 'Apse' (semicircular type), the other side may be circular or straight. I don't remember whether the word 'Apse' is used for any fruit or flower. One side of a 'Apsidal' pillar is always semicircular, the other side of it may be circular or straight. Thus at this page three pillar bases and one partly extant pillar base and part of a pillar base have been mentioned.

I don't remember the details of published works read by me in connection with this controversy. Although I have gone through these books but at present I don't remember the name of books their, authors name, publishers name and the year of publication. So far as, I recollect there was a 'mint' at Ayodhya during 'Mughal' period. I don't recollect in whose time 'mint' was started. This 'mint' could be in 'Sultanate' period also, but I don't remember exactly about this fact. I have read and heard about 'Ram-kot' at Ayodhya as a fort, but I am not aware of any other fort at Ayodhya. I mean to say fort in the name of 'Ram-Kot' of Lord Rama's period. I don't recollect whether there was any fort at Ayodhya during Sultanate period or in any prior period known to Indian

www.vadaprativada.in

www.vadaprativada.in

History. I know the 'Mosque', and 'Jama-Masjid' and 'Eidgah'. I do not know about 'Qanati-Masjid' but it could be a temporary Mosque prepared out of 'Qanat' which means a long cloth folding curtain with small Bamboo poles stitched therein at some regular intervals for the camp purposes where tents are pitched and tent Colonies are erected temporarily. I have heard about a Mosque having no roof but I have not come across the same. I have seen 'Eidgah' from a distance. Usually there is no roof in the 'Eidgah' building. 'Eidgahs' are generally built out-side the inhabited area having a long north-south wall in the west. In 'Eidgah' only two prayers (Namaz) are held in a year namely 'Edul-fitr' and 'Edul-Zuha'. Due to large space required for such a Mass prayer 'Eidgah' is away from the thickly populated area of the village or town. If the population of an area increases in such a situation 'Eidgah' is shifted to an isolated area, which is not thickly populated. I don't know about any existing 'Eidgah' in Ayodhya. I don't remember whether I have seen 'Saket Degree-College' during my stay at Ayodhay (Faizabad). As such I am unable to state whether there is any 'Eidgah' near 'Saket Degree-College'. I don't recollect whether in any digging prior to this excavation at Ayodhya, 'Gold' was found or not however it is said that 'Gold' comes out of the dust of river bed in Ayodhya. I have

www.vadaprativada.in

heard that the site in dispute has been prone to floods from west and south and that Ayodhya had undergone some great flood in the past. Commonly it could be called as 'Khanda-pralaya' and not 'Maha-pralaya' because they are two different terms having definite meanings in the Ancient Indian tradition. I have used word 'Great-flood' for 'Maha-pralaya', for 'Khand-pralaya' it could be 'small flood'. It is said that Ayodhya came under a huge flood when the whole of the city was drowned under its waters but it could not be the part of 'Maha-pralya' or 'Khand-pralaya'. In huge flood the whole city came under water however must not have been totally vanished but must have been mostly destroyed.

I can not say anything about dimensions, size or location of the aforesaid 'mint' in Ayodhya.

Chapter three of the ASI report volume-I which begins from page 37 and ends at page 47 deals with 'stratigraphy' and 'chronology'. Different periods have been given at page 37 onwards.

The first period is N.B.P.W. level, its duration is mentioned from 6th to 3rd century B. C. The total accumulation of deposit is also given it is about 1 meter in trench G-7.

Second period given at this page is 'Shunga period' (Circa 2nd – 1st century B. C.). At page no. 39 third and fourth

www.vadaprativada.in

www.vadaprativada.in

periods have been given and named as 'Kushan' and 'Gupta' level. The duration of 'Kushan' level is given circa 1st – 3rd century A. D. Regarding fourth period i.e. duration of this period it is mentioned circa 4th – 6th century A. D. At page no. 39 in period third noticing of a huge 'Kiln' in the lower part level in trench J-3, is mentioned. Since this 'Kiln' was at lower level, I could not see it.

During my long experience in excavation I have come across 'Kilns' also. They are generally meant for ba king bricks, toys and clay tiles. At page 40 of the above report period V and VI are mentioned as Post Gupta-Rajput level and Medieval-Sultanate level. The duration of the period i.e. Post Gupta-Rajput is from 7th to 10th century A. D. and of the later i.e. period VI (Medieval-Sultanate period)circa 11th –12th century A. D. At page 41 of the above report period VII (Medieval level) is given and its duration is from the end of the 12th to the beginning of the 16th century A. D. A.S.I has divided this period into three sub-periods i.e. A, B and C. The name of periods, number of periods and their duration as given in the above pages is correct. It may be that the name, number and duration of different periods as stated by me differs from the description, name and duration given in the ASI report. My deposition and the description about above three things in

www.vadaprativada.in

www.vadaprativada.in

ASI's report, both are correct in their own way i.e. I mentioned those periods as per approximate memory and here is a published material which gives the detail in writing.

Statement read and verified

05-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 06-02-2007 for recording further cross-examination of this witness

(H. S. Dubey)
Commissioner
05-02-2007

5.2.2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

06-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S No 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 05-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

I have stated about 'Apsidal' pillar bases in my yesterday's statement. This type of pillar base remains in horizontal position. The meaning of semicircular is partly circular and the other part is straight. If a pillar base is partly semicircular and partly straight then in archaeological term it will be called as 'Apsidal' pillar base as described in the A.S.I. report. Semicircular means half circular and its opposite portion will be straight.

www.vadaprativada.in

www.vadaprativada.in

Q: Now you have stated that semicircular means half circular and half straight regarding 'Apsidal' pillar base, partly semicircular and partly straight meaning thereby that 'Apsidal' pillar base is partly straight and the remaining part which is semicircular itself includes part straight and part circular ?

A: Semicircular is semicircular in shape and does not include straight portion which is opposite to it, furthur I am not in a position to add any thing more in this respect without consulting the Dictionary.

Q: Is it correct to say that semicircular and circular are not the same. They are different from each other ?

A: Yes, semicircular and circular are two different terms used in architectural context.

'Mints' are there in India. There are Mints in India and coins are minted in them by pouring the metal in die for giving specific shape to them. Before pouring the metal in die it is melted and then poured to give a specific shape to them. In normal practice melting process is also performed in that very complex, where coins are prepared. I am not very much aware about this technique of preparation of coins in modern times. The system of minting remains the same since the olden times.

The seriatum and duration of periods stated by me in my earlier statement is for Ayodhya excavation particularly given

www.vadaprativada.in

in the ASI's report, which may also be applicable to the other sites of Northern India.

The first period mentioned at page 38 of the ASI report and termed as N.B.P.W. level is common to rather whole of northern part of India and the other parts of the India such as central and southern India also. Its name and duration is also more or less same for most part of India. 'Shunga' level is mostly for northern and partly for central part of India where 'Sat-vahana' period also starts along with 'Shunga' level. Broadly speaking 'Shunga' and 'Sat-vahana' level comes at number two in civilisation belonging to circa 2nd – 1st century B. C. after the 'Mauryan' period. 'Sat-vahana' rulers were in south India and had their influence up to central India. 'Sat-vahana' was a name of dynasty. 'Mauryans' had a wider influence as compared to these rulers in southern India and north western India. The seriatum, name and duration regarding whole of India is almost same with minor variations here and there as mentioned in A.S.I report. I have stated about 'Maha-pralaya' and Khand-pralaya in my yesterday's statement, but I don't know their Urdu or Pur sian equivalents.

Q: Whether you understand Qyamat-e-kubra and Qyamat-e- sughra ?

A: I am not aware of the meaning of these Arabic terms.

www.vadaprativada.in

These words could be used in Urdu or Persian language but I have not come across the same.

Q: You have used the terms 'Ram-janam-Bhumi complex' and 'Ram-janam Bhumi area' at pages 110 and 111 respectively. Where this complex and area are situated ?

A: They are situated in ' Ram-kot' portion of Ayodhya.

Besides pillar bases, evidence of existence of a temple at disputed site was noticed during course of excavation as I have already stated earlier there are various items, which pertain to temple architecture. Antiquities which were recovered during day to day excavation e.g. 'Karna-amalaka' figure of Mother Goddess, Sri-vatsa symbol and Shiva-Parvati idol riding on the mount Bull (Nandi) or some of the items which indicate the existence of a Hindu temple at the disputed site, prior to the construction of disputed structure.

A Garud-dhwaja was also found at the disputed site during the excavation having a writing in 'Devnagri' although this Garud-dhwaja is in small size but it is indicative of a Vishnu temple at the site. A circular pit cut in the fourcourt of the paved brick floor in trenches J and K series perhaps in trench no. J-4 and K-4 in front of the entrance part was also found during excavation although the real pillar was missing. I mean to say that the pillar or 'Stambh' was missing. Dhwaja

www.vadaprativada.in

means flag or 'Stambh' or both. In English 'Stambh' means pillar. As far as the pit is concerned, the Garud-Stambh which was there, was missing but some other 'Stambh' was found lying there having an inscription written in 'Devnagari' was found there as stated earlier. These are some of the items which speak about the existence of a 'Vishnu' temple at the site and having a subsidiary shrine dedicated to 'Shiva' and another dedicated to 'Durga' which has Lion as her mount. The Vishnu temple and the temple dedicated to 'Shiva' are two distinct temples. Thus the total number of temples were three. 'Vishnu' temple being the central temple and main temple, whereas the other two temples 'Shiva' temple in south and 'Durga' temple in north were subsidiary temples having a common big pillared hall and a common entrance in the east with the 'Garuda-stambh' in the east as stated earlier. All the aforesaid three temples were raised at the same period. These temples were existing over floor 3. These three temples existed till their destruction i.e. up to 1528 A. D. These three temples were built in the early part of the 12th century A. D. i.e. somewhere near about 1130 A. D. during the time of 'Govind Dev' a 'Gahadwal' ruler of Kanauj.

Q: What is the evidence which has been discovered during the course of excavation regarding (1) the period of

www.vadaprativada.in

these three temples said to be raised in 1130 A. D. (2). The ruler who made the temple (3). Entrance gate (4). alleged destruction of these temples in 1528 A. D. ?

(Km. Ranjana Aghnihotri Advocate raised the objection to the above question that the idea behind asking multiple question is only to confuse the witness and to waste the valuable time of this court, therefore such question should not be permitted to be asked.)

A: One 'Devnagari' inscription as indicated earlier having the words 'Garuda-Stambh' and a part of inscription as mentioned in the ASI report mentioning the words 'Napala' were found during excavation which give an idea of the presence of a temple at the site and regarding number 2 also they may have some relevance. Regarding number 3 also near the steps there were lying some architectural members which give an indication of an entrance in the east, so far as the item number 4 the date of 1528 is given for the construction of disputed structure, which is lying just over the pillar bases sealing the same, hence that may be considered to be the period of the destruction of the temple complex also, as traditionally known in Ayodhya. Besides the above items found during the excavation an inscription has been found prior to this

www.vadaprativada.in

excavation and which has been published also, gives an idea about the existence of a Vishnu temple at the site.

These are the main items which I remember that go to establish the four points asked in the above question. Said voluntarily since the archaeological evidence is generally found in piece meal at the ancient sites, a picture is to be evolved by the excavators to put before the world their results, in a presentable form.

Q: Here the excavation has been carried on which has been witnessed by you from beginning to end and a written report with the details of the items found during course of excavation is on record and you have gone through the same and as such kindly indicate whether some furthur thing have also been found pertaining to the above four points as mentioned in the ASI report and allied record submitted by the ASI ?

A: Besides the above, potteries have been found of the same period.

Q: Kindly indicate the particular potteries also indicating as to relating to which point of the question which pottery indicates ?

A: I can reply this question after going through the contents of the report submitted by the A.S.I , tomorrow.

www.vadaprativada.in

Statement read and verified

06-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 07-02-2007 for recording further cross-examination of this witness

H. S. Dubey 6.2.2007

(H. S. Dubey)
Commissioner
06-02-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

07-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S No 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 06-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

In reply to the last question put to me yesterday wherein I had stated that I can give answer of this question after going through the contents of the report submitted by the ASI. Now I have gone through the report in this regard, my reply to the above question is that 'The pottery of Medieval Sultanate, Mughal and late Mughal period VII to IX combined together indicates that there is not much difference in pottery wares and shapes and hence they are not segregated, but instead clubbed together. However the distinctive pottery of these glazed ware is made of well lavigated clay having ordinary terracotta core

www.vadaprativada.in

or whitish sandy core. The shapes of both painted and plain are bowl, dishes and a basin in different hues of brown, grey and turquoise green. Paintings are done in black, green, yellow and white and display geometrical floral and fish motifs. The other potteries of this period comprise of red ware having slip or without slip and sometimes mica-dusted. The shapes encountered are dish, lid, basin-cum- handi, bowl, vase lamp and a bell. The hukkas are in red as well as Mughal grey ware. Painting on the red ware pottery is totally absent and decorative elements are only confined to both pre and post firing incised decorations'.

'Few foreign ceramics like ..... in blacked slipped ware'. My above statement is reproduced from the contents of the report given at pages 108 and 109. I rely this statement in support of my contention. Above statement throws light on the four points asked in the question given at pages 122 and 123 of my statement. Nothing more has to be indicated by me in regard to above from potteries.

I had stated yesterday that 'Ram-janam-Bhumi complex' and 'Ram-janam-Bhumi area' are situated in 'Ram-kot' portion of Ayodhya. My this statement is based on the Faizabad gazetteers and some other publications also. In other publications I recollect at this time Dr. R. Nath's book on "Babri Masjid and its remains at Ayodhya" published

www.vadaprativada.in

somewhere in the year 1990 or so. By term 'Ram-kot' I mean that area where 'Ram-janam-Bhumi' is situated in the eastern side of the river 'Saryu'. In the west of the 'Ram-janam-Bhumi' area there lies dried up bank of the river 'Saryu' or 'Ghaghra', in the north of this area is situated the 'Sita-pak'/ mound and in the south of this area their lies a raised 'embankment' having a lesser height than that of the 'Ram-janam-Bhumi' mound say 25 feet approximately and a Shesha-avatar temple. In the east of this area lies the 'Manas Bhawan'. I don't recollect Mohalla, Ward, Tehsil or Village of this area. I don't know the dimensions of the 'Ram-kot' area. By term 'Ram-kot' I mean 'citadel' or 'castle' in the name of Lord Sri Rama. The word 'citadel' does not mean place of origin but it means 'Fort' or 'Qila'. Word 'castle' means palace. I did not try to know about the dimension and area of 'Ram-kot'.

I have stated that word 'Dhwaja' includes the 'flag' and the 'stambh' both, the 'flag' is hoisted on the 'stambh' or 'Qila'. As per my own saying the pillar having 'Garuda' was found at disputed site during excavation but it did not pertain to the one which would have fitted with the post-hole in trenches J and K. so far as I recollect there was a small pillar having a 'Garuda' with inscription in 'Devnagri' script as 'Garuda-Dwhaja' was inscribed there on the pillar. No flag as understood in common parlance was found there, the symbol of

www.vadaprativada.in

www.vadaprativada.in

'Garuda' was inscribed at the stone pillar coupled with the inscription of 'Garuda-Dhwaja' in 'Devnagri' script being there. I have mentioned about Faizabad gazette. I recollect only one Faizabad district gazetteer of the revised series published after 1947, the general editor or compiler being E. B. Joshi. This gazetteer pertains to sometime in 1950 or 1952, if I remember correctly, it may be that this gazetteer might have been published in the year 1960.

I have gone through only one gazetteer in this regard and also I have read only book written by Dr. R. Nath in this connection. I have also read local booklets on Ayodhya. These books don't mention any thing about excavation as they were written prior to this excavation and give the details of different places of religious importance situated in Ayodhya and near about.

Q: You are appearing in this court as an expert archaeologist who has witnessed a long five month excavation with his own eyes and you have gone through the report submitted by the ASI and have to testify regarding the ascertaining of the three temples being allegedly built there around 1130 A. D. by Rajput rulers and their in demolition in 1528 A. D. and there being a gate in east of the same on the basis of the artefacts noticed during excavation and while replying question on these aspects you are going too far. Whether it may be assumed that

www.vadaprativada.in

nothing such has been noticed during excavation and you are making such reply to evade the question or to enlarge the examination. What do you have to say in this regard ?

A: I have already mentioned the facts which were required as per the querry of the learned cross examiner without evading any thing. The report of the A.S.I gives exhaustive details of the excavation. There are published reports giving the details of temple architecture of northern India of that period. I feel when the main temple of 'Sri Ram Lala' was existing in the centre, there had been two other sub-shrines of 'Lord Shiva' in the south and 'Durga devi' in the north. Although there is no mention of above mentioned two subsidiary shrines in the ASI report but on the basis of finds I have drawn my own conclusions in this regard about these two shrines also. Regarding the shrine of 'Shiva', the stone decorated crocodile mouthed pranala (chute) was found during the excavation and the sculpture of 'Shiva-Parvati' was also found although it was in a very damaged position. Regarding 'Devi' temple the terracotta figurine of mother Goddess was found.

ASI report volume-II (plates) was shown to the witness, the witness on being shown plate no. 235, stated that this is the divine couple (Shiva-Parvati) figurine found during excavation. After seeing the plate no. 23 of the above report, the witness stated that the Makar-pranala stated by me is visible in this

www.vadaprativada.in

plate. This stone having such carving was found in a foundation wall. This stone was found in the wall. So far as I recollect this stone was embedded in foundation of some structure. I don't recollect the number of structure or the number of wall where this stone was embedded but it was in the upper level of trench D-7. I don't recollect its layer number. Layer number can be stated after going through the report but it will take a long time. It is not possible today, I can reply about it tomorrow. I don't recollect whether the stone as depicted in plate no. 235 was found on the surface or below it but that much I recollect that this was brought before us while making daily records of the finds.

Q: Whether it is correct to say that in archaeological excavation whatever is found during course of excavation in the trenches insitu position is only taken to be archaeological evidence and the material found in pits, dumps and surface or otherwise is not held to be archaeological evidence ?

A: No, in archaeological excavations whatever is found in that particular trench or area whether on surface or in the pits and dumps while digging - all these things are taken into account to evolve a picture, so to consider any thing superfluous, Once the decision of excavation is taken, is not justified.

www.vadaprativada.in

www.vadaprativada.in

Any material which is not found 'insitu' position in a trench will also be considered as archaeological evidence.

I don't recollect at present regarding any other items to be relevant to the four points as asked in question given at page no. 122 and 123. Antiquity register prepared by ASI was shown to the witness who stated that from serial no. 1 to 1346 antiquities are mentioned in this register and this register has got many columns i.e. date, trench number, object, material, layer and measurement of the antiquities found during excavation. I feel that all the antiquities recovered during excavation have been shown and properly recorded in this register. The antiquities mentioned by me in my statement would also be included in this register. Unless I go through this register I am unable to state as to whether all the antiquities mentioned by me in my statement are recorded in this register or not.

www.vadaprativada.in

With reference to para 27 and 28 of my affidavit, the witness stated that my confidence regarding scientific excavation and documentation of the materials by the ASI is not shaken. My confidence is not shaken but unless I go through the antiquity register, I can not say whether the antiquities mentioned by me in my statement are included in this register. Normally they should find place in this register which gives an exhaustive list of the finds.

www.vadaprativada.in

Q: Despite still praising the ASI and the list of antiquities prepared by them to be exhaustive one, you are not sure that the antiquities noticed during the course of excavation as mentioned by you in your statement find place in that antiquity register or not ?

(Km. Ranjana Aghnihotri, Advocate raised the objection to the above question that the question has already been replied. The antiquity register was not prepared before the witness therefore if any question is being asked from the antiquity register it must be shown to the witness. Repeatedly asking the same question is nothing but harassment of the witness and levelling accusation against the witness is against the sprit of Evidence Act)

(In reply to the above objection the learned cross examiner submitted that the objection is absolutely alien to the question put to the witness. The question is not regarding any particular antiquity but the question relates to the confidence of the witness)

A: It is one thing to examine an issue critically and review it, but quite other to impute motives against any institution or individual or individuals, as the case may be. I think the excavation has been done quite impartially and the records have been maintained as per the scientific norms of the present

www.vadaprativada.in

day techniques of digging. I am confident about the pattern adopted by the A.S.I.

Q: What do you mean by imputing motives do you want to say that any thing has been imputed to anybody in putting the question by me ?

A: I think the questions put by learned cross examiner are self evident regarding the same.

Q: The question being self evident as you say then how the necessity arose to state about imputing motives ?

(Km. Ranjana Aghnihotri, Advocate raised the objection to the above question that levelling such type of accusation against the witness did not help this Hon'ble court in any manner and it is of no help in the decision of this case but this is only delaying tacties and wastage of time of this Hon'ble court and also creating undue pressure to the witness to disturb him. Such type of questions levelling personal allegations should not be permitted to be asked rather it should be strictly prohibited.)

A: The manner in which the questions have been put about the methodology of the recording by the ASI people and my own assessment of things as also explained repeatedly is enough to sustain the contents of my statement.

Q: Whether apart from what ever inference you 'draw regarding the question put by me pertaining to ASI you

www.vadaprativada.in

anywhere feel disturbed, accused or confused by my any question ?

(Km. Ranjana Aghnihotri, Advocate raised the objection to the above question that it appears from the question of my learned friend that he has no relevant material to be asked and due to absence of relevant material on archaeology or excavation report he is asking such type of questions. He is only wasting time of the Court)

(Sri Rakesh Pandey Advocate, raised the objection to the above question that the question put to the witness is tainted with intention to insult the witness and such types of questions can not be allowed to be asked in view of the provision contained in sections 151 and 152 of the Evidence Act)

A: I think I have made my self clear on the issue, I feel whatever I had stated in my humble way, is enough to cover all the aspects.

Statement read and verified

07-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 08-02-2007 for recording further cross-examination of this witness

(H. S. Dubey)
Commissioner
07-02-2007

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

08-02-2007 D.W. 20/5 Jayanti Prasad Srivastava

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S No 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 07-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

A.S.I has numbered the floors also found during excavation. The pillared structure was at floor no. 3 and the three temples indicated by me were also on this very floor. The A.S.I. has indicated about all the floors, some being made of 'cement', some of 'mud' and some of 'lime-surkhi'. The depth of different floors from the surface has also been indicated by A.S.I. The depth of floor 3 from the surface can be stated only after seeing the A.S.I.'s report. Floor three was made up of perhaps 'lime-surkhi'. Appendix-4 which commences from page no. 291, of the A.S.I.'s report, volume-I and ends at page

www.vadaprativada.in

www.vadaprativada.in

no. 309, gives the details regarding different structures, trench number in which they were found, depth of excavation, structures found and other artefacts recovered during excavation. At page 295, in trench no. ZE-2, floors 1, 2 and 3 are mentioned. At serial no. 44, of this appendix, separate depths of floor 1, 2 and 3 from the surface have not been mentioned but total depth of 200 c. m. is mentioned in column 3, of this appendix meaning thereby that all these three floors were existing within that depth. At serial no. 45, in column 4, at serial no. 3 to 5 floor no. 1, 2 and 3 have been shown to be made of lime, lime and brick bats respectively. In this case also, in column no. 3, common depth of these three floors have been mentioned as 255 c. m. The depth of each floor separately has not been shown. At serial no. 46, in column no. 4, at number 2, floors 1 and 2 are mentioned and their common depth from surface is given as 140 c. m. Separate depth of these two floors has not been given. Similarly of what material these floors were made of is not mentioned. From this entry it is apparent that floor 1 and 2 were within the depth of 140 c. m. from the surface. The expectation is that floor no. 1must have been at upper level whereas floor 2, at the lower level and the maximum depth of floor 2, must be 140 c. m. and not beyond that. At serial no. 47, in trench no. E-2, floors 1 and 2 have been mentioned in column 4, their common depth from the

www.vadaprativada.in

www.vadaprativada.in

surface is mentioned as 270 c. m. At serial no. 51, in trench no. E-6, in column no. 4, floors 1 to 4 have been mentioned, their common depth from the surface has been mentioned as 285 c. m. At page no. 296, of the above report (appendix 4) at serial no. 52, in trench no. E-7, in column 4, at serial no. 5, 6 and 7 floors 2, 3 and 4 are mentioned respectively, their common depth from surface is mentioned at 278 c. m. Floor 1 and 2 are of lime-surkhi whereas floor 3 is of lime-surkhi with gradients and floor 4, is made of brick crushed (semi-powdered). Here 'gradients' mean that some other material was also found with lime-surkhi. At serial no. 53, on the same page in trench no. E-8, in column 4, floor 1, 2 and 3 made of lime-surkhi, lime-surkhi and brick crush respectively and common depth of 354 c. m., is mentioned. Trench no. E-7 and E-8 were adjacent to each other. Fourth floor must have been below 354 c. m. as per entries given regarding serial no. 53 as mentioned above. In the adjoining trench of trench E-8 that is trench E-7, the depth of floor 4, must have been within the depth of 278 c. m. Said voluntarily in trench E-8, floor 4, must not have been existing at all as there is no mention of it against serial no. 53, in column 4. The depth of same floor may vary in different trenches from surface even in adjoining trenches due to contour (undulation) of the site. "The depth mentioned in column 3, of the appendix 4, is from the common surface regarding all the

www.vadaprativada.in

www.vadaprativada.in

trenches". If the depth of a floor from a common surface is shown 150 c.m. in respect of a particular trench and 300 c.m. in respect of other trenches pertaining to that very floor then this variation of depth of floor is, due to variation of the depth on the same floor. Said voluntarily that this variation is due to undulation (contour) of mound. The depth given in appendix 4, with regard to different trenches is below the surface of each trench.

Q: You have stated just before ' the depth mentioned in column 3, of the appendix 4, is from the common surface regarding all the trenches (at page 138)'. Whether you find some inaccuracy in your statement ?

A: There is no inaccuracy in that statement only the position has been explained that the depth had been taken from below surface of each trench. Word 'common' is used in this sense that it is invariably from the surface.

There is no need of mentioning above fact in appendix 4, as it is the common practice for taking measurements during excavation. If required and found necessary, a reader has to ascertain the surface of each trench to know the actual depth of different artefacts found in the trench. Surface of each trench is not given in appendix 4, as it is not necessary to mention it. To know the height, contour plan of the site would be there

www.vadaprativada.in

prepared before the start of excavation. In this report of A.S.I contour plan has also been given.

Contour plan has been given at page 13-A, as figure 1, the surface of trench E-7 and E-8 can not be said on the basis of this figure 1, however the different heights given from the mean sea level are given as 106, 107 and 108 which give the details of undulating position of mound as 106, 107 and 108.

Q: Kindly give the difference in the surface level of trench E-7 and E-8 ?

A: The answer of this question has already been given describing depth from mean sea level as 106, 107 and 108.

Q: Whether by going through the ASI report and the other material it can be anywhere found that if a particular floor is mentioned in appendix 4, in a particular floor at 250 c.m. and the same floor in the adjoining trench at 280 cm. Then what would be the actual difference in the two floors as now you have said that depth in appendix 4, regarding all the trenches is not common but varies from trench to trench ?

A: As already explained above the height of the mound differs from trench to trench due to slope or undulation of the area as given in the contour plan. The depth is taken invariably in each trench from the surface of the trench and as per the pegs fixed while demarcating the grids for the excavation purposes. If felt necessary to know the actual depth of any object, in a

www.vadaprativada.in

particular trench three dimensional measurements are taken from peg to peg, otherwise as a normal routine the depths are taken below the surface of each trench and it is not necessary to mention this fact in each and every case.

Q: Kindly help me appreciating my incompetancy despite the detailed principles stated by you and make me know the depth of floor 3 and 4 in different trenches in appendix 4, from any of the record submitted by the A.S.I ?

A: As already clarified above the depth recorded below the surface of each trench is given in appendix 4.

Q: Can we at all not know the difference in depth of floor 3, in different trenches and in the same manner difference of floor 4 ?

A: Whatever is given in the appendix 4, the same is to be taken as the depth, any furthur information may be had by calling the team leaders who will be the more correct persons in this regard.

Q: Do you feel that there could be variation of 2 meters in the surface of trench F-5 and F-6 ?

A: Yes, it could be there because the trench F-5 is at a higher level than the other one which is at a lower level.

Q: You have been at the excavation site from begining to end. Kindly give the difference of surface level among trenches E-6, E-7 and E-8 if possible ?

www.vadaprativada.in

www.vadaprativada.in

A: It can be assessed on the basis of the contour plan and for any further exact details it is not possible for me to give the details on mere eye-observations. It could also be got ascertained from the team leader.

Q: As you have just now said that the difference of surface level of these three trenches E-6, E-7 and E-8 can also be known by assessing with the contour map. Kindly indicate the difference by assessing from the contour map as the same is before you at page 13-A of the ASI's report volume-I ?

A: It is not possible to give the difference of the surface of these trenches than what is already marked as 106, 107 and 108 in the contour map.

Q: This 106, 107 and 108 indicated by you, as for finding place in the contour map is 'feet', 'yard', 'centimetre' or 'meter' ?

A: This number gives the height from the mean sea level as explained earlier and indicates that the area is slopy. The mean sea level as mentioned in contour map is in metric scale.

Q: Above figure 106, 107 and 108 is denoted in 'meters', 'yards', or 'centimetre' ?

(Km. Ranjana Agnihotri Advocate, raised the objection to the above question that the reply of the above question has already been given in archaeological manner. Repeatedly asking such type of questions is only wastage of time,

www.vadaprativada.in

www.vadaprativada.in

harassment of the witness and creating undue pressure over him)

A: If any thing more is required as stated above, the team leader be called to clarify the position on the exact lines. I am not in a position to do the same.

Appendix-1, at page 273, of the ASI report volume-1 was shown to the witness, who on going through this appendix stated that column 1 of this appendix mentions sample number and its depth in centimetres from which samples were taken.

Q: Whether on the basis of these samples, the age of the samples has been determined which is mentioned in the last column as calibrated age range ?

A: The age is given against each sample in the chart as shown in appendix-1 at page 273.

The age of the samples which is given by the B.S.I.P being a scientific organisation, is to be taken as correct.

Q: Whether the age as given at this page regarding the samples of different depths would be the age of the whole area excavated for that depth or this age would be regarding the very trench from where the samples have been taken ?

A: Primarily this will be for the concerned trench, but it will indicate the age of the whole area of the mound also as far its chronology is concerned.

www.vadaprativada.in

www.vadaprativada.in

Q: You have stated that the depth of a particular point in a trench recorded by the ASI is not common as the surface level of each trench is not common and as such a floor or structure found at a particular depth in a particular level could be at a different level even in the adjoining trench. As per your saying the depth so recorded being different how the result of the sample taken from a trench of a particular depth can be relied for the very depth of the other trench ?

A: The result comes from the scientific laboratory on the basis of material found in different trenches at different depths which is analysed there. Regarding the depth taken from the surface of different trenches in this context is not to be taken into account which may vary from trench to trench as per height of the mound.

The calibrated age range of sample no. 7 taken from trench G-7 layer 16, from a depth of 9.15 meters, has been mentioned as 1190-840 B.C. This age range will also be applicable to trench G-8, for the same depth. If the difference of surface level is 1or 2 meter, even in that case the lower position may be intact and the result given by the scientific laboratory may hold good for the age of the same depth in adjoining trenches of the mound.

It is wrong to suggest that ASI has recorded depth at different levels taking the surface level of each trench to be

www.vadaprativada.in

common. Said voluntarily the surface level is the point from where the depth is taken in each trench, but it may have different heights. Surface level of each trench is not common but the depth has been taken from the surface in each trench as far the total depth and its results there may not be any difference or inaccuracy.

'Elliptical pillar' bases may also be found during excavation at any site. An 'Elliptical pillar' base is elongated egg like structure on plan. In plan the elliptical pillar base may be both vertical or horizontal as case may be. Among the 50 pillar bases exposed during excavation as said by me were mostly circular in shape and some of them were also rectangular as mentioned against each pillar base in the report. I don't recollect as to whether any of the pillar bases so exposed was 'Apsidal' 'Elliptical' or 'Square' in shape. I can state this fact after going through the report where description of each pillar bases is given. The maximum and minimum size of the pillar bases can be stated by me only after going through the above report. The variations in size of these pillar bases may be of some centimetres and not a big difference like 50 cm. or 150 cm.

With reference to first para, on page 53, of the ASI report volume-1, the witness stated that in trench F-3, in an area of 2.50 X 2.50meters, floors of the central chamber were

www.vadaprativada.in

www.vadaprativada.in

encountered with parts of the inner faces of the southern wall (wall 10) and eastern wall (wall 11) of the northern chamber of structure 3 (plate 31). In trench F-4 and F-5 the floor of central chamber was found, besides earlier floors.

On page no. 24 and 25, at serial no. 32, 33 and 34, description regarding trench no. F-3, F-4 and F-5 is given in relation to G.P.R. survey and its anomalies. In the description with regard to serial no. 32 (trench F-3), there is no mention of any floor. Similarly at serial no. 33 and 34 (trench no. F-4 and F-5 respectively) there is no mention of any floor. These trenches were exposed for the verification of the anomalies as pointed out by the G.P.R. survey report.

Q: Whether a 'Pakka floor' of 'cement' or 'lime-surkhi' could not be an anomaly in this context as per GPR survey report and its verification by excavations ?

A: It could also be there if it had been mentioned in the G.P.R. survey report.

Q: Kindly indicate whether regarding the existence of floor in trench F-3, F-4 and F-5 we have to rely on para 1, of page 53, or the narration at serial no. 32, 33 and 34, pages 24 and 25 of the report ?

(Sri Ved Prakash Advocate, raised the objection to the above question that the question involves many facts and for

www.vadaprativada.in

each fact separate question should be asked as such this multiple question should not be permitted to be asked)

A: Regarding the floors the facts are given at different places in the report whereas in this case the report is concerning the verification of anomalies only.

Statement read and verified

08-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 09-02-2007 for recording further cross-examination of this witness

(H. S. Dubey)
Commissioner
08-02-2007

8.2.2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

09-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 08-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

The importance of 'mean sea level' with reference to present excavation at the present site is like other excavations. It is used just to know the height of a particular site from 'mean sea level'. The term 'Mean Sea Level' denotes the height from sea level. The word 'mean' is used for arriving at an average base from which the height is measured. The word 'bench-mark' is used for the point from where measurement is done for the purpose of preparation of revenue records. I don't know about the dictionary meaning of these two terms i.e. 'mean sea level' and 'bench mark'. Whatever I know about these two

www.vadaprativada.in

www.vadaprativada.in

terms I have stated here in above. Broadly speaking the surface level of different trenches may be different due to undulations of the site as well as due to accumulations of the debris at the site but the lower part may not be disturbed because that comes just above the geological formation of the land. Archaeology starts where 'Geology' comes to an end. Broadly speaking the depth of a floor or layer or structure would be less in depth and if measured by mean sea level, it would be the same in a particular area in different trenches. Due to variation of height on the surface level of trenches, the height measured from different surface levels may vary from place to place at a particular site. For instance the floor of this Hon'ble court's room if measured from the height of the dias will be different from that if measured from the top of the table levels below the dias and, will be different similarly if it is measured from the top level of the table below its depths will get furth r reduced and will be obviously different. Whereas the floor of the room is one and the same. The depth of different floors at the disputed site and in the same manner the depth of different trenches is different.

The difference as seen in the appendix-4, of ASI report volume-1, page 291 to 309, regarding different floors and structures in different trenches may also be for the same reason.

www.vadaprativada.in

With reference to pages 56 to 67 of the A.S.I.'s report volume-1, the witness stated that details of the pillar bases said to be exposed from pillar base no. 1 to 50, have been tabulated in these pages. On page 56, in headings of different columns pillar base number, trench number, shape, size in centimetres, number of brick bat courses, material of stone blocks, number of blocks, size of blocks, material and measurement of top block, material and measurement of the orthostat and other features have been given. At serial no. 31, on page 63 there is an elliptical formation partially exposed as mentioned. Its size is 126 X 198X 38 cm. This was both horizontal and vertical. The base is horizontal whereas courses indicate its vertical position. At pillar base no. 39, (page 65 of the report) the size of said pillar base has been mentioned as 42 X 130 X 30 cm. Whereas in the description of so called pillar base no. 42 its size has been mentioned as 43 X 120 X 28 cm. So called pillar base no. 48's, mentioned at page 67, size has been mentioned as 155 X 145 X 40 cm. Square 90 'Ht'. 12. Ht could mean height of 12cm. So far as so called pillar base no. 37, mentioned at page 65, is concerned its size is given as 170 X 170 cm. Pillar base no. 35, mentioned at page 64, is in the size of 170 X 160 X 38 cm. Measurement and every description of these pillar bases as given in aforesaid tabulation from page no.

www.vadaprativada.in

www.vadaprativada.in

56 to 67 is correct. Pillar base no. 42, given at page no. 65, appears to be smallest in its size i.e. 43 X 120 X 28 cm. Whereas the largest pillar base in size is pillar base no. 35, on page 64, its size mentioned as 170 X 160 X 38 cm. It is correct to say that the pillar bases are not similar in size. The variation in their size varies from 3 to 4 times in some cases. From this tabulation it is evident that my yesterday's statement based on my memory that there is only minor difference of some centimetres is not correct because the tabulation of pillar bases given at above pages is based on actual measurements. All the pillar bases may not be on the equal distances and in same alignment. The difference of distance between pillar bases could be there but up to a maximum about 50 c.m. or so. The floors on which these pillar bases have been found are mentioned in the last column of the above table but their depth from the top has not been mentioned. All the pillar bases have not been found resting only on one floor, but they have been noticed in some of different floors such as some of them have been noticed on floor 2 and some on floor 4, whereas many of them are on floor 3.

With reference to my yesterday's statement given at page 147, in reply to the question given at page 146, the witness stated that it is incorrect to say that the anomalies were not

www.vadaprativada.in

noticed in trench F3, F4 and F5, however the description of anomalies given at page 24 and 25 at serial no. 32, 33 and 34 and the description given at first para of page no. 53, both are correct as these descriptions are recorded. The reason may be got clarified from the team leader of the excavation. The contradiction is there as pointed out by the learned cross examiner.

At page 25, of the ASI's report volume-I, at serial no. 34, it is mentioned that the excavation was not conducted in trench F-5 due to area restriction, whereas at page 53, in first para of the same report, it is mentioned that only a small cutting of 3 X 2 meter in between trenches F-4 and F-5 was made to collect more evidence and to verify the anomalies in the G.P.R. survey report and floor of the central chamber was found besides earlier floors. Apparently, it looks to be a contradiction in both the descriptions given at page 25 and 53 but actually the concerned area which was dug was not a part of trench but a different area in between trenches F-4 and F-5. This digging was not made in the trench as claimed at page 53, of the report by the excavators but it was 'between' these two trenches i.e. F-4 and F-5 which could be a 'baulk'.

Q: The width of the 'baulk' indisputably being 1 meter and the digging as stated at page 53, being in an area of 3 X 2

www.vadaprativada.in

meter there appears to be no escape from inferring that the digging has been done in the trench also. what do you have to say in this regard ?

A: Yes, as the position stands concerning the 'baulk'. Since it is only 1meter in width it is just likely that a portion of the trench could also have been dug.

In the fore court area of the disputed site at upper level a 'hearth' was found so far as I recollect. I don't recollect whether any 'furnace' was found during excavation or not. The number of 'hearth' found during excavation could be two also. On the basis of the finds recovered during the excavation, it could be said that particular area was occupied by Muslims. Generally these finds include pottery, bangle fragments, smoking pipe (hukka) etc.

Q: I feel that as regards pottery and bangle-fragments these are the things which in India have been in use of every civilisation ?

A: In cases of Muslim occupation they may have a typical pattern.

Q: Whether this typical pattern is known by any name ?

A: It could be porcelain or some glazed ware or tile.

During excavation these things have also been noticed at disputed site, during the Mughal period. These things depicting

www.vadaprativada.in

Muslim pattern were found in the Pre-Mughal period also. On the basis of such finds in the particular area Muslims could also have occupied the site.

I have not heard about Brian M. Fagan.

'Deewali' is a festival celebrated by the Hindus and sometimes 'Deewali' co-incides with 'Eid' or any other Muslim festival then both the communities celebrate. Children play with toys during festive season of 'Deewali'. Different types of toys are made during this festival. The shape of these toys may be of temple, pitcher, bell, idols of terracotta, these toys are also made of sugar. These toys are also made of stone and metals. Muslim children play with these toys also and during 'Moharram' festival Hindu children use these toys and participate in the religious ceremonies performed by the Muslims. During excavation I had seen three pillars out of which two pillars were in fore court where as the third one was brought out from the debris of the central part. These pillars could be from among the pillars used at the site as some of them had been used in the disputed structure. The height of the pillar found from the central portion in debris was 165 cm. It was square in the base. The base of this pillar could be about 30 to 35 cm. The pillars of same shape and size or even of more height could be there in the disputed structure itself as also

www.vadaprativada.in

reported and mentioned by R. Nath in his book, more over the district gazetteer of Faizabad mentions a pillar being of 7 feet height along with a photograph although the place of its existence is not mentioned therein. I do feel that these pillars could have been used in the pillared hall which I have indicated in my earlier statement to be raised at floor 3. These pillars could be used as load bearing pillars also.

Q: Whether a pillared hall alleged to have been raised in 1130 A. D. is their any certainty that it must have existed for 400 years unless demolished ?

A: During the course of 400 years it could also fall down due to natural reasons and some additions and alterations could also be there covering that period about more than 16 generations.

Q: You have already stated that the area of disputed site has been flood prone and the area also being situated by the side of the river. Whether the pillared hall indicated by you could also be collapsed in course of time by the water of Saryu river flooded over the area ?

(Sri Ved Prkash Advocate, raised the objection that the question is presumptive and such a case has neither been pleaded nor any word has been put in the objections filed

www.vadaprativada.in

against the ASI's report, as such the question should not be permitted to be asked)

(Km. Ranjana Agnihotri Advocate, raised the objection to the above question that the in addition to the above objection I have to add that question is full of imagination and fantasy and totally irrelevant, such question should not be permitted to be asked)

A: Yes, this could be so before the construction of that massive wall which was there for the protection of the flood against this complex from the western side due to river but after that the possibility of the flood in the pillared hall area got reduced. This massive wall has been numbered as wall 16, by the A.S.I.

www.vadaprativada.in

Statement read and verified

09-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

A.S. Bobde
9.2.2007
(A.S. Bobde)

www.vadaprativada.in

157

Put up on 12-02-2007 for recording further cross-examination of this witness

(H. S. Dubey)
Commissioner
09-02-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

12-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 09-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

Approximately 90 trenches were excavated at disputed site during excavation at Ayodhya. So far as I remember 184 anomalies were detected in G.P.R. survey. As per A.S.I.'s report 39 anomalies were confirmed by digging. As per description given in ASI's report from page 19 to 36, 82 trenches were excavated with reference to verification of anomalies found in G.P.R. survey. What ever has been found during excavation at these trenches has been reported in the above pages. This reference is in chapter two under the heading 'cuttings' which commences from page 13 and ends at page 36.

www.vadaprativada.in

www.vadaprativada.in

It has been contributed by four persons namely Sri B. R. Mani, Sri C. B. Mishra, Sri C. B. Patil and Sri A. A. Hasmi. I made a short note of day to day findings while excavation was going on along with others in whose presence the objects were shown. This note is not with me here in Lucknow. At page 55 of A.S.I. report volume-I, it is mentioned that 17 rows of pillar bases were constructed along the north-south running wall (wall 16). They were quite in line with wall 16, which was in the west. The distance of the pillar base in each row from the said wall ranges from 3.60 to 3.86 meter. 17 rows of pillar bases have been mentioned as they have emerged from the excavation on plan. This is based on local tradition, this fact has not been mentioned here in page 55, by the A.S.I. people on the basis of information gathered from local citizens of Ayodhya. By plan I mean plan of the excavated trenches . This plan is attached with the A.S.I. report as figure 3A (page 48-A). I have referred here in above about this very plan. In my opinion grand pillared hall existed over these pillars. The roof of this hall must have been grand but also in consonance with the architecture of the central shrine in the north Indian 'Shikhar style' against the 'Mehrab style'. This could be having a north Indian pattern, Shikhar like, single storied hall, having pillars, brackets and beams. The Shikhar surmounted by 'finials'(kalghi) and four

www.vadaprativada.in

www.vadaprativada.in

openings in the Shikhar. 'Finials' or 'kalg hi' is used at the top of the shrines. 'Finials' are used at the top of Mosques also.

Four floors were detected during excavation in Ayodhya. These floors were numbered from top to bottom as one to four. I have stated many times that pillared structure existed at floor 3, whereas disputed structure was existing over the pillar bases. I don't recollect as to on which floor disputed structure existed but this much I recollect that it existed at a higher floor than the lower one.

A circular shrine in southern part is reported by A.S.I. which existed at a floor which was below floor 3, as it was earlier to the pillared hall. In my opinion circular shrine would have been built sometimes in between 10th and 11th century A. D, meaning thereby it was built roughly 100 years prior to the pillared structure.

'Pillar bases' is the structure on which the pillars were standing. It is true that walls stand on their foundation. It is not true that pillars also stand on their foundation but they stand on pillar bases. Pillars have got no foundation they stand on pillar bases which had foundation of 3, 4 or 5 courses as the case may be, over which the pillars stood. Pillars stood with the half of 'mortise holes', 'tenons', 'clamps' 'grooves', dowels etc. At the bottom there should be masonry pillar base. There

www.vadaprativada.in

www.vadaprativada.in

should be a floor. Within the floor the foundation of the different pillar bases would be there, over which the pillars are made to stand. For pillar purposes foundation and pillar bases is the same thing. There is no distinction in saying ' foundation of a pillar' or 'pillar base' both are the same. Pillar bases are of masonry work sometimes with calcrete stones also over them. Calcrete stones mean pieces of stones fitted in the centre of the pillar bases to give strength to the base, over which the stone pillars are made to stand. Same system will be applicable to masonry pillars, also as against stone pillars as mentioned herein above. Sometimes 'wooden' or 'iron' pillars are used, they also require base in the same manner for the support as stated above. In some cases stone blocks could be required for pillar bases but they should be in proportion to the masonry pillar base. There could be plaster over the pillar bases. As regards essentials of a pillar base nothing more is required for the same. I am conversant with the term ' orthostat ', it is one of the component. It is one of the special components of the pillar base. An 'orthostat ' should always be there in a pillar base for giving strength to the pillar. A pillar base could be with out an 'orthostat ' also with the help of plaster. A pillar base for a stone pillar could be of 'mud-mortar' also. I have come across the 'mortise hole'. Said voluntarily they are

www.vadaprativada.in

www.vadaprativada.in

collected and stored in a tin-shed near disputed site. During excavation they were collected by the A.S.I. people and stored in two 'tin-sheds' which lie out-side the excavated area in the south and west part of the mound. I don't recollect the size of 'mortise-holes'. I can not tell by memory their exact number, but the specimens of mortise-holes are there.

On being permitted by the commissioner, the witness perused the report and thereafter stated that there are about 80 mortise-holes, grooves in the collection of architectural members stored in the tin-shed at the excavated site as given from page 131 to 152. These holes are reported at serial no. 1, 3,7 at page 131, at serial no. 9, 13, 15, 17, 18, 23 and 24 on page no. 132, at serial no. 29, 34 and 36 on page 133. All the holes given at page no. 131and 132 are from the surface whereas those reported on page 133, the member given at serial no. 36 is from a depth of 25-30 cm. All other architectural members given on this page are from surface. Similarly on page 134, at serial no. 42 and 43 from a depth of 35 cm. On page 135, at serial no. 44 at a depth of 35 cm. serial no. 50 from the surface, serial no 54. at a depth of 35 cm. On page 136, serial no. 62, is from surface, Serial no. 64 is from the depth of 30 cm. Serial no. 67, depth at 40 cm. and serial no. 69 is again from surface. On page 137, at serial no. 71, it is from surface. 72 is from

www.vadaprativada.in

www.vadaprativada.in

depth of 30cm. Item 77 is also from surface and serial no. 84, is from the surface. On page 138, at serial no. 87, from the depth of 65 cm, 93 from surface, 94 also from surface, 95 the depth is 145 cm, and 104 is from surface, on page 139 at serial number 110 from surface, serial no. 111 also from surface, serial 113 from surface and 119 from debris above floor 1. On page 140, serial number 121 is from debris above floor 1, 122 also from debris above floor 1, and 124 from debris above floor1.

Q: Whether the architectural members mentioned by you as above ranging from pages 131 to 140 do have any special significance specially belonging to Temple or Mosque ?

A: Since the details pertain to the pillared hall in front of the holy shrine they could have belonged to a Hindu shrine. They can not pertain to a Mosque which is out of context at this place.

Q: Existence of Hindu temple could be your perception. Kindly reply the question in terms put to you whether description of these architectural members as given by the ASI on these pages indicates any thing for exclusively belonging them to Hindu shrine ?

A: As clarified above here the items are given pertaining to temple complex and hence to think of any other structure may be out of context.

www.vadaprativada.in

www.vadaprativada.in

Q: As an archaeologist seeing the description of architectural members as given by the ASI on these pages you are not in a position to decipher any of the above architectural members exclusively belonging to a Hindu shrine ?

A: They do belong to a Hindu shrine on architectural grounds.

Q: Kindly indicate the particular features in any of these architectural members exhibiting it to be exclusively belonging to a Hindu shrine ?

A: In that case each and every item will have to be seen. There are certain items for which details are given in these very pages which denote Hindu architectural features and that is why they could be considered to be so. The details of these features can be given only after going through the description given at above pages. Broad features could be floral design, representation of any sculptural motifs.

On page 141, at serial no. 128 debris above floor 1, 134 from debris above floor 1, 140 from debris above floor1 and 141 from debris above floor1. On page 142, at serial numbers 143 from debris above floor 1, 144 from debris above floor 1, 146 from debris above floor 1 and 156 from debris above floor 1. On page 143, serial no. 157 from debris above floor 1, 158 from debris above floor 1 and 166 from debris above floor 1.

www.vadaprativada.in

www.vadaprativada.in

On page 144, at serial number 170 from debris above floor 1, 173 from debris above floor 1, 174 from debris above floor 1, 176 from debris above floor 1, 177 from debris above floor 1, 178 from debris above floor 1, 181 from debris above floor 1 and 184 from debris above floor 1. On page 145, at serial numbers 185 from debris above floor 1, 186 from debris above floor 1, 189 from debris above floor 1, 192 from debris above floor 1, 193 from debris above floor 1, 195 from debris above floor 1 and 198 from debris above floor 1. On page 146, at serial numbers 203 from debris above floor 1, 204 from debris above floor 1, 206 from debris above floor 1, 207 from debris above floor 1, 208 from debris above floor 1, 211 from debris above floor 1, 212 from debris above floor 1 and 214 sand stone slab with an iron t non still in position from debris above floor 1. On page 147, at serial numbers 218 from debris above floor 1, 219 from debris above floor 1, 221 from debris above floor 1 and 224 from debris above floor 1. On page no. 148, at serial number 226 from debris above floor 1, 228 from debris above floor 1 and 229 from debris above floor 1. On page 149, at serial numbers 233, from debris above floor 1, 237 from debris above floor 1, 238 from debris above floor 1, 242 from debris above floor 1, 243 from debris above floor 1 and 244 from debris above floor 1. On page 150, at serial numbers 251

www.vadaprativada.in

www.vadaprativada.in

from debris above floor 1 and 257 from debris above floor 1. On page 151, at serial number 258 from debris above floor 1, 260 which has a prominent iron dowel from debris above floor 1, 262 from debris above floor 1, 264 from debris above floor 1, 269 from debris above floor 1 and 272 from debris above floor 1. Similarly on page 152, at serial numbers 274, from debris above floor 1, 275 from debris above floor 1, 278 from debris above floor 1, 279 from debris above floor 1, 281 from debris above floor 1 and 284 from debris above floor 1 are the architectural members having grooves, mortise holes etc.

Q: Kindly indicate the particular features at page numbers 141 to 152, if any of these architectural members exhibiting it to be exclusively belonging to a Hindu shrine ?

A: Ghat pallava design (vase and foliage design), Amalaka design, Kirti-Mukhasa, Gana, Mala-Sthanakas, Stylised Lotus pattern, Ghatas (pitchers) are some of the prominent types which represent Hindu pattern of architecture.

In A.S.I.'s report volume-I, in chapter 2, from pages 19 to 36, details of the trenches where the anomalies were verified, are given. There is no mention of any pillar base from serial no. 1 to serial no. 124 (from page 19 to 1st item at page 23). At serial no. 25, in trench no. E-2, there is mention of one rectangular stone pillar base at a depth of 1.80 meter, at serial

www.vadaprativada.in

no. 26, 27 and 28 there is no mention of any pillar base having been found in trench no. E-3, E-5 and E-8. On page no. 24, at serial no. 29, in trench no. E-9, a pillar base was found at a depth of .60 meter. At serial no. 30 to 32, on page 24 and serial no. 33, 34 there is no mention of any pillar base having been found in trenches no. ZF-1, F-2, F-3, F-4 and F-5. At serial no. 35, in trench F-6 there is mention of three pillar bases having been found at the depth of .70 meter, .55 meter and at the depth of 1.60 meter respectively. At serial no. 36, in trench F-8 a pillar base is found at the depth of .70 meter. On page 26, at serial no. 37 in trench no. F-9 a pillar base is found at a depth of .50 meter. At serial no. 38 it is mentioned that in trench no. ZG-1 a pillar base at the depth of .50 meter was found. At serial no. 39, it is mentioned that in trench G-2, two pillar bases were found at a depth of 2.20 meter. There is no mention of any pillar base at serial no. 40 of this page and serial no. 41 on page 27. On the same page at serial no. 42, in trench no. G-5, a pillar base at a depth of 2.05 meter was found. There is no mention of any pillar base at serial no. 43 and 44. At serial no. 45, in trench no. G-8, a pillar base was found at a depth of .90 meter. On page no. 28, at serial no. 46, in trench no. G-9, a pillar base at the depth of .20 meter was found. At serial no. 47, in trench no. ZH-1, a pillar base at the depth of .55 meter was found. At

www.vadaprativada.in

www.vadaprativada.in

serial no. 48, two pillar bases were found respectively at the depth of 1.50 and 0.70 meter. On page no. 29, there is no mention of any pillar base at serial no. 49 to 51. At serial no. 52, in trench no. H-5, a pillar base is found at a depth of .82 meter. On pages 30 to 36, at serial numbers 53 to 82, there is no mention of any pillar base having been noticed in the trenches mentioned against these serial numbers. The total number of pillar bases mentioned on above pages with reference to verification of anomalies as indicated in G.P.R. survey report is 18. On pages 56 to 67 details of the pillar bases are tabulated. The total number of pillar bases shown in this table is 50. In this table in the heading the pillar base, trench, shape size in centimetre, number of brick bat courses and material of stone blocks and number of blocks, size of blocks, material and measurement of top block centimetre, material and measurement of orthostat and any other feature are given. I see no contradiction in these two tabulations as in both the tables the headlines are given in the report. Whereas the first table pertains to the confirmation of anomalies pointed out by the G.P.R. survey report, the second table pertains to the detail of each pillar base.

Q: Do you want to say that at pages 19 to 36 (ASI report vulume-I) only the things found with reference to anomalies

www.vadaprativada.in

have been mentioned and the other things noticed during excavation have not been mentioned there ?

A: Yes, because it was not relevant there.

Q: At pages 19 to 36 in serial no. 1 to 82, each and every thing which has been noticed during excavation is written in detail and your saying that it is only with reference to anomalies and other things noticed have not been written here is incorrect ?

(Sri. Ved Prakash Advocate, raised the objection to the above question that the question is confusing and the details given at above pages are the details mentioned in the G.P.R. whereas at page 56 to 67, the results given after excavation are mentioned as such this question should not be allowed to be asked) .

A: The first tabulation pertains to the GPR survey before the excavation whereas the second tabulation pertains to after excavation giving the details thereof. Both of them have been properly mentioned in the report as sub headings.

Statement read and verified

12-02-2007

www.vadaprativada.in

www.vadaprativada.in

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 13-02-2007 for recording further cross-examination of this witness

H. S. Dubey 12.2.2007

(H. S. Dubey)
Commissioner
12-02-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

13-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 12-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

During the course of excavation two ''Ram-chabutras' were recovered, one was on the top and another one was below that in the same part. This ''Ram-chabutra' was found in trench no. J-7 and J-8. On page 51, in last but one para it is mentioned that in trench J-6, the last two phases of the extension of the 'Chabutra' were noticed and the outer phase of its lower two levels of construction were seen in trench K-6. The plastered surfaces of its levels were noticed in trenches K-7 and K-8. It is mentioned as structure one. In figure 3A (page 48 A) of the ASI report volume-I, structure one has been shown in trenches

www.vadaprativada.in

www.vadaprativada.in

J-7, J-8, K-7 and K-8. The whole complex of 'Ram-chabutra' is confined to these four trenches and not beyond that.

On page 27 and 28, at serial no. 45, it is mentioned that in trench no. G-8 a retaining wall of 'Ram-chabutra' from surface and a pillar base underneath were found and it is also written 'third anomaly- ringing signal was shown was not excavated up to the required depth because of the existing 'Ram-chabutra''.

Q: Your statement is that 'Ram-chabutra' was confined to four trenches J-7, J-8 and K-7, K-8 and such a mention was also there at page 51, figure 3A. Now kindly indicate which of the two versions is correct ?

A: Both versions are correct in a sense that main 'Ram-chabutra' is restricted to J-7, J-8 and K-7, K-8 but it had its extension in the west also in the form of a retaining wall.

My above statement which reads ' The whole complex of 'Ram-chabutra' is confined to these four trenches and not beyond that' is also correct giving the position of the main 'Ram-chabutra' whereas its extension in the west having a retaining wall as its extension as mentioned in the report also gives a proper position. By term 'Extension' I mean the construction of 'Ram-chabutra' complex at different stages from bottom to the top. All phases of construction of 'Ram-chabutra' from top to bottom also covered trench G-8, for its

www.vadaprativada.in

www.vadaprativada.in

extension besides above four trenches. In trench G-8, any part of 'Ram-chabutra' was not there but its extension in the shape of retaining wall was there. On page 28, in last sentence pertaining to serial no. 45, which reads ' The area where the third anomaly-ringing ..... existing 'Ram-chabutra'' mentions that extension of 'Ram-chabutra' complex was in trench G-8. It does not mean that 'Ram-chabutra' itself was there in trench G-8, it has already been shown else where. I don't recollect whether extension of 'Ram-chabutra' was also in any other trench. On page 30, at serial no. 53, in last sentence it is mentioned that the excavation was not conducted in the area where the second anomaly was shown due to existing 'Ram-chabutra'. From this description it is evident that 'Ram-chabutra' existed in this part of trench H-6, but as it has already been mentioned to be existing in other trenches towards east this part of trench H-6, comes in the extended part of 'Ram-chabutra' complex in the west. My earlier statement that 'Ram-chabutra' is confined to only five trenches viz J-7, J-8 , K-7, K-8 and G-8 is correct and since this trench H-6 comes in between trench G-8 and J-7 and J-8, naturally trench H-6 also forms in the same complex.

Q: You have identified initially the 'Ram-chabutra' to be confined in trenches J-7, J-8, K-7 and K-8. You have stated that

www.vadaprativada.in

www.vadaprativada.in

this 'Ram-chabutra' complex did not comprise any other trench, later on you have added that its extension was in G-8 also, and again you made a definite statement that it does not find at any place anywhere except in these five trenches, now you are adding one more trench comprising 'Ram-chabutra'. Kindly indicate at one stroke that in total how many trenches this 'Ram-chabutra' or its extension was noticed ?

A: The position as explained in figure 3A (page 48 A) is already there. I take this figure 3A to be correct as it depicts factual position.

Amongst significant features of Hindu religious buildings I had stated yesterday in my statement about 'floral designs', 'Sculptures motifs', 'Ghat-pallava design', Stylised Lotus pattern and Ghata (pitcher). By term 'floral design' is meant creepers, flower patterns sculptured on the stone. By term 'Stylised Lotus pattern' lotus flower is considered 'pious' and hence it is depicted invariably on the sculptures found in a Hindu temple in different forms. Eight petalled, Multi petalled, Satdal-Shastra-dal (kamal). Creeper means 'Lata-vallari'. Inter-twined means creepers one above the other in various decorative forms/ designs. Lotus in common parlance is known as 'Kamal' or 'Padam'. The use of lotus flower is quite exentsive in our system. In Persian it is known as 'Nelofar'.

www.vadaprativada.in

People like to have this design of the flower on their buildings, flags and also other places. In Muslim buildings also inverted lotus is seen on the top of the dome. Depiction of lotus is also common for other occasions in other buildings also. Same thing is applicable for flower designs also. 'Vase and foliage design' is not common in all buildings. Vase means 'Ghat'. 'Pallava' mean foliage pattern. It is a common theme. It is considered to be auspicious and is generally found on the religious structures. In nut shell 'Ghata' means 'pitcher' or 'vessel' to store water and leaves coming out of it are 'pallava'. 'Ghata' does not include 'Surahi' but other earthen pots such as 'Gagar', 'Matka', 'Matki', 'Jhajhar' are included within the definition of 'Ghat'. 'Gamala' does not come under the category of a 'Ghata'. Importance of water is equally same for all the human beings rather living beings and this is why it is taken to be auspicious. 'Ghat' is desired to be full of water (Purna-kalash). Design of 'Ghata' is seen in all types of buildings in various forms and even in stylised forms.

Sculptured motifs means any item or figure pertaining to human or animal or floral designs depicted or engraved on the stone.

'Gana' means attendant of Lord Shiva. 'Ganas' are invariably males whereas female attendants of 'Parvati' are

www.vadaprativada.in

called 'Yoginis'. There are distinguishing features for 'Ganas' from a common man and these features are like having a 'Trident' (Trishul) in hand or a 'Damroo' (small drum) or having special type of hair (jata). 'Gana' is a Sanskrit word. The literal meaning of Gana as I know is, male attendant of Lord Shiva. I don't know dictionary meaning of this word 'Gana'. 'Gana' will not include any common attendant. I don't know the origin of this word 'Gana' in Sanskrit language. I have heard the saying that Philosophers, Historians, Doctors, Lawyers and Archaeologists have no religion within the sphere of their professional work. It is true to the extent that the professional requirements are there. They may have their personal beliefs which is a different issue.

'Kirti-mukhas' is plural form of kirti mukh which mean a typical depiction of a mythical male human figure. The word 'Kirti' means a good fame of a person thus Kirti-Mukhas means auspicious figures. A good looking face does not come under the term of 'Kirti'. 'Mala-Sthankas' is plural of 'Mala-Sthanak' which means 'garland bearer' i.e. the man having garland. There is no other meaning of the words Kirti-mukhas and Mala-Sthanakas other than as stated by me here in above in Hindu iconography. Above words have no other meaning in common parlance.

www.vadaprativada.in

www.vadaprativada.in

It is wrong to say that by no stretch of imagination architectural members having such designs can be said to belonging exclusively to a Hindu religious shrine. If such designs are there on any place only a Hindu religious structure is to be found somewhere near it. There is no specific limit of the word 'Near' in the above context, it could be the area within that vicinity. In given situation it may spread over an area of 1km or 2km as per situation.

Wall 5 of disputed structure existed over wall 16. Wall 5 was the western wall of the disputed structure. Wall 16 was below wall 5 and was built prior to wall 5. Wall 5 partially rested on wall 16 and partially on its own foundation built over the wall 16 after demolition of the structures associated with the wall 16. Wall 16 was built around 1130 A. D. when pillared hall was erected in front of the shrines. There is another wall just below wall 16, which has been numbered as wall 17 in the A.S.I. report running north-south rather obliquely parallel and one above the other. Wall 16 was built just over wall 17 in the obliquely parallel form being one above the other. Wall 17 was built sometimes in 10 – 11th century A. D. After construction of wall 17, the structures standing below floor 3, towards east of wall 17, got protected from the flood and to furthur strengthen it, wall 16 was constructed.

www.vadaprativada.in

I don't recollect about any such excavation in which explicit evidence of demolishing the existing structure might have been discovered. If fire is put to any building while demolishing it or due to some reason fire is there at the time of demolition then deposit of ash and burnt clay or wood will be found at that place. If the building to be demolished is made of thatched roof or timber structure in that case burning facilitates that demolition. If that site is excavated later on then there is likelihood of finding above remains such as ash, burnt wood pieces etc.

I can not say about the period when 'Tin' shades were introduced in construction of houses and buildings. Iron is being used in the construction of the buildings in India since the ancient times. By ancient times I mean comes to about 1700 century B. C as per latest report available in this regard with reference to Gangetic valley in the north. I don't remember any building of the period of 17th century B. C. in which iron was used as building material.

With reference to figure 3-A (page 48-A), the witness stated that 16 rows of pillar bases in east-west direction are available on this plan and the 17th pillar base as shown in the northern part as pillar no. 1 is the solitary pillar. The 17 rows of pillar bases are in north-south as well as 5 rows in east-west

www.vadaprativada.in

direction. There were five rows of pillar bases in east-west direction and 16 rows of pillar bases were in north-south direction. 17th being the solitary one. PB-1 as mentioned in figure 3-A is that solitary pillar base which was found in trench no. ZH-3. The eastern most line of pillar bases is of 17 in numbers. These are pillar base no. 1, 5, 9, 13, 18, 27, 30, 33, 35, 36, 46 and 50. They are in eastern most south-north directions. In this figure 3-A from pillar base no. 24 to pillar base 27 there is an area where the pillar bases were not exposed due to the restriction on digging in that area. This area which has not been excavated due to restriction as stated by me comes in trenches G-3, G-4, H-3 and H-4 in the north-south. However if the pillar bases are counted as exposed from north to south and east to west they will make 16 X 5 pillar bases i.e. 80.

Q: Yours saying that 16 X 5 i.e. 80 pillar bases are depicted on figure 3-A is incorrect and only 50 pillar bases are depicted ?

(Km. Ranjana Agnihotri Advocate, raised the objection to the above question that the question has already been replied many times by the witness and intention is only to create undue pressure to dilute the mind of the witness hence such type of question should not be allowed to be asked)

www.vadaprativada.in

A: I have not said that 80 pillar bases are depicted in figure 3-A, as depicted in the report only 50 number of pillars which have been excavated are shown but as they are in the arrangement of 16 north-south and 5 east-west, they would amount to be 80, if all the pillar bases are exposed in both the directions i.e. north-south, east-west including the restricted area in that case only they will amount to 80 or more numbers as the case may be.

Statement read and verified

13-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 14-02-2007 for recording further cross-examination of this witness.

H.S. Dubey 13.2.2007

(H. S. Dubey)
Commissioner
13-02-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

14-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 13-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

Trenches which fall between pillar base no. 24 and 27 are H-3 and H-4. As is evident from figure 3-A, no excavation seems to have been done in trenches H-3 and part of H-4. On page 29, of the ASI report volume-1, at serial no. 51, in second and third line it is mentioned that trench H-4 was excavated up to a depth of 1.18meter. Since the figure 3-A gives the actual details of the excavated area, that should be treated as correct and the above description at serial no. 51 is a general statement. This statement does not seem to cover the actual dug part and the remaining undug part separately. Whatever materials are

www.vadaprativada.in

www.vadaprativada.in

mentioned to have been found in trench H-4 at serial no. 51 (page 29) will be deemed correct and reliable. Lime floor was found in trench H-4, the statement given at serial no. 51, regarding this recovery is correct. The Ram-chabutra and its extension towards west goes up to part of trenches G-7, G-8 and G-9 also including H-7, H-8 and part of H-9 also being in between the main complex of Ram-chabutra found in trenches J-7, J-8, K-7 and K-8 in the east. Any part of Ram-chabutra either at upper or lower part or its sides, its extension or its connecting wall does not seem to extend in any other trench except those mentioned above. The extension of Ram-chabutra was towards north also in trench K-6 in part. Ram-chabutra extended towards south in part of trench K-8, furthur area could not be excavated due to 'Pipal' tree but as seen from figure 3-A and its depiction the Chabutra complex could have extended up to part of trench J-9 and K-9 also being in the alignment of Ram-chabutra extension as shown up to trenches G-8, G-9 and H-9. In the east, the extension of Ram-chabutra could go up to a part of trenches L-7 and L-8. The masonry plate-form commonly known as Ram-chabutra was a solid structure 40 cm in height and 1.50meter in east-west and 1.55meter in north-south direction with its 7cm top plastered with fine lime mortar. This description and dimension as given on page 50, in last

www.vadapprativada.in

www.vadapprativada.in

para of above report volume-I, is regarding surface level. I take this description of dimension and direction as correct. Ram-chabutra and its extension was confined to the trenches mentioned above. Said voluntarily, Ram-chabutra complex consisted of main Ram-chabutra and its extension. By term 'Extension', I mean the extension of the complex of Ram-chabutra which was squarish in shape and extension was in the very shape. Extension included calcrete blocks mixed with brick bats, terracotta objects and pot-shreds of earlier period set in lime-surkhi mortar, each level divided by plaster. Finally on the top four courses of Lakhauri bricks, brick-bats of earlier bricks set in lime-surkhi mortar, were laid, probably during Mughal period.

Q: You have given above reply pertaining to the question as to what is meant by 'Extension'. Is it so?

A: Yes, above description will hold good for extension part also.

Q: Whether the extension of Ram-chabutra as stated by you was merely on the surface level or at the bottom also ?

A: Since this aspect has been examined in the eastern part of the complex it could be taken for the western extension also. It was for both upper surface level and the bottom. But it was mainly for the upper part.

www.vadaprativada.in

www.vadaprativada.in

The northern and southern extension of Ram-chabutra complex was also examined. Said voluntarily it was around the squarish main chabutra and the results are given in the report. By main chabutra, I mean the chabutra being of 150meter X 1.55meter. ' By examination of aspect', I mean by digging. In the west of Ram-chabutra there was a part digging as already explained earlier.

Q: You have stated since this aspect has been examined in the eastern part of the complex it could be taken for the western extension also. By this it implies that actual examination by digging was not done in the western part of Ram-chabutra ?

A: In the eastern part it was examined up to more depth and in the western part it was examined up to higher levels only and not in lower parts.

The whole Ram-chabutra along with its extension covered an area approximately 12meters north-south and 18meters approximately in the east-west direction. This is from trench G-7 to G-9 in the west and up to K-7 and K-8 bordering L-7 and L-8.

'Puskarni' or small tank was in the east of this area at the lower level. I don't recollect the size of this small tank. I don't recollect the dimension of this small tank or reservoir as it is not mentioned separately in the report. By memory also I don't

www.vadaprativada.in

recollect in this regard. Since I had not seen personally the disputed structure when it was in existence therefore I am not in a position to state about its description but I have read somewhere that some boundary wall was added during the British period between Ram-chabutra and disputed structure.

I reached at excavated site on 12th March 2003. Digging at disputed site was started on 12-03-2003. I had seen disputed area totally un-excavated on the spot. Before excavation there were marble tablets d. noted by different house holders in the name of their departed relatives or for some other good work. These marbles were at the level of the surface in the eastern and southern part of a flat plat-form like space which was being called as Ram-chabutra at the upper level. Ram-chabutra extended up to the area where these memorial marbles slabs were fixed. There was a plat-form like space towards east and south of which these marble memorial stone slabs were fixed. The actual chabutra was of masonry work and was having masonry floor also. These marbles were also seen in the north-south but they were not visible in the western side due to path way and barricading. No other chabutra or plat-form was found in the extended Ram-chabutra complex except different floor levels consisting of brick bats, calcrete stone and again brick bats, then again calcrete stones in different layers just in

www.vadaprativada.in

the north and west of the chabutra. In the east it was dug up to a greater level the detail of which is given in the report up to 'puskarni'.

By disputed structure I mean three domed structure and some part of courtyard also up to the boundary between Ram-chabutra and disputed structure complex. As far as I recollect memorial marble slabs covered an area of trenches right from J series trenches and covered only a part of Ram-chabutra complex from trenches J-3 To J-6 and they also extended up to trench K-7. I don't remember about other trenches over which these marbles slabs were fixed. Said voluntarily, I have already stated about parts of J-7 and J-8 in the southern part over which marble slabs were in the upper part. The distinguishing feature of the Ram-chabutra complex as noticed during excavation were peculiar type of floor levels made out of the material dug from the area which was in the north side of the Ram-chabutra which in this excavation has been marked as trenches J-3, J-4, J-5 and J-6. I have read this fact somewhere in the report submitted by the A.S.I. regarding bringing of earth from the area which existed in the north of Ram-chabutra in order to maintain the different levels of Ram-chabutra. This act of bringing earth from adjoining area of Ram-chabutra might have been done during Mughal or late Mughal period, meaning

www.vadaprativada.in

thereby sometimes in 1602 to 1605 A. D during the last phase of Akbar's rule when Ram-Siya coin was introduced. Prior to that this area of Ram-chabutra might have been two or three meters lower than the present level situated in the area beyond the disputed structure in that direction.

In other parts of the excavated area flooring pattern was different than that of the flooring pattern of Ram-chabutra complex itself.

Q: As regards flooring pattern in the ASI report this is found that a particular floor was sealed by a floor or structure above it e.g. floor 4 being sealed by floor 3 and floor 3 being sealed by floor 2. Whether any other pattern of flooring and sealing was found in the Ram-chabutra complex area ?

A: The flooring pattern of Ram-chabutra was different from that of the other trenches in the sense that in the Ram-chabutra area the floors were raised by bringing mud and other materials from the near by area whereas in the other trenches of the site floors were made there in due course of time i.e. from period to period.

In the Ram-chabutra area one floor was not sealed by another floor in that sense of the term, which was applicable to other trenches beyond the Ram-chabutra complex. In other areas floor 4 was sealed by floor 3 after some deposit below it.

www.vadaprativada.in

Similarly floor 3 was sealed by floor 2 after a deposit. In the same manner floor 2 was sealed by floor 1 after accumulation of some deposit. This pattern holds good for the whole excavated area except the area of Ram-chabutra complex. However, the pillar bases of western part of this area numbering PB-30, 33, 36, 39 and 42 were sealed by Ram-chabutra. The deposits found in the excavated area were of different periods as indicated above, whereas deposits found in the Ram-chabutra area were of two periods i.e. Mughal and late Mughal period.

So far distinctive features regarding Ram-chabutra complex area and other area which was beyond this area are concerned the description given in this regard in A.S.I. report volume-I, is authentic and to be relied upon. I consider all the descriptions given in chapter II and IV of the above report to be authentic in their own way for the issues related thereto. If there is contradiction with regard to any fact in chapter II and IV in that case the particular reference of this difference will have to be referred to with the description. Broadly it can be seen from figure 3-A (page 48-A), of the above report as to in which area excavation was conducted and in which area it was not done.

As per figure 3-A (page 48-A) no excavation has been done in trenches E-10, E-5, E-4, E-3, E-1, F-4, G-4, G-3, ZG-3,

www.vadaprativada.in

www.vadaprativada.in

ZF-3, H-3, D-3, D-4 and D-5 except these trenches as per figure 3-A, excavation was conducted in all other trenches of the disputed site.

Q: Whether 'Amalaka' is the design of the fruit 'Amala' halfed horizontally ?

A: The design of 'Amalaka' is having crevices in the circular form of an 'Amala' fruit. The top 'Amalaka' called 'Shirsh-Amalaka' is having a full 'Amalaka' and the Karna-'Amalaka' found on the 'Shikhar' part of the temple at the corner is in-part and not in-full denoting sculptured crevices. 'Amala' is considered an auspicious fruit of 'Durga devi'. There is no prohibition of use of fruit 'Amala' by the believers of other faith.

Statement read and verified

14-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 15-02-2007 for recording further cross-examination of this witness

H. S. Dubey

(H. S. Dubey)
Commissioner
14-02-2007

14.2.2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

15-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 17-01-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others)

(In continuation of cross examination dated 14-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

Layers were not found during excavation in Ram-chabutra area in common sense of the term. As the area was filled up by the material of the adjoining area in several floors consisting of calcrete stones and then filling again calcrete stones then filling up to the top. In the other part of the disputed area besides Ram-chabutra area, layers were found in different trenches all over the mound. I think in trenches J-3 and G-7, largest number of layers were found up to the level of natural soil. I think 19 or 16 layers were found in both the above trenches, as they were sequence trenches. With the help of the

www.vadaprativada.in

materials found in these layers archaeologist determine the period of habitation over a site from earliest beginning up to the period when the site was abandoned. By the material found during excavation we determine as to who were the people who occupied that area in the said periods. If material relating to 'Kushan' period is found in a particular layer then it can be inferred that 'Kushans' were occupying in that area in that particular period. Similarly if materials connected with Shunga period were found in a particular layer/layers then it can be inferred that Shungas were occupying that land during that time. Similarly if materials relating to Sultanate period are found in a particular layer/layers then it can be inferred that people of Sultanate period were occupying that particular land in that particular period. Similar position will be with Mughal period also. I have stated that glazed ware, glazed tiles and glazed potteries indicate Muslim civilisation. Said voluntarily, however glazed tradition is a very old tradition as glazed wares started from 'China' and went up to 'Egypt' via 'Middle-east' and again it came to 'India' after the arrival of Mohd. Ghori. In between, glazed ware has been met with in 'Kushan' period also in the Indian sites sporadically, it was also used in Kushan period. There is a difference of technique of glazing or making glazed wares from Ancient times to Medieval times.

www.vadaprativada.in

During excavation at disputed site glazed wares, glazed tiles and glazed potteries were found in different trenches and in different layers. There may be difference with regard to technique and manufacturing of glazed tiles, glazed wares and glazed potteries from ancient times to medival times. I have not gone through the report submitted by the ASI with reference to their aspect of glazed wares/glazed pottery/glazed tiles.

If during excavation animal bones with cut marks are found from a particular site, then it can be inferred that persons consuming animal meat were residing in that area. It may also give a presumption that the people who were residing in that area were sacrificing animals for ritualistic purposes even though they may have different religions. The persons who sacrifice the animals may eat meat or they may not eat meat of these animals.

From page 164 to 172 of the ASI's report volume-I, a list of glazed tiles fragments recovered from the excavated site is given. Total number of items are 155. There is no mention of any distinction between these glazed tiles fragments in the ASI's report from the Ancient period but glazed wares/ glazed tiles were used by the 'Rajputs' in the Sultanate period as seen from the 'Man-Mandir Palace' of 'Gwalior fort' in 'Madhya – Pradesh'. I have not examined this issue from the angle

www.vadaprativada.in

www.vadaprativada.in

whether glazed wares/glazed tiles were used in any other part in northern India by 'Rajputs' in Sultanate period. Said voluntarily, 'Rajputs' using glazed wares and tiles in Sultanate period were using these wares of new pattern having Indigenous themes depicting in the buildings for instance Banana tree, Pair of Parrots, Elephant design, Duck design, Crocodile figures with stylised Lotus. These are some of the Indigenous patterns which were there as against Lahore fort glazed ware which were having Persian themes. The glazed wares which were brought in 'Chines tradition' belonged to 'Kushan' period. I don't exactly remember the exact sites from where glazed wares of 'Chines tradition' were found during excavation. These were found only from one or two sites in India which were rarest among rare. The glazed tile fragments mentioned from serial no. 1 to 155, from pages 164 to 172, of the above report do not have any description which may suggest that any of these glazed tile fragments were of 'Chines tradition'.

The design of 'Amala', 'Banana', 'Grapes' and 'Pomagranate'(Anar) are found depicted on different buildings. These designs of fruits are made on any part of building sometimes on the corners, some times on the top and some time on the walls etc. Some of the Muslims must have come at

www.vadaprativada.in

Ayodhya during the 11th century at the time of Mahmood Ghaznavi's invasion. Some of them might have settled here and since then are continuing to reside at that place.

I don't have any idea whether Muslims offer 'Gagar' (pitcher) filled with sweet water at the 'Mazars'. I have some idea about 'Sabeel' which is sweet-water offered during 'Moharram'. 'Matka-peer' tradition is seen near 'Purana-Qila' in Delhi for which I have heard and seen it from a distance. In the Mazar-Sharif of 'Khanu-Chishti' who was of the period of 'Iltutamish' 'Tabarruk' is distributed in the form of sugar mixed with 'til' (revri). Same tradition is followed at the 'Mazar' of Sheikh-Salim-Chisthi at 'Fatehpur-Sikiri' district 'Agra'. In the area other than the Ram-chabutra no earth was brought from out-side for filing purposes as far as I understand.

I have referred in my statement about the inscription of Mir Baqi, it was fixed in disputed structure raised in 1528 A.D. paper no. 189C2/8, filed at the time of cross examination of P.W 15, was shown to the witness who, after seeing this paper, stated that this is the inscription which was fixed there. I have read its translation in English from which the date of construction of the disputed structure is inferred. My statement in this report is at page 68 (in last para fourth line from the bottom), recorded on 19-01-2007 to this report. After

www.vadaprativada.in

going through the paper no. 189C2/8, the witness stated that the fact of demolition of any temple is not recorded in this inscription but the structure which Mir Baqi constructed in 1528 A. D. is sealing the structure which stood over the pillar bases which belonged to a temple. The factum of sealing by the structure constructed in 1528, is not mentioned in this inscription but it is seen from the actual excavation that the structure was resting over the pillar bases which is said to have been demolished and then that structure was constructed. Said voluntarily, this fact is known traditionally and also seen in some of the publications in Hindi language. In my statement given on 19-01-2007, I have stated about two written materials one mentioned as a literature of Tulsi Das's and second above inscription. Particularly Mir. Baqi has not mentioned the demolition in the above inscription but the structure which he constructed mentions about the arrival of the Angels at the site.

Q: Do you recollect that you have stated on that day that two literary sources recording the factum of demolition of earlier temple have been seen by you viz Goswami Tulsi Das's written work and this inscription ?

A: Such statement was given by me.

I don't think that my above statement was based on any misconception as the fact of demolition was mentioned in some

www.vadaprativada.in

work of Goswami Tulsi Das and the fact of construction of Mosque was mentioned in Mir Baqie's inscription and as such the fact was verified during the excavation which proves the position.

Q: Do you recollect that on 19-01-2007, you had stated that factum of demolition of an earlier temple is recorded in the inscription which was fixed in disputed structure ?

(Km. Ranjana Aghnihotri Advocate, raised the objection to the above question that if any question is asked in reference to an earlier statement, it is necessary it should be shown to the witness and the question regarding statement cannot be asked only on the basis of memory)

A: Yes, I recollect.

Q: On that day i.e. 19-01-2007, regarding Goswami Tulsi Das's written work you had stated that you do not remember the name of publisher, book or year and if you subsequently recollect something you will indicate. Whether within this period you had collected anything regarding that ?

(Km. Ranjana Aghnihotri Advocate, raised the objection to the above question that in the instant question my learned friend has stated about the statement given by the witness on 19-01-2007, and almost he had referred para 2, of page 68, and in the said para witness has only stated that he does not

www.vadaprativada.in

www.vadaprativada.in

remember the name of the book. Contrary to this he had never stated any thing and if any question is asked from the particular paragraph of the particular statement it must be shown to the witness otherwise it is presumed that undue pressure is being created up on the witness only to paralyse his evidence).

A: I do not recollect any thing furthur than what I stated on that day.

After seeing figure 3A, it can be stated that the trenches which have not been excavated are blank whereas the other trenches indicate the structures pillar bases etc. duly marked on the plan (figure 3A) . Thus the position is self explanatory. The temple which was built on the disputed site to my understanding was constructed by Rajput rulers. At that time Ayodhya was being ruled by the Gaharwal-Rajputs and the person who constructed the temple was a subordinate local ruler of Govind Deo of Gaharwal. I am stating this fact on the basis of inscription which was found duly plastered in the disputed structure. I am not sure whether this report submitted by ASI mentions about that particular inscription but it has been duly deciphered and published. I have not seen that inscription but I have seen its publication in some issue of the journal ' Puratattva' published by The Indian Archaeological Society of New-Delhi. I am a member of that society. I

www.vadaprativada.in

remember that Sri S. P. Gupta is one of the founder member of this society but I don't recollect his present position in the executive body of this society. I am not a founder member but a Life member of this society. The above inscription was published by Dr. K. V. Ramesh former Joint-Director General of A.S.I. in the journal 'Puratattva' I am member from the very beginning, however I am a regular member from 1972 onwards. This society was established sometime in 1965-67 at Varanasi, if I remember correctly. Subsequently the head-quarter of society was shifted from Varanasi to New-Delhi. The head-quarter at present, is not in the house of Sri S. P. Gupta but it has got its own building. This building was constructed about thirty years back. The building of this society is situated in the Qutub Institutional area, Katvariya sarai, New-Delhi.

It is wrong to suggest that this society is a pocket organisation of Sri S. P. Gupta and was established at Delhi after 1990. Dr. K.V. Ramesh has been examined as witness in this case.

Q: As stated by you that at the disputed site in the year 1130 A. D. during the regime of Gaharwala ruler a temple was built, whether at that time was there any dispute ?

www.vadaprativada.in

A: I don't think that there was any dispute. It was built absolutely in normal course by a local ruler during the regime of Gaharwal ruler of Kannauj as stated above.

There are certain rituals for propitiating the benign and the evil forces. Regarding bones there are certain rituals to propitiate benign and evil forces by offering certain animals. The glazed ware as such can not be separated as Islamic or non Islamic it could be used on the finials of the temples also. The question relating to putting a Islamic glazed ware does not arise. The sacrificed animal could be buried also at the very place where sacrifice was performed or could be removed away as the case may be.

Q: As regard glazed ware, glazed tiles and glazed pottery you have already stated that there were ancient glazed tiles etc. brought from China and therefore in Muslim rule glazed wares were found with a changed technique in glazing. Islamic glazed ware is used at different places in that context and the question was put to you as such. Have you to say any thing in this regard ?

(Km. Ranjana Aghnihotri Advocate, raised the objection to the above question that the question has already been replied by the witness and it appears from repeatedly asking same question shows that witness is compelled to reply in the same

www.vadaprativada.in

www.vadaprativada.in

manner as my learned friend wants to solve his purpose hence such question should not be permitted to be asked)

A :I have already stated that there is nothing like Islamic or non Islamic glazed ware and it is a tradition which was followed by the people in India and abroad and finally introduced after Mohd. Ghauri but both Muslims and Hindus made use of this tradition.

Statement read and verified

15-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 19-02-2007 for recording further cross-examination of this witness before Hon'ble Special Full Bench.

H.S. Dubey 15.2.2007

(H. S. Dubey)
Commissioner
15-02-2007

www.vadaprativada.in

www.vadaprativada.in

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

O.O.S.NO. 4 OF 1989
(R.S.NO. 12 OF 1961)

The Sunni Central Board of Waqfs, U.P. & others

.....Plaintiffs

VERSUS

Gopal Singh Visharad and others ----------Defendants

Dated 19.02.2007 D.W. 20/5 Jayanti Prasad Srivastava

(In continuation of cross examination dated 15-02-2007, cross examination on oath, on behalf of Mohd. Hashim, plaintiff no. 7, in O.O.S. No. 4 of 1989 by Sri M. A. Siddiqui, Advocate resumed):-

In my opinion, as recorded on page 47 (captioned as recording method) of ASI's Report, Volume 1, 'the recordings in the excavation were carried out from the zero level as referred in the report in regard to the Northern, Eastern and Southern areas', and not for the entire area excavated. According to me, the words "all the recording" occurring in the

www.vadaprativada.in

said captioned portion refers to the Northern, Eastern and Southern areas only. Since there is nothing in the ASI's report regarding Western area, I cannot say which was considered to be zero level for recording measurement of Western excavated area. This is not clear from the report as to from which level depth of different floors etc. was recorded in the Western area of the excavated part. At this juncture, attention of the witness was drawn by the learned cross-examiner to the last sentence written in the report under heading 'recording method' and in the raised platform the witness having read the last sentence, answered that for the purpose of taking measurement of depth around raised platform floor of the disputed structure was made base. For recording the measurements, i.e., depth of the excavated area in portion other than the raised platform, floor of the disputed area was not taken as the base as has been done in respect of area around the raised platform. The measurements in such areas were taken from the surface of each trench. As mentioned in the report itself, there could be 10 to 15 cms. variation in the surface of trenches, meaning thereby, trench as suggested, for example, if level of trench C-2 and C-3 may be different from level of other trenches, the depth of the layer may also vary accordingly. "My statement it is wrong to suggest that ASI has recorded

www.vadaprativada.in

depth at different levels taking the surface levels of each trench to be common given by me, and as recorded on page 144-145 of my statement is correct".

Q: Your reply at page 144 is regarding the whole area in which you have stated it is wrong to suggest that ASI has recorded depth at different levels taking the surface levels of each trench to be common. You have affirmed this statement just now and even today you have stated that in three areas, viz. Northern, Eastern and Southern areas the recording in the excavation were carried out from the zero level as referred from the report? Now kindly indicate is there any variation in your above two statements?

A: As per my opinion, there is no variance in my above information, as the same is based on the report of the ASI.

This is true that in excavation matter the depth of various levels is very important in archaeological digging. During digging the finds recovered from various levels help in determining the period, ~~Period~~ to which whatever those finds belong. The finds help in determining the ~~culture~~ cultural sequence of the period and civilisation of that period. If there is a mistake in fixing the level and depth, it is likely to result in wrong ~~result~~ conclusions of the excavation regarding different civilisation and periodisation. Voluntarily said that it is a hypothetical question in case of any variation

www.vadaprativada.in

www.vadaprativada.in

regarding periodisation, the team leader having discussed with others finally determines the period with the help of co-ordination and result of all the trenches. In such situations, the chart of concordance is prepared or some other chart of explanation is furnished in the report. I have not examined the report from the point of view whether there is any concordance or explanation regarding any variation in depths mentioned or not. Variations are there in the report, but they have been properly explained. I have not checked from this point of view whether there is any explanation regarding variation in depths of raised platform area and other area. *Srivatsa* symbol is a religious motif found in sculpture as an art motif. It is the shape of engraving, if on stone, and may be found in the shape of painting also on paper or wall, as the case may be. *Srivatsa* is a star shaped design normally either carved or painted on the chest of the idol. Star/*Srivatsa* may be of any shape. The Star can be seen on different types of building also in form of carving as well as painting. The same would be of religious significance when it is found on the chest of the idol. Engraved design in plate 88 is not a Star shaped design, but it has been described to be as *Srivatsa* motif by ASI in its II Volume. This is true that the design in the said plate 88 of ASI's report of Volume II, but I consider it to be Srivatsa because ASI has

www.vadaprativada.in

mentioned it as 'Srivatsa' motif. Voluntarily said that the shape in this plate may also be one of the types of Srivatsa, which I may not be aware of. The Srivatsa motif shown in plate 88 is not on the chest of idol or icon, but is on stone slab.

The ASI has not got mentioned the period of this circular shrine at page 70 and 71 of the report, although it has been said on stylistic ground that the present circular shrine can be dated to C-10th Century A.D. However, on page 40, the ASI has opined that it belongs Post Gupta-Rajput level, i.e., from 7th to 10th Century A.D. The period of Post Gupta-Rajput level is dated from 7th to 10th Century A.D. by the ASI in its report. Therefore, the said circular shrine found in the excavation can be of in between from 7th Century to 10th Century A.D. that is, within the span of 400 years. As per my opinion, the circular shrine could be of 10th Century, as has been opined by the ASI at page 71 on the basis of its stylistic grounds. Therefore, to me this appears to be more correct. The period mentioned at page 40 of the report is based on the basis of the periodization determined by ASI of various levels. It is wrong to say that I have not given preference to the periodization made by the ASI on the basis of which they have assigned this circular shrine to be of between 7th to 10th Century A.D. in fact the ASI at page 40 in its report has given the broader period and after

www.vadaprativada.in

www.vadaprativada.in

taking note of its stylistic grounds dated it to C-10th Century A.D. Stylistic ground means the style of the shrine itself on architectural basis. There are certain books, which have mentioned about the different types of shrine being constructed during 10th Century and other periods.

Q: Can you give reference of any book, wherein mention can be found of this form and size of circular shrine during 10th Century, which has been noticed by the ASI in the excavation in question at the disputed site?

A: I have read the book titled as 'Later Pratihara's of Kannauj' written by Krishna Dev, wherein I have read about the temple architecture, but I don't exactly remember now as to whether in that book this type of circular shrine is mentioned or not. It is correct that the name of the above book is shown in the footnote at page 71 itself of the report. At the moment, I don't recollect as to whether I have read about that circular shrine pertaining to 10th Century.

I have not read nor have any knowledge about the Buddhist having occupied the Ram Janam Bhumi area and the around. So far as the Ayodhya as a whole is concerned, I am aware that there is a mound called 'Kuber Tila' where some Buddhist establishment is found. I have not come across any other area in Ayodhya, where Buddhist remains have been mentioned. In

www.vadaprativada.in

different parts of Ayodhya, shrines belonging to different sects such as Vaishnavas, Shaivas and Shaktas have been noticed, meaning that the followers of these sects also occupied different parts of the area. The Sikhs have also got a Gurudwara in Ayodhya. The Sikhs occupation on some parts of Ayodhya may relate to the later Mughal period. The occupation of some parts by Buddhist may be from Mauryan and Shunga period. The periods of the three sects of Hindus, namely, Vaishnavs, Shaivas and Shaktas could start from 2nd Century B.C.

Q: Whether as per your own saying people relating to different thought and religion, for example, Vaishnavs, Shaivas, Shaktas, Buddhist, Muslims and Sikhs having occupied Ayodhya, was it desirable to examine the pillared structure anyway related to their buildings except relating to Vaishnav's temple.

A: The Architecture of Buddhist Stupas and the Viharas is quite different and the pattern which is emerging from the digging is different from the Stupas and Viharas, which pertain to Buddhist Architecture so their comparison was not necessary. The ASI as per report has not considered this aspect.

Q: Whether after many times noticing lackings in the ASI report and pointing out that such things may be required to be explained by the ASI people you stand to your statement in

www.vadaprativada.in

www.vadaprativada.in

para 27 of your affidavit that all has been done in very organised manner as per the norms of archaeology?

A: Lackings may be there, but it does not mean that the norms, which have been maintained in the report pertaining to drawings, photographs, structural remains, potteries and antiquities etc. have not been maintained. It is wrong to say that I have disputed the periodization made by ASI in its report. It is wrong to say that during excavation on the disputed site nothing has been found to show existence of Hindu Temple beneath the disputed structure.

Q: Is it correct to say that any part of the report of ASI does not indicate as to noticing anything about the demolition of any earlier structure existing to be below disputed structure.

A: When stratigraphically disputed structure is resting over the pillar bases, it means that the existing structure at that time was demolished. Even if the ASI has not mentioned about this fact in its report, they have given stratigraphy in their report, it would be presumed that the earlier structures standing on those pillar bases were demolished. It is wrong to say that my statement is based on my personal feelings and not as an Archaeologist.

www.vadaprativada.in

(Cross examination of D.W. 20/5: Sri Jayanti Prasad Srivastava on behalf of Sri Mohd. Hashim, plaintiff No.7, by Sri M.A. Siddiqui, Advocate recorded and concluded.)

XXX XXX XXX XXX

(Cross examination of this witness on behalf of plaintiffs nos.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyazuddin and Maulana Mahfuzzurrahman by Sri Z.Jilani, Advocate started.)

xxx xxx xxx xxx

My statement in paras 29 and 30 of my affidavit is based on summary part of ASI report, Vol.1 which is in chapter 10 of the report. My said statements are based on last para on page 269 of the said summary. It is true that in ASI report the word 'Mandapa' like structure is not mentioned, but it is there in the ASI report that a structure having a huge pillared hall (or 2) is there, which is different from residential structure. I have drawn inference from the said report of the ASI, which has been described as pillared halls that it was a 'Mandapa' like structure. By pillared hall I mean that rectangular room type of structure, not of verandah type of structure. In my opinion, the hall type of structure in this case could have been about 15 feet in height. For a hall of 15 feet height, the height of pillars should be approximately 7 feet.

www.vadaprativada.in

Q. How can be a room of 15 feet hall rest on 7 feet only ?

A: Seven feet pillar is quite sufficient to maintain Shikhar like roof of the hall having a height of 15 feet over the bracket and beams. Meaning thereby over the four pillars there could be a bracket and thereafter beam over that Shikhar type of roof, unlike arch roof or flat roof. In this way, the hall having 80 pillars had 24 Shikhar like roofs on the northern part and 24 on the southern part and 12 in central part i.e in total 60 Shikhar like roofs would have been there in these halls. The distances between the pillars on north and south is 3.05 metres and on east-west was 2.95 metres and in this way the Shikhar like roof constructed on such 4 pillars would be almost in the shape of Shikhar. The base of Shikhar type structure is approximately square type about 10x10 feets. The 24 roofs on the northern side will consist of 6 roofs in four rows or 4 rows of 6 roofs each. Similar would be the situation in the southern side. So far as the central part is concerned, 12 roofs would be in 4 rows of 3 roofs each. The 24 roofs on the northern and southern side were joint and there could be no gap in between the said roofs. The 12 roofs in central part would be facing towards east and they are in between the roofs of northern and southern sides. In this way, in total 15 roofs would be in one row north to south i.e. 6 roofs on the northern side, 6 on

www.vadaprativada.in

southern side and 3 in the central part, having opening (bay) towards east. All the sides of Shikhar of structure could have similar openings on all the four sides, lower part was open from all sides as there was no wall between two pillars.

Q. If you say that one Shikhar was based on 4 pillars then the number of such Shikhar type structure being given by you as 60, the same should have been based upon 240 pillars ?

A: The number of pillars will remain the same i.e. 80 and the upper structure could also be managed on the same pillars. 15 Shikhar roofs type structure would be resting on 16 pillars north south and 5 Pillars east west.

Q. If one roof is resting upon 4 pillars as stated by you, then 15 such Shikhar type roofs cannot rest upon 5 pillars in east west direction, what you have to say?

A: In north south there could be 15 openings and in east-west there could be four openings between the 5 pillars and the pillars could be shared by two, for two superstructures. In the central part, there could be a main shrine. There would have been a shrine with a porch (antral), one subsidiary shrine in the south and one in the north. All the three shrines were located towards west of the halls and were in one row having sufficient space in

www.vadaprativada.in

www.vadaprativada.in

between the shrines for pardakshina/movement. All the 3 shrines had also Shikhar like superstructure, the structure of central shrine was higher than the height of other two shrines.

Q. What was the type of roof of the alleged central shrine?

A: It could be 5 storyed type super structure as seen from the east. Roof could be of a flat type from inside having an opening on the east side.

Q. What do you mean by 5 storyed structure?

A: Five ~~storied~~ structure means the ground floor thereafter the first, second , third and fourth. Such type of temples are called 'Panchatala Prasada'. The total height of aforesaid 5 storyed would be about 45 feet. The height of ground floor from floor to roof might be of 10 feet. The height of main shrine may be lesser than the height of pillared hall in front of the shrines. The two subsidiary shrines, which were in the north and south to the main shrine were having three storyed structures i.e. ground floor, first floor and second floor. The height of ground floor of both the subsidiary shrines could also be only of 10 feet . The height of these two subsidiary shrines would be about 27 feet in total. These shrines were

www.vadaprativada.in

resting on walls, not on pillars. Central shrine approximately could have been of 10x10 feet in size and the same size also holds for the two subsidiary shrines. All the three shrines were closed from three sides and there was only one entrance from the eastern side. These shrines were facing towards east. The size of 'Antaral' between these three shrines and pillared hall could be of 10 feet approximately.

Q. Do you find any reference in the ASI report about these three alleged shrines as stated by you ?

A: Yes. The ASI referred the central shrine as Sanctum santorum. Regarding the two subsidiary shrines towards the south, the ASI report mentions about its location towards south in the form of a subsidiary shrines south to central shrines as a circular temple. The circular above referred to, were subsidiary shrines as referred in the earlier period. The circular shrine referred at page 70 is different. It pertains to earlier period and not to the present subsidiary shrine, which I have stated above. As stated by me today is not mentioned in the ASI report. However, I have drawn inference from that part of the report where ASI has referred to circular shrines of earlier period as a subsidiary shrine, which indicated about the central shrine in the north to the subsidiary shrine. The ASI has not said anything in its report about the central shrines or the subsidiary shrines, during the

www.vadaprativada.in

period/pillared structure ~~was there~~. However ASI has referred in its report about the Sanctum Sanctorum, which according to me could be central shrine.

Q. Is it correct to say that ASI has no where referred in its report, as you have stated today in the Court that they have referred the Sanctum Sanctorum for such central shrine ?

A: Yes, it is correct that ASI has not referred in its report about the central shrine. The Sanctum Sanctorum is referrable to such central shrine of the report. However, the Sanctum Sanctorum finds place in its report.

Statement read and verified

19.02.2007

Typed by Stenographer in open Court on our dictation. Put up tomorrow for further cross examination of this witness.

19.02.2007

www.vadaprativada.in

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

O.O.S.NO. 4 OF 1989
(R.S.NO. 12 OF 1961)

The Sunni Central Board of Waqfs, U.P. & others .....Plaintiffs

VERSUS

Gopal Singh Visharad and others ----------Defendants

Dated 20.02.2007 D.W. 20/5 Jayanti Prasad Srivastava

(In continuation of cross examination dated 19-02-2007, cross examination on oath, on behalf of plaintiffs nos.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyazuddin and Maulana Mahfuzzurrahman by Sri Z. Jilani, Advocate resumed):-

I agree with the report of the ASI regarding location of the pillar bases as indicated in figure 3-A, pages 56 to 67 and also in the appendix-4, pages 291 to 309 of the ASI's report, Vol. I. In reference to figure-3-A of the ASI's report, Vol. I according to me, ~~in line of~~ PB-1, PB- 2 to PB-6 are in the ~~very~~ line. However, there would be one more line of such five pillar bases to the north of pillar base no.1, which was not excavated

www.vadaprativada.in

www.vadaprativada.in

by the ASI. Since the area beyond the northern pillar base-1 was slopy and disturbed, the excavation was not possible and, therefore, the said area was perhaps not excavated. There was no restriction in the Court's order prohibiting the ASI from excavating the said northern portion. The one or two trenches were excavated on the slopy area of the western side. In general, in archaeology technically and practically, there is no difficulty in excavating the slopy area. At least four-five trenches have been excavated to the west of the make shift structure on the slopy land. C and D series of the trenches are on the western side of the make-shift structure and some of them were excavated by ASI. L-series of the trenches are on the eastern portion of the excavated area. In figure 3-A of the ASI's report, no pillar base is shown in L-series of trenches. ZL-I trench shown in figure 3-A was excavated by the ASI. In this figure 3-A in trench ZL-I, some brick like floor has been shown by the ASI, beyond the letter ZL-I written in this report nothing is shown. Nothing has been shown in figure 3-A to the north of the letter ZL-I written in it. Trench ZL-I is towards the north of letter L-I and south from letter ZL-I. According to me, ZL-I trench is marked by letters ZL-I, ZM-I, M-I and L-I. The area falling in between these letters is trench ZL-I. There is a settled pattern of peg marking and demarcating and numbering

www.vadaprativada.in

the trenches in a particular manner. The trenches at the disputed site were marked according to the said pattern. Figure 3-A is also prepared according to the said pattern of marking of the trenches. According to the settled pattern, the trenches are marked from western side to eastern side starting from letter-A. There is not given any number to letter-I. In other words, no trench is marked by letter-I series in between H and J series. In the chart figure 3-A, A-series of trenches have not been shown. Trench no.B-I is the last trench on the north west side of the excavated area in this map. ZC-I is the last trench shown in this map in C-series on north western corner. Similarly, ZD-2 is the last trench of the D series. Trench ZD-2 has been partly excavated and in south east corner wall-19 has been shown. This is wrong to suggest that trench ZD-2 was not excavated, but actually it was excavated and scattered brickbats along with portion of wall no.19, as indicated in figure 3-A, were found. In trench ZL-I no pillar base has been shown in figure 3-A. In trench L-I also no pillar base is shown. Similarly, in trenches L-2, L-3 and L-7 no pillar base is marked in this figure. In Appendix–4 on page 208 (internal page 17) in trench L-I parts of two pillar bases are mentioned in the chart. Similarly, in L-2 and L-3 trenches also parts of two pillar bases, one in each, are mentioned. Similarly, in trench L-7 two pillar bases are shown.

www.vadaprativada.in

www.vadaprativada.in

In this way, according to the appendix-4, 8 pillar bases were noticed in trenches L-1, L-2, L-3 and L-7. No trench of M-series was undertaken for excavation. The 50 pillar bases, which according to me were exposed, were excavated by the ASI, were duly numbered also in figure 3-A by the ASI, do not include the pillar bases indicated in appendix-4 in L-series of trenches, i.e., L-1, L-2, L-3 and L-7.

Q: After seeing the description of 8 pillar bases on page 08 of the ASI report, Vol.I, would you like to say that there were 58 alleged exposed pillar bases about which you have earlier stated that the number was only 50.

Sri Ved Prakash, learned counsel appearing for the plaintiff in O.O.S. No.5 of 1989 raised an objection to this question on the ground that this appendix-4 is not part of the ASI report, as the same has been prepared separately under the direction of this Court.

We do not find any merit in the objection, as the entire excavation was made under the orders of this Court and appendix-4 is prepared by the ASI, which finds place in Vol.I from pages 291 to 309. Thus, the objection is over ruled.

A: The 50 pillar bases have been numbered by the ASI in figure 3-A and they are in the western part of the excavated mound. The 8 pillar bases in trenches L-1, L-2, L-3 and L-7 are

www.vadaprativada.in

towards east of the excavated mound. These pillar bases are not included in the 50 pillar bases marked in the western area. Including the pillar bases of trenches of L-series, as indicated above, the total number of the so called exposed pillar bases would come to 58.

According to me, the excavation of trenches of H-series is on the western part of the mound and beyond the same towards the east, i.e., from trenches of J-series, the excavation is on the eastern part of the mound. Trenches of J-series will be called trenches of the eastern part of the mound. The pillar base no.6 falls near the baulk of trenches ZH-2 and ZJ-2. Pillar base 6 falls just on the brink of the western part of the mound. The pillar bases, which I presume could have been there up to H-series on the western part of the mound and not on the eastern part. The said pillar bases would not be in the trenches of J, K and L series. These exposed and unexposed pillar bases according to me, are of 12th Century. These pillar bases relate to the structure raised in 1130 A.D.

The distances between the pillars in north-south and east-west was approximately ten feet, the distance being little more in north-south as compared to east-west, but the difference is nominal, i.e., about 10 cms. The map is prepared on the scale of 5 mm. equal to 1 metre.

www.vadaprativada.in

www.vadaprativada.in

I can try to measure the distance of two pillars on the basis of scale given in figure 3 A. The northern end of wall 16 in figure 3A is 6 metres from pillar base no.2 i.e. PB 2. The horizontal distance between wall 16 and pillar base 15 is 5.6 metres. Similarly, horizontal distance between wall 16 and pillar base 20 is about 10 metres. As I understand my statement on page 159 before this Court regarding distance of pillar bases from wall no.16 which I have stated to be ranging from 3.60 to 3.86 metres is probably based on report of the ASI. In view of the actual measurement done by me on the basis of the scale in figure 3A the said statement regarding distances appears to be incorrect. Even in view of this statement, I still maintain that pillar bases may be in one line from north to south and east to west. Pillar base no.2, pillar base no.7, pillar base no.10, pillar base no.15, pillar base no.22 and pillar base no.25 are in one line, north to south. In between pillar base no. 15 and pillar base no. 22 no pillar base is shown in figure 3A. The distance between pillar base no.15 to pillar base no. 22 is about 6 metres. Pillar base no. 15 was in trench F1 while pillar base no. 22 is in trench F2. Although these trenches were excavated but baulk portion is seen to be un-excavated. There was no restriction on the excavation of this

www.vadaprativada.in

www.vadaprativada.in

baulk portion also. In between, pillar bases no. 25 and 28 no pillar base is shown in between in figure 3A. Pillar base no.25 was in trench F-3 and pillar base no.28 was in trench F-6. As seen from figure 3A, trench nos.F-4 and F-5 were not excavated. Distance between pillar base no.25 and pillar base no. 28 is about 12 metres. I do not remember whether trenches F-4 and F-5 were actually excavated or not. The same can be verified from the report. Part of pillar base as shown in trench F-3 in appendix 4 at page 297 is the same as shown in pillar base no.25 in figure 3A. Part of pillar base is shown to be in trench F-4 in appendix 4 at page 297, but said pillar base is not shown in trench F-4 in figure 3A. Since part of pillar base is shown in trench F-4 in appendix-4 at page 297, the same is to be taken as exposed pillar base although not shown in figure 3A. From appendix 4 , I can say that trench F-4 was also excavated. From entry in regard to trench F-5 on page 298 of the appendix-4 it is evident that trench F-5 was also excavated. The part of pillar base shown in trench F-6 of appendix-4 at page 298 is shown as pillar base no.28 in figure 3A. Partly extant pillar base shown in trench F-7 on page 298 of appendix 4 is the same as marked pillar base no.31 in figure 3A. The two pillar bases shown in trench F-8 on page 298 of the appendix-4 are shown as Pillar bases nos.37 and 38 in figure 3A. Pillar

www.vadaprativada.in

www.vadaprativada.in

bases nos.34 and 35 are in trenches F-7. This is true that according to report of ASI the pillar base no.34 is on the baulk of trench E-7 and F-7. In this way, this entry in ASI report at page 64 in regard to pillar base no.34 is to be taken as correct as against my statement given on the basis of memory. Wherever any difference is found in my statement and what is recorded in ASI report, the ASI report is to be taken as correct.

Statement read and verified

20.02.2007

Typed by Stenographer in open Court on our dictation. Statement of this witness could not be concluded put up tomorrow for further cross examination of this witness before Commissioner

20.02.2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

21-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 20-02-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others).

(In continuation of cross examination dated 20-02-2007, cross examination on oath, on behalf of plaintiffs nos.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziya uddin and Maulana Mahfuz urrahman by Sri Z. Jilani, Advocate resumed):-

With reference to figure 3-A, (page 48-A) of the ASI's report volume-I, the witness after making measurement on scale, stated that the distance between pillar base no. 22 and 25 is about 4meters. The distance between pillar base no. 22 and wall no. 16 is about 3.50meter. The distance between pillar base no. 25 and wall 16 is about 3.50meter and the distance of wall 16 from pillar base no. 26 is about 9meter. The distance between pillar base no. 28 and wall 16 is about 2meters.

www.vadaprativada.in

Similarly the distance between pillar base no. 31 to wall 16 is about 3.50meter. The distance between pillar base no. 34 to wall 16 is about 4meters. The distance from pillar base no. 34 to northern end of structure no. 5 (circular shrine) is approximately 3meters and from pillar base no. 37 to wall 16 is about 3.50meters. The distance between pillar base no. 43 to wall no. 16 is about 3meters. Wall 16 has not continued up to southern end of excavation i.e. up to trench E-10 and E-11. This wall has ceased in trench E-9 as seen from the figure 3-A. PB no. 47 and 48 have no parallel wall in east or west as is evident from figure 3-A. I have no other knowledge about the spot other than what is shown in figure no. 3-A. Pillar base no. 43, 44, 45 and 46 have no parallel wall in east and west as seen from the above figure. Similarly pillar base no. 49 and 50 have no parallel wall in east and west. The distance between pillar base no. 43 and 44 is approximately 3.50meter. If this distance is taken from corners then this distance could be about 2meters. Pillar base no. 43 and 44 are not in full alignment as is evident from figure 3-A. The distance between pillar base no. 44 and 45 is about 3meters. Similarly the distance between pillar base no. 45 and 46 is about 2.50 meters.

The distance between pillar base no. 47 and 48 is about 2.50meters. The distance between pillar base no. 48 and 49 is

www.vadaprativada.in

www.vadaprativada.in

about 4meters. The distance between pillar base no. 49 and 50 is about 2.50 meters. Pillar base no. 49 is not in alignment with pillar base no. 45 in southern side and pillar base no. 47 and 48 are not in full alignment. There is no pillar base in between pillar base no. 27 and 50. The distance of pillar base no. 40 from wall 16 is about 4meters. There is no pillar base between wall no. 16 and pillar base no. 40. Pillar base no. 40 and 37 are not in full alignment. The distance between pillar base no. 41 and 44 is about 5meters and these pillar bases are not in alignment. The distance between pillar base no. 41 and 42 is about 2.50meters, they are also not in alignment. The distance between pillar base no. 38 and 39 is about 2.50 meters. The distance between pillar base no. 37 and 38 is about 3.50meters. The distance between these two pillar bases is about 2meters if the distance is taken from the corners. The distance between pillar base no. 38 and wall 16 is about 6meters. There is no other pillar base in between wall 16 and pillar base no. 38. Pillar base no. 37 and 38 are not in alignment. The distance between pillar base no. 34 and 38 is about 3meters. The distance between pillar base no. 34 and wall no. 16 is about 3meters. In between pillar base no. 34 and wall 16, there is structure 4. I can't say what is structure 4 on the basis of my memory. The distance between pillar base 34 and 35 is about

www.vadaprativada.in

www.vadaprativada.in

2meters. The distance between pillar base no. 35 and 36 is about 2meters. The distance between pillar base no. 36 and 39 is about 2.50meters. There is pillar base no. 30 in between pillar base no. 26 and 36. The distance between pillar base no. 26 and 30 is about 6 meters. The distance between pillar base no. 30 and 36 is about 5meters. There is no pillar base in between pillar base no. 26 and wall 16. Similarly there is no pillar base between pillar base no. 30 and wall 16. The distance between pillar base no. 29 and 30 is about 2meters and they are not in alignment. The distance between pillar base no. 30 and 32 is about 4meters and they are also not in alignment. I can not say by memory the nature of structure 3. Similarly I can not say about the nature of structure 9, which is near pillar base no. 29. I can't say about structure 10. Similarly I can not say any thing about structure 2 on the basis of my memory. Structure 1 is Ram-chabutra. There is no pillar base in between pillar base no. 18 and 27. Pillar base no. 18 is in the baulk of trench no. H-1 and H-2. ASI has shown this pillar base in trench no. H-1. Again said that on the basis of description given on page 60 of ASI report volume-I, this pillar base no. 18 is shown in trench H-1. I accept this position as correct. No other pillar base is found, other than pillar base no. 18, in trench no. H-1. On page 302 (internal page 11), at serial no. 88, in column 4, two

www.vadaprativada.in

www.vadaprativada.in

rectangular pillar bases have been shown in trench no. H-1. Figure 3-A is not in consonance with the description of trench H-1, as given on page 302. On page 60, at serial no. 18 and 19, two pillar bases have been shown in trench H-1. Even this description is not in consonance with figure 3-A.

Q: Your statement that figure 3-A does not show two so called pillar bases in trench H-1, is not correct because in figure 3-A, so called pillar base no. 19, has also been shown in trench H-1. What do you have to say in this respect ?

A: Yes, it is correct that both the pillar bases i.e. 18 and 19, have been shown in trench no. H-1 but they are not in full alignment.

The distance between pillar base no. 18 and 19 is about 2meters. The distance between pillar base no. 17 and 18 is also about 2meters. Similarly the distance between pillar base no. 16 and 17 is about 2meter. The distance between pillar base no. 17 and 21 is about 3meters. The distance between pillar base no. 18 and 21 is about 3meters. Pillar base no. 18 and 17 are not in full alignment. Similarly pillar base no. 17 and 16 are not in full alignment. Same position is with pillar base no. 16 and 15. The distance between pillar base no. 20 and 21 is about 2meters. These pillar bases are not in full alignment but are partly in alignment. Pillar base no. 21 is in trench G-2. The pillar base

www.vadaprativada.in

www.vadaprativada.in

no. 17 is not in trench no. G-1, but it is in trench no. H-1. The pillar base no. 24 and 23, both are in trench no. G-2. Thus there are four pillar bases in trench G-2. At page 300 (internal page no. 9 and appendix-IV), only three pillar bases have been shown in trench G-2. In the chart given from pages 56 to 67, of the ASI's report volume-1, only two pillar bases namely 21 and 24, have been shown in trench no. G-2. In this way figure 3-A, is not in consonance with this chart and appendix-IV. Pillar base no. 17, is also in trench G-1.

My above statement that pillar base no. 17 is not in trench G-1, but in trench H-1 is incorrect, this pillar base is in trench G-1. There is no pillar base in trench H-2, as per figure 3-A.Although this trench was excavated. Similarly trench H-4 was excavated but it has no pillar base. Figure 8 (page 58-A), refers to trench no. ZG-1. Again said this figure 8, refers to trench ZH-1. This figure is in two parts, first part is 'sectional elevation' and the second is 'plan'. In sectional elevation only trench ZG-1 and G-1 have been shown and trench ZF-1 has not been shown in this sectional elevation. As per sectional elevation shown in figure 8, it pertains to ZG-1 and G-1 and not to trench ZF-1. This sectional elevation mainly pertain to trench ZG-1 and partially it pertains to trench ZF-1 also in wall part. I am referring the wall which is shown below ZG-1 in sectional

www.vadaprativada.in

www.vadaprativada.in

elevation. According to me this wall below ZG-1 also goes up to ZF-1. Two pillar bases which have been shown in the sectional elevation are in trench ZG-1.

In figure 3-A, in trench ZG-1, two pillar bases are seen which are pillar base no. 8 and pillar base no. 11. Pillar base no. 12, is in trench no. G-1. According to chart given at page 59, pillar base no. 12, is shown in trench ZG-1, however it could be on the baulk of trench G-1. The entry given on page 59, regarding pillar base no. 12, seems to be incorrect. According to me there are only two pillar bases in trench no. ZG-1 i.e. pillar base no. 8 and pillar base no. 11. Pillar base no. 12 falls on the baulk of trench ZG-1 and G-1. In trench G-1, I find two pillar bases i.e. pillar base no. 16 and 17. Pillar base no. 12 is partly on the baulk of trench G-1 and ZG-1. On page 59, pillar base no. 12 has been shown in trench ZG-1. Pillar base no. 12 falls in the baulk of trench ZG-1 and G-1. Thus the entry regarding pillar base no. 12 on page 59, is only partly correct.

Q: If pillar base no. 12 does not exist in trench no. ZG-1, as stated by you then the entry regarding the same made on page 59, is fully incorrect and how it is being said by you to be partly incorrect ?

A: Because pillar base no. 12, is on the baulk between trench ZG-1 and G-1.

www.vadaprativada.in

www.vadaprativada.in

No pillar base has been shown in the baulk between trench ZG-1 and G-1, in figure 8 (page 58-A). On pages 58 and 59, pillar base no. 9 and 13 have been shown in trench ZH-1. In figure 3-A, in trench ZH-1, three pillar bases i.e. pillar base no. 8, 9 and 13 have been shown. According to me, as is evident from figure 3-A, pillar base no. 8, falls in trench ZH-1. According to the chart given on page 58, pillar base no. 8, has been shown in trench ZG-1. My statement given above about pillar base no. 8, could be incorrect and entry given on page 58, is correct because no arrow is given for pillar base no. 8, in figure 3-A. Figure 9 (page 59-A) relates to trench ZH-1. Trench ZH-1, is mentioned at the bottom in the western side in this figure 9. As per the arrow giving the cardinal direction ZH-1 has been shown near the north-west peg. In figure 9, this plan pertains to trench ZH-1. Sectional elevation of this figure 9, is for trench H-1 and J-1. This sectional elevation in figure 9, pertains to trench ZH-1. In trench ZH-1, in plan of figure 9, two pillar bases i.e. pillar base no. 13 and 14 have been shown. One pillar base is in south-eastern side of the trench and the other pillar base is in south-western side of trench ZH-1. In figure 3-A, in trench ZH-1, three pillar bases are shown. They are pillar base no. 8, 9 and 13. In figure 9 (page 59-A), pillar base no. 8

www.vadaprativada.in

www.vadaprativada.in

and 9 have not been shown. Thus figure 9 is not in consonance with figure 3-A.

Statement read and verified

21-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 22-02-2007 for recording further cross-examination of this witness

(H. S. Dubey)
Commissioner
21-02-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

22-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 20-02-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others).

(In continuation of cross examination dated 21-02-2007, cross examination on oath, on behalf of plaintiffs nos.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman by Sri Z. Jilani, Advocate resumed):-

The distance between pillar base no. 5 and 6 is about 3meters. The distance between pillar base no. 4 and 5 is about 3meters. The distance between pillar base no. 4 and 3 is about 3meters.The distance between pillar base no. 3 and 2 is about 3meters. The distance between pillar base no. 1 and 5 is about 3 meters. Pillar base no. 2 to 6 are in a symmetrical order and are also in one line. The distance between pillar base no. 5 and 9 is about 3meters. The distance between pillar base no. 8 and 4 is

www.vadaprativada.in

www.vadaprativada.in

about 3meters. The distance between pillar base no. 7 and 2 is about 3 meters. Pillar base no. 7 and 2 and 8 and 4 are in the same line. These pillar bases no. 2, 3, 4, 5, 6 and 2 and 7, 1and 5, 8 and 4 are in full alignment. The distance between pillar base no. 13 and 14 is about 3meters. The distance between pillar base no. 18 and 19 is about 3meters. The distance between pillar base no. 17 and 12 is about 2meters. The distance between pillar base no. 23 and 24 is about 2 meters. The distance between pillar base no. 32 and 33 is about 2meters. The distance between pillar base no. 31 and 28 is about 4meters. The distance between pillar base no. 47 and 48 is just 2meters. All these distances between two pillar bases have not been taken from middle to middle. In some cases these distances have been taken by me from corner to corner. The distance between two pillar bases should be taken from centre to centre. The distance between pillar base no. 5 and 6 has been taken from corner to corner. This distance has been taken from western corner to eastern corner. The distance between these pillar base no. 5 and 6 from centre to centre is 2.5 metre. The distance between pillar base no. 5 and 6 from centre to centre may be 2.90 meter as suggested by learned cross examiner. Said voluntarily these discrepancies seem to be here in measurements which have been given by the draftsmen in the

www.vadaprativada.in

map. I have got an idea of drawing the map, reading photography etc. but we depend on a particular staff doing this work. Thus in case of any discrepancy or inaccuracy it could also be verified from the team leader before arriving at any conclusion. I may not be exact in my assessment as far as measurements are concerned.

Q: Which discrepancy you are referring to ?

A: I may not be particularly able to point out but since I have been observing for the last two days these discrepancies, I have made the above submission knowing my limitations.

The distance between pillar base no. 4 and 5 from centre to centre is 2.50 meters. The distance between pillar base no. 4 and 3 from centre to centre is 2.50 meters. The distance between pillar base no. 3 and 2 from centre to centre is 2.50 meters. similarly the distance between pillar base no. 1 and 5 from centre to centre is 2.50 meters. The distance between pillar base no. 5 and 9 from centre to centre is 2.50 meters. The distance between pillar base no. 8 and 3 from centre to centre is 2.50 meters. The distance between pillar base no. 7 and 2 from centre to centre is 2.50meters. The distance between pillar base no. 13 and 14 from centre to centre is 2.50meters. The distance between pillar base no. 18 and 19 from centre to centre is 2.50meters. The distance between pillar base no. 17 and 12

www.vadaprativada.in

www.vadaprativada.in

from centre to centre is 2meters. The distance between pillar base no. 23 and 24 from centre to centre is 2meters. The distance between pillar base no. 32 and 33 from centre to centre is 2meters. The distance between pillar base no. 31 and 28 from centre to centre is 3.50 meters. The distance between pillar base no. 47 and 48 from centre to centre is 3meters. The distance between pillar base no. 22 to 25 from centre to centre is 4meters. The distance from the centre of pillar base no. 22 and eastern side of wall 16 is 3.50meters. The distance between pillar base no. 25 and eastern side of wall 16 is 3meters. The distance from eastern side of wall 16 and centre of pillar base no. 26 is about 9meters. The distance from the centre of pillar base no. 28 to eastern side of wall 16 is 2.5meters. The distance from the centre of pillar base no. 31 to eastern side of wall 16 is the same as stated by me yesterday. The distance from the centre of pillar base no. 34 to eastern side of wall 16 is 3.50meters. The distance from the centre of pillar base no. 34 to northern end of structure (circular shrine) is 2.5meters. The distance from the centre of pillar base no. 37 to eastern side of wall 16 is 3meters. The distance from the centre of pillar base no. 43 to eastern side of wall 16 is 3.50meters. The distance from the centre of pillar base no. 43 and 44 is 3meters. The distance from the centre to centre between pillar base no. 44 to

www.vadaprativada.in

www.vadaprativada.in

45 is 2.5meters. Similarly the distance from the centre to centre between pillar base no. 45 to 46 is the same as stated yesterday. The distance from the centre to centre between pillar base no. 48 to 49 is 5.50meters. The distance from the centre to centre between pillar base no. 49 to 50 is the same as stated by me yesterday. The distance from the centre of pillar base no. 40 to eastern side of wall 16 is 3.50meters. The distance from the centre to centre between pillar base no. 41 and 44 is the same as stated by me yesterday. The distance from the centre to centre between pillar base no. 41 and 42 is 2meters. The distance from the centre to centre between pillar base no. 38 and 39 is the same as stated by me yesterday. The distance from the centre to centre between pillar base no. 37 and 38 is the same as stated by me yesterday. The distance from the centre to centre between pillar base no. 38 and eastern side of wall 16 is 6.50meters. The distance from the centre to centre between pillar base no. 34 to 38 is 3.50meters. The distance from the centre of pillar base no. 34 and eastern side of wall 16 is 3.50meters. The distance from the centre to centre between pillar base no. 34 and 35 is 2.50meters. The distance from the centre to centre between pillar base no. 35 and 36 is 2.50meters. The distance from the centre to centre between pillar base no. 36 to 39 is the same as stated by me yesterday.

www.vadaprativada.in

www.vadaprativada.in

The distance from the centre to centre between pillar base no. 26 to 30 is 5.50meters. The distance from the centre to centre between pillar base no. 30 and 36 is the same as stated by me yesterday. The distance from the centre to centre between pillar base no. 29 and 30 is 2.50meters. The distance from the centre to centre between pillar base no. 30 and 32 is 3meters. The distance from the centre to centre between pillar base no. 18 and 19 is 2.50meters. The distance from the centre to centre between pillar base no. 17 and 18 is 2.50meters. The distance from the centre to centre between pillar base no. 16 and 17 is 2.5meters. The distance from the centre to centre between pillar base no. 17 and 21 is the same as stated by me yesterday. The distance from the centre to centre between pillar base no. 18 and 21 is 3.50meters. The distance from the centre to centre between pillar base no. 20 and 21 is 2.50meters.

The first pillar base in each row from wall 16 are pillar bases 2, 7, 10, 15, 22, 25, 28, 31, 34, 37, 40, 43 and 47. Thus the total number of these pillar bases are 13. The distance of pillar base no. 2 from centre to eastern side of wall 16 is 3.5meters. with reference to statement given on 20-02-2007, at page 220, in second and third line which reads ' The northern end of wall 16, in figure 3-A, is 6meters from pillar base no. 2' the witness states that my this statement was based on random

www.vadaprativada.in

measurement whereas my statement given today in this regard from the centre of pillar base no. 2 to eastern side of wall 16 is correct. The distance from centre of pillar base no. 7 to eastern side of wall 16 is 3.5meters. The distance from centre of pillar base no. 10 to eastern side of wall 16 is 3.50meters. The distance from the centre of pillar base no.15 from eastern side of wall 16 is 3.50meters. The distance from centre of pillar base no. 47 to eastern side of wall 16 is 3meters, although wall is not shown in the western side of this pillar base no. 47, as per figure 3-A. The distance from eastern side of wall 16 from the centre of pillar bases number 22, 25, 28, 31, 34, 37, 40 and 43, given today in my statement is correct. Thus according to the measurement made by me with reference to figure 3-A, the distance from eastern side of wall 16 to first pillar base in each row was not more than 3.50meter and at least three of them were only at a distance of 3meters.

The distance between pillar base no. 11 and 12 from centre to centre is 3meter. It is wrong to suggest that the distance between these pillar bases is less than 2meters. The distance between pillar base no. 12 and 13 from centre to centre is 2.5meters. This is wrong to suggest that the distance between pillar base no. 11 and 12 is less than 2meters. The distance

www.vadaprativada.in

www.vadaprativada.in

between pillar base no. 10 and 11 from centre to centre is 3meters. It is wrong to suggest that this distance is 2meters.

Figure 10 (page 60-A) relates to trench G-1. Pillar base no. 16 and 17 have been shown in the plan of trench no. G-1. The sectional elevation shown in figure 10 also relates to trench G-1. On page 59, at the bottom, pillar base no. 16 has been shown in the baulk of trench F-1 and G-1. There is inconsistency between figure 10 and description given on page 59, about pillar base no. 16. With reference to figure 11 (page 62-A), the witness stated that the plan of this figure relates to trench H-4 and H-5. The section given at the top on this page also relates to trench H-4 and H-5 which also goes up to trench H-6. In this plan only one pillar base no. 27 has been shown in trench H-5. In figure 3-A also only one pillar base no. 27 has been shown in trench H-5. On page 302 (appendix-IV), at serial no. 92, two pillar bases have been shown in trench H-5. Thus figure 3-A and figure 11 are inconsistent with the description given on page 302. Plan of figure 12 (page 66-A), relates to trench F-9, whereas sectional elevation shown in this figure relates to trench F-9. In figure 12, two pillar bases no. 43 and 44 have been shown in trench F-9. Pillar base no. 43 is circular in shape whereas pillar base no. 44 is squarish cum circular. On page 65, at the bottom, pillar base no. 42 has been shown in the

www.vadaprativada.in

baulk of E-9 – F-9. There would be inconsistency between figure 12 and description of pillar base no. 43, on page 65, in the sense that trench no. E-9, is not given on figure 12 but the extension is there. In figure 3-A, pillar base no. 43 has been shown in trench F-9. Thus there is inconsistency between figure 3-A and description of pillar base no. 43 given on page 65. On page 299 (appendix-IV), in trench F-9, two squarish pillar bases and a circular pillar base has been shown, whereas in figure 3-A and figure 12, only two pillar bases have been shown in trench F-9, thus there is inconsistency among them. In the chart given on pages 56 to 67 in trench F-9, only one pillar base no. 44 has been shown. Thus there is inconsistency between this chart and description given on page 299 (appendix-IV). Figure 13, on page 66, deals with plan and relates to trench no. G-9. The sectional elevation given in figure 13, relates to trench G-9 but it is between the pegs of G-10 and H-10. In figure 3-A (page 48-A), in trench G-9, two pillar bases 42 and 45 have been shown. Pillar base no. 46 is in the baulk of G-9 and H-9. In figure 13, in trench G-9, only pillar base no. 45 has been shown. Pillar base no. 42 has not been shown in figure 13. Thus there is inconsistency between figure 13 and figure 3-A.

www.vadaprativada.in

www.vadaprativada.in

In the chart given on page 65, pillar base no. 42 has been shown in the baulk of trench G-8 and G-9.

Q: Whether according to your statement given just now that so called pillar base no. 42 was in trench G-9, there is any discrepancy between the description of so called pillar base no. 42, given at page 65, and location of the same shown in figure 3-A, as stated by you ?

A: As seem from figure 3-A, pillar base no. 42 partly falls in trench G-8 also along with trench G-9.

Q: If so called pillar base no. 42, falls in G-8 also as stated by you now, then your earlier statement that the so called pillar base no. 42 was in trench G-9 becomes incorrect. What do you have to say in this respect ?

A: This is an additional information regarding trench G-8.

On page 301 (appendix-IV), at serial no. 82, part of three pillar bases have been shown in trench G-9 as square, circular and rectangular. In figure 13 (page 66-B), circular pillar base has been shown. In figure 13, no square pillar base is visible but a rectangular pillar base is visible below the entry of pillar base no. 45, but it has not been marked with any number. In the north-western corner of figure 13, a semicircular type of pillar base is also visible but it has not been marked. Thus there is inconsistency between figure 13 and description of trench G-9,

www.vadaprativada.in

given on page 301. In the chart given on pages 56 to 67, in trench G-9, only one pillar has been shown. Thus there is discrepancy between this chart and appendix-IV.

Statement read and verified

22-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 23-02-2007 for recording further cross-examination of this witness

(H. S. Dubey) 22.2.2007

Commissioner

22-02-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

23-02-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 20-02-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others).

(In continuation of cross examination dated 22-02-2007, cross examination on oath, on behalf of plaintiff nos.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman by Sri Z. Jilani, Advocate resumed):-

Figure 14 (page 68-A) of ASI's report, volume-I, shows sections facing south-west and south-east of trenches ZE-1, ZF-1, ZG-1, ZH-1 and ZJ-1. This figure is on scale. The first trench from the west is ZG-1. No pillar base has been shown in trench ZE-1 and then trench ZF-1 has been shown which has got a pillar base. After ZF-1, trench ZG-1, has been shown which has also got a pillar base in section thereafter trench ZH-1 has been shown which has got no pillar base. No section of trench ZJ-1, has been

www.vadaprativada.in

shown in this figure 14. Similarly in the plan also the trenches covered are ZE-1, ZF-1, ZG-1 and ZH-1. No pillar base has been marked in any of the trenches of the plan although the diagram is there in trench no. ZF-1 and ZG-1. The diagram is of one pillar base each in these two trenches. In trench ZF-1, the diagram of pillar base has been shown above floor 1, in the north-west corner, rather it is in the centre of the trench. Similarly in trench ZG-1, the diagram of the pillar base has been shown towards north-eastern part in the east of floor one and above the pit. Two diagrams of the pillar bases have been shown with trench no. ZH-1, one towards south-western side and the other towards the south-eastern side. There seems to be an omission in not marking the pillar bases in the plan of figure 14 in respective trenches. In this plan pillar base has been shown in trench ZF-1. Since this pillar base has been shown in the plan of the drawing made by ASI, therefore it should be taken as correct. As this pillar base has been found on floor 1, therefore this must have been constructed in Post-Mughal era because floor-1 is the floor of the modern period. In the chart given from pages 56 to 67, pillar base no. 7, has been shown in trench ZF-1, projected over the surface of floor-2. The pillar base shown in the plan of figure 14, is this very pillar base no. 7. According to me depiction of this pillar base no. 7, in figure

www.vadaprativada.in

14 is correct and the description of the same on page 57 of the above chart gives also the correct position.

Q: In the chart given on page 57, the pillar base no. 7, has been described as projected over the surface of floor-2, while in figure-14, the pillar base has been depicted on the surface of floor-1, as per your statement. Then how can you say that both these descriptions are correct ?

A: Both the above descriptions are correct in the sense that the position of pillar base as depicted in the plan of figure-14, has been described on page 57, in the description part giving the correct position.

In figure 3-A (page 48-A) two pillar bases i.e. pillar base no. 7 and 10 have been shown in trench ZF-1 but in the plan of figure-14, only one pillar base has been shown and the other one was not shown. Thus there is discrepancy between figure-14, and the description given in the figure 3-A, and the chart of page 57. On page 297 (internal page 6), of appendix-IV, in trench ZF-1, three pillar bases have been shown. Thus there is discrepancy between the description given on above page 297, figure-14, figure 3-A and the description given in the chart on page 57 of the ASI report volume-I. In the chart given on pages 58 and 59 of the above report, in trench ZG-1, pillar bases no. 8, 11 and 12 have been shown. The pillar base shown

www.vadaprativada.in

in the plan of figure-14, in trench ZG-1, is square in shape. This can not be treated as pillar base no. 11 or 12, given on page 58 and 59, as circular. Hence it should be pillar base no. 8, being square in shape and also described accordingly in the chart on page 58. Thus there is clear discrepancy between figure-14, and in the description given in the chart on pages 58 and 59. Since only two pillar bases have been shown in figure 3-A, therefore there is discrepancy between this figure and description given on pages 58 and 59.

On page 299 (appendix-IV) at serial no. 73, in trench ZG-1, one squarish pillar base and one disturbed pillar base has been shown. The pillar base shown in the plan of figure-14, in trench ZG-1, is squarish in shape, the disturbed condition of the pillar base has been shown in the south-west corner of trench ZG-1, but it has not been marked as pillar base or numbered. According to me as per the plan in trench ZG-1, two pillar bases have been shown but these pillar bases have not been shown in the section of trench ZH-1, as the pillar bases fall towards the southern part of the trench which is away from that section. The section deals with the northern part of the trench mainly. One pillar base shown in trench ZH-1, is square in shape whereas the other one is rectangular. South-eastern pillar base is square in shape whereas the pillar base in south-western

www.vadaprativada.in

www.vadaprativada.in

side is rectangular in shape. The number of these pillar bases given in the chart on pages 58 and 59 are pillar base no. 9 and 13. Pillar base no. 13 is square in shape whereas pillar base no. 9 is rectangular. Pillar base no. 9 is in south-western side and pillar base no. 13, is in south-eastern side.

In figure 3-A (page 48-A), pillar base no. 9 has been shown in the northern side and pillar base no. 13 has been shown in south-western side. Thus there is discrepancy in between figure 3-A and figure-14, regarding location of pillar base no. 9 and 13.

figure 7 (page 53-A) gives plan of trenches E-2, F-2 and G-2. Pillar bases have been shown in trench no. F-2 and G-2. In trench F-2, one pillar base and in trench G-2, three pillar bases have been shown. On page 295 (internal page-4) of appendix-IV, the entry at serial no. 3 in column-4 shows that the ASI was not sure as to whether there was a brick wall or a pillar base in trench E-2. It is not clear from the plan of figure-7, whether there is any pillar base in trench E-2, as per description given on page 295, referred to above as doubt-full item. The pillar base marked in trench F-2, in figure-7, is squarish in shape. In the chart from pages 56 to 67, this pillar base has been shown as pillar base no. 22, in trench F-2, in the foundation. According to me this pillar base no. 22, could be in

www.vadaprativada.in

the foundation of floor-3. On page 61 of the above chart, in the last column, on the top, it is mentioned that pillar base no. 22 was resting on floor-4. In figure-7, three pillar bases have been shown in trench G-2. Out of them one pillar base was resting on floor-1, and the other on floor-2, but the position of third pillar base which is towards north, is not clear regarding the floor position in figure-7. First pillar base which is resting on floor-1, was constructed in Post-Mughal period, the other pillar base which was resting on floor-2, was constructed in late-Mughal period. Out of these pillar bases in trench G-2, the first pillar base which is resting on floor-1, is circular in shape where as the second pillar base which is resting on floor-2, is squraish in shape, the third pillar base the position of which is not clear regarding floor, is rectangular in shape. The circular pillar base can be considered as oval pillar base also. In the chart on page 60, pillar base no. 21, which has been shown in trench G-2, is the same pillar base which has been shown in the western side of the trench in figure-7. On page 61, pillar base no. 24, shown in trench G-2, is the same pillar base which is resting on floor-1, in figure-7. In the chart given on pages 56 to 67, the third pillar base, the floor position of which is not clear, has not been shown. Thus there is discrepancy between the description given in the above chart on pages 56 to 67 and

www.vadaprativada.in

www.vadaprativada.in

figure-7. In figure 3-A, in trench G-2, four pillar bases have been shown viz pillar base no. 20, 21, 23 and 24. In the chart given on pages 60 and 61, pillar bases no. 20 and 23, have been shown in the baulk of trench F-2 – G-2. My statement that there are four pillar bases in G-2 is incorrect because two of these four pillar bases were in the baulk as has been described in the chart given from pages 56 to 67. There is inconsistency between figure 3-A and figure-7 in the sense that in figure-7, three pillar bases have been shown in trench G-2, whereas in figure 3-A, only two pillar bases have been shown in trench G-2, and remaining two pillar bases have been shown in the baulk. Figure 6 (page 52-B) relates to trenches F-6 and F-7 in the plan whereas sectional elevation of this figure relates to trench F-8 and F-7 and partly F-6 also although trench F-6 is not mentioned.

Q: Is it correct to say that sectional elevation of figure-6 relates to only two trenches and not to three trenches as suggested by you ?

A: No doubt, sectional elevation relates to two trenches F-6 and F-7 but the peg number F-8 is also mentioned as it covers the area up to the point of peg F-8.

In the sectional elevation on the top of figure-6 two pillar bases are shown while in the plan two pillar bases have been

www.vadaprativada.in

www.vadaprativada.in

shown in trench F-6, whereas four pillar bases have been shown in trench F-7. In the sectional elevation given on the bottom of figure-6 also three pillar bases have been shown. Two sectional plans are given in figure-6 because the pillar bases fall nearer to the section. The two pillar bases shown in upper sectional elevation are not the same pillar bases which have been shown in the lower sectional elevation. Thus in both the sectional elevations five pillar bases have been shown. Out of these five pillar bases, one pillar base is in part in trench F-6 and in trench F-7. Remaining pillar bases have been projected in trench F-6 (one pillar base) and in F-7 two pillar bases as shown in the lower sectional elevation.

Q: Is there any difference between the word 'projected' and 'exposed' pillar base ?

A: Yes, there is a difference in between these two terms. 'Projected pillar base' means that item which is even though away from the section is also depicted in the section while the 'exposed pillar base' means the pillar base of the trench as shown in the sectional elevation.

In these two sectional elevations as is seen from the diagram, three pillar bases have been projected in the lower sectional elevation. Out of these three projected pillar bases one pillar base pertains to trench F-6 and the other two pillar bases

www.vadaprativada.in

www.vadaprativada.in

pertain to trench F-7 whereas the central pillar base of F-7 also extends a little up to F-6 also. The pillar bases of trench F-6 seem to be rectangular in shape whereas two pillar bases of trench F-7 are circular in shape. The projected pillar base seems to be octagonal. The third pillar base of trench F-7 also seems to be partly semicircular. In figure 3-A, pillar base no. 28 and 29 have been shown in trench F-6, whereas two pillar bases, pillar base no. 31 and pillar base no. 32, have been shown in trench F-7. In figure 3-A, only four pillar bases have been shown in these two trenches. Thus there is discrepancy between figure 3-A and figure-6 in this regard. Pillar base no. 31 could be in the baulk of trench F-6 and F-7. Pillar base no. 32 can not be in the baulk of trench F-6 and F-7. In the chart given on page 63, pillar base no. 32 has been shown in F-6 – F-7 but the word baulk has not been mentioned.

Q: If the word baulk is not mentioned against the entry of so called pillar base no. 32 on page 63 of the ASI report volume-1, does it not refer to the baulk in between F-6 and F-7 and refers to both the trenches F-6 and F-7 separately ?

A: Since the word baulk is not written there and it is near to F-6 and F-7, although it pertains to F-7, both the trenches have been shown.

www.vadaprativada.in

www.vadaprativada.in

Q: Is it possible that the so called pillar base no. 32 may exist simultaneously in trench F-6 and F-7 without existing in the baulk of one meter area situated between these two trenches ?

A: As seen from the figure 3-A the position of baulk is not clear and since the items fall near F-7 and F-6 it has been mentioned in both of them.

Q: From a bare perusal of figure 3-A it appears that the so called pillar base no. 31 and 32 have been shown to exist in trench F-7 and as such there is clear discrepancy about their description given in the chart of so called pillar bases at page 63 and the said figure 3-A. What do you have to say on this ?

A: Yes, there seems to be a discrepancy between the two positions.

On page 298 (internal page no.7 of appendix-IV), at serial no. 66, in trench F-7 partly extant pillar base has been shown in column-4. Whereas in figure 3-A and figure 6 two pillar bases have been shown in trench F-7. Thus there is discrepancy between description of trench F-7 given on page 298, and the depiction of pillar bases in F-7 as given in figure 3-A and figure 6. In the plan of figure-6, no pillar base has been marked or numbered in trench F-6 and F-7 but the diagram shows the existence of two pillar bases in F-6 and four pillar

www.vadaprativada.in

www.vadaprativada.in

bases in trench F-7 out of which one pillar base in F-7 extends to trench no. F-6 also. Out of these four pillar bases central pillar base which is also extending to trench F-6 is circular. The second pillar base which is octagonal in shape also seems to be extending towards the baulk of F-6 and F-7. Third pillar base is circular and fourth one is semicircular as is evident from figure-6.

Statement read and verified

23-02-2007

Statement typed on my dictation in open court. Cross examination of this witness could not be concluded.

Put up on 26-02-2007 for recording further cross-examination of this witness

(H. S. Dubey) 23.2.07
Commissioner
23-02-2007

www.vadaprativada.in

www.vadaprativada.in

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

O.O.S.NO. 4 OF 1989
(R.S.NO. 12 OF 1961)

The Sunni Central Board of Waqfs, U.P. & other----- Plaintiff

VERSUS

Gopal Singh Visharad and others ---------- Defendants

Dated 12.03.2007 D.W. 20/5 Jayanti Prasad Srivastava

(In the continuation of cross examination dated 23-02-2007, of this witness on behalf of plaintiffs nos.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman by Sri Z. Jilani, Advocate resumed)-

The figure –5 on page 52-A of ASI report volume-I pertains to the trenches of E series and two trenches of F series namely, F-4 and F-5 which are of series. In this figure section facing east of the above trenches has been

www.vadaprativada.in

shown. This figure does not show any pillar bases in it. Pillar bases were there towards the eastern side of the above series, but they were not on this section shown in figure 5. In western side of these trenches, there were no pillar bases. On pages 56 to 67 of the ASI report, volume-I the location and direction of the pillar bases in particular trenches is not given.

I do not remember as to whether pillar bases shown at serial nos.46 and 47 in trenches E-1 and E-2 as mentioned at page No.295 and described as brick wall or pillar bases, were actually pillar bases. I cannot say specifically whether they are brick wall or pillar bases and, therefore, I cannot say beyond what has been given by the ASI report. Wall 16 is on the western side and is exposed also in the trenches on that side. So far as I remember wall 16 is visible in trenches ZE-1 and ZE-2, the said wall should have been found in all the trenches of E series which were on western side and were also in one row. Section of the trenches shown in figure 5 at page 52-A represents the western side of trenches facing East. Parts of wall 16 are shown in all the trenches of E series in the above figure 5. They are ear-marked in the trenches in E9, E8, E6, E7,E3 and E2. Since this figure relates to the section facing east of the aforesaid trenches, it does not have its direction in east and west. It gives only

www.vadaprativada.in

www.vadaprativada.in

three dimensions. By three dimensional, I mean two sides of the north and ~~east~~ south and depth of the trenches at which the structure is depicted. Brick wall mentioned in trench E-9 pertains to E-8 and not to E-9. The word "brick wall" mentioned there pertains to the south-west corner of trench E-8 and not of E-9. Wall 16 is in the bottom of E-9 depicted by stones. The same kind of stones are shown in trench E-8 also which relate to wall 16. In figure 5, the wall indicated as brick wall in trench E8 on south-western corner is of bricks, but is within wall 16. It is although a separate wall but it is within wall 16.

Q. Earlier in respect of figure 5 you have stated that this figure does not have any eastern or western side, while just now you have stated that the word "brick wall" given below E-9 refers to south western side of the trench E-8, then how you can say that there is no eastern or western side depicted in this figure 5.

A. While depicting a section facing towards a particular side, the other directions are not to be taken into account. However, if the depiction of a particular item is there the direction could be given in relation to the reference peg of the trench concerned, which is invariably in the north-west corner of the trench and measurements are taken clockwise.

www.vadaprativada.in

Every peg is invariably in the north-west corner of the trench concerned.

Preparation of figures is the job of draftsman, drawing officer or surveyor with which I am not well versed except that I have some knowledge of general principles of the same. I have also prepared such type of sketches of the sites, but on some other sites. I have prepared maps only 15-16 years ago and not after 1991.

The southern wall of the disputed structure as shown in figure 5, in trench E-7 is in the north-west, north-east, south-east and south-west position.

Q. Whether, in figure 5, in trench E-7, wall 16 is depicted by the stones shown in the north-eastern side of southern wall of the disputed structure?

A. Yes.

Q. If these stones shown in the trench E-7 are described by you to be in the north eastern side, then how the portion marked by "brick wall" in trench E-8 is described by you to be in south-western side?

A. My both the answers given above are correct in their own way.

Two "brick walls" mentioned in between trenches E-6 and E-7 in figure 5 are part of wall 16. "Niche" shown towards the

www.vadaprativada.in

www.vadaprativada.in

south of the above two brick walls is in upper part of wall 16. "Niche" shown below the words E-8 in figure 5 is below. This Niche is also in wall 16. The slopy position shown in between the trenches of E-6 and E-7 in figure 5 was on the spot also slopy, from north to south. No wall is shown in between the trenches E-6 and F-5. It is true that trenches E-4 and E-5 were not excavated, that is why they are not shown in this figure whereas trench E-3 was partly excavated, that is why it is shown in the figure 5.

The witness, having been confronted with his statement and the narration at serial no.48 on page 295 of ASI report, in regard to trench No.E-3, stated that the statement on page 295 that the said trench E-3 was not excavated due to area restrictions and natural barrier is correct.

Q. Your statement given above that trench No.E3 was partly excavated is incorrect as this trench was not excavated at all. What do you have to say?

A. ASI report may be taken as correct as given at page 295. Therefore, my statement regarding 'part excavation' may not be correct.

This is true that trenches F4 and F5 were not in alignment of trenches E3 and E6, but they were towards east to it. In figure 5 where trenches F4 and F5 are shown, should have been

www.vadaprativada.in

indicated as 'projected' for the reason that they were not in line with E series of the trenches. The purpose of showing the said trenches F4 and F5 in figure 5 along with trenches of E series was to show the section of the said two trenches facing towards east. This is true that when trench No.E3 was not excavated, my above statement that wall 16 was noticed in trench E3 also could be incorrect. This is true that in trench E2, in figure 5, no wall is shown below floor 3 and the wall shown is only above floor 2. The northern wall shown in figure 5, in trench E2, is also above floor 2. Wall 16 on the spot was below floor 2. Thus, no portion of wall 16 is depicted in trench E2, in figure 5, therefore, my above statement that wall 16 is visible in trench E2 could be incorrect.

In trench ZE1 stones having been shown in the upper portion and also in the lower portion, form part of wall 16. The niche shown in trench ZE2 is part of wall 16 and in this trench only floor 1 has been shown and the niche is below floor in ZE2.

In the ASI report volume –1 wall 16 has been described to be a 'massive wall'. In ASI report term 'massive wall' has been used for wall 16. The words 'massive wall' have not been used for any other wall. At page 295 and 296 at serial. no.44 and 55 respectively in regard to trenches ZE2 and E10, the

www.vadaprativada.in

www.vadaprativada.in

words 'massive wall' have been used for wall 16. At page no.296 at sr.no.55 in trench E10 the wall has been described as massive brick wall. It is not correct to say that the major portion of wall 16 was of bricks and casually stones were used, but the fact is that wall 16 was mostly of stones and brick were used casually.

In plate No. 25 of ASI's report Vol II, the wall shown is wall no. 16. In this plate in wall no. 16 as shown there appear to be 16-17 courses of bricks while the courses of stones as visible in this plate in wall 16 are only 3, As seen from this plate wall 16 is mostly made of bricks and partly of stones. After seeing this plate my previous statement, given by memory that the wall 16 was mostly made of stones and only causally of bricks, appears to be incorrect. It is wrong to say that my memory is weak because of old age rather it could be a case of wrong recollection. This is true that according to ASI's report wall no.16 is the most important wall. The theory of massive construction existing in 1528 A.D. is mainly based on ~~these~~ existence of wall 16. Wall 16 is the most important part of ASI's report. I do not recollect as to whether earlier in the cross examination I was cross examined or not about wall no. 16. In plate 25, two niches are visible in wall no. 16. One niche is below two brick courses

www.vadaprativada.in

www.vadaprativada.in

of wall 16 from the top and the other is below 11 brick courses from the top. Out of three courses of stones the lowest course forms part of the foundation of wall no.16. The other two courses of the stones above the lowest one also form part of foundation of wall no. 16. No part of brick courses of wall no. 16, as visible in plate no.25 ~~which~~ form part of foundation of wall 16. The wall no. 16 of brick courses was constructed over the foundation of the stone slabs in three courses. In plate no. 26 below three courses of stone slabs there is no course either of bricks or of stones but only soil /sand is visible. All the brick courses of wall 16 as visible in plate no. 25 were above floor no. 3. Floor No. 3 was just above the three courses of stones forming part of the foundation of wall 16 as visible in plate no. 25. I do not recollect the depth of floor no.3. Above floor 3 was floor 2. I do not recollect the depth of floor 2. As far as I recollect the floor 2 was on level with the upper most portion of the brick courses of wall no. 16 as visible in plate no. 25. Thus it amounts to say that there was difference of 17 brick courses between floor 3 and floor 2. It is incorrect to say that location of floors 2 and 3 as given by me is wrong. In plate 34 of ASI's report Vol II a portion of wall 16 is also visible on right hand side in which there are 13 brick courses. On left

www.vadaprativada.in

side in this plate 34, label of floor no.3 is visible which is parallel to brick course no 6 or 7 brick courses of wall 16 from top. My earlier statement that it was on level with the stone slabs is incorrect.

Q. In view of your above statement about the location of floor 3 being at the level of 6th or 7th brick courses from top of wall 16 as visible in plate no. 34, is it correct to say that your earlier statement given today about the level of floor 3 being parallel to top stone slab of wall 16 becomes wrong or incorrect?

A. My earlier statement given on the basis of memory in regard to the level of floor 3 to be parallel with stones slab, in view of ASI's report, appears to be wrong.

In plate 34 label 2, 3 and 4 are there which refer to layers. The description recorded in appendix 4 about the existence of massive wall in trenches ZE-2 and E-10 only is to be taken as correct as compared to my statement that according to figure 5 wall 16 which has been described to be 'massive wall' is visible in all the trenches of E series.

Q. What is the purpose or object of figure 4 given at page 51B of Vol I of ASI's report. Can you say anything?

www.vadaprativada.in

www.vadaprativada.in

A. The figure 4 gives the plan position of trenches E-6, F-6 and G-6 and E-7, F-7 and G-7. In archaeological term maps of plan and Section are two terms which are used to denote the layer positions and the structures found during the excavation. Thus, in this particular figure no.4 the plan position is given wherein pillar bases have been shown along with the floors. Plan position means depiction of structures and floors found during the excavation in a particular trench and not the layers. Volunteered that layers are covered by section. In other words layers are shown in the drawing of section and not in plan. In the plan of figure 4 only one pillar base has been shown, in trench G-7 and that pillar base is above floor 3. Pillar base shown in this figure 4 is laid down in floor 3 and is also resting on floor 3. The witness having been confronted with entry at page 64 of the report about pillar base no. 36 answered that entry made by the ASI about foundation of pillar base as resting on floor 4 is correct and to that extent my answer given just above, regarding pillar base found in trench G-7 resting on floor 3, is incorrect.

Statement read and verified.

Typed by stenographer in open court on our dictation statement of this witness could not be concluded. Put up tomorrow for furthur cross examination

12-03-2007

www.vadaprativada.in

www.vadaprativada.in

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

Dated 13.03.2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(In continuation of cross examination dated 12-02-2007, the cross examination on oath on behalf of plaintiffs no.1,6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman by Sri Z. Jilani, Advocate resumed):-

On the southern side of make-shift structure, apart from the trenches shown in plan Figure-IV on page 51-B, there were other trenches also. It is true that make-shift structure at present is at the same place where the demolished structure earlier existed. Figure 4 does not depict the entire southern side of demolished structure as indicated against figure 4 on page-3 (List of figures and plates). I do not recollect by memory as to how many trenches were excavated on the southern side of the demolished structure. I can tell the number of trenches excavated on that site on seeing the map but roughly about 20 trenches might have been excavated on the southern side of the demolished structure. According to the description of excavation

www.vadaprativada.in

regarding southern area as indicated on page 15 of ASI report Volume-1, 23 trenches in total were excavated-some partly and some fully. Voluntarily said that figure-4 depicts some of these trenches excavated on southern side as indicated on page 15 also. In Figure-4 the plan shows only 6 trenches excavated by ASI on southern side. Remaining 17 trenches excavated either partly or fully in southern side have not been shown in figure-4. This is true that figure 4 is not the complete plan of all the 23 trenches excavated towards the south of the make-shift-structure. I cannot say why the entire plan of all the 23 trenches was not prepared and only a partial plan of the southern side, as indicated in figure 4 was prepared. Plan contains structures, floors and pillar bases.' In figure 4 trench G-6 has not been shown but only peg mark of trench G-6 is there. My statement given yesterday on page 263 to the extent that the plan position of trench G-6 is also given, is not correct. In plan of figure 4 on page 51-B in all six trenches have been shown, namely, trench nos. D-6 in part, D-7 in part, E-6, E-7, F-6 and F-7. Only peg point of trenches G-6, G7,G8 are shown in figure 4 and the whole of these trenches are not shown. To that extent my yesterday's statement in regard to trench-G-7 on page 263, is not correct. This is true that although D-6 and D-7 have not been marked

www.vadaprativada.in

www.vadaprativada.in

in plan Figure 4 but according to the position of each trench D-6 and D-7 were in west to trenches E-6 and E-7 portions have been indicated and therefore, on the basis of the spot position, I am saying that they are part of trenches D-6 and D-7. He himself volunteered that the trenches start from north-west of peg and trenches are accordingly numbered and reading is done clockwise invariably. According to me the reason for showing only part of trenches D-6 and D-7 in figure-4 could be because wall portions are falling ~~in~~ shown portions of D-6 and D-7. I do not remember whether trenches D-6 and D-7 were fully or only partly excavated. I cannot guess even on the basis of the entries at Serial nos.37 and 38 on page 293 of the ASI report, volume-1, whether trenches D-6 and D-7 were excavated fully or only partly. In figure-4 there is no mention of floor-1, in trench D-6 as indicated at serial no.37 on page 294 in the said report of the ASI. In this way, there is an omission in figure-4 in regard to floor no.1 ~~and~~ trench-D-6. According to entry at serial no. 51 on page 295 in regard to trench E-6, Floors 1 to 4 were found in the said trench E-6. I cannot say whether the top floor mentioned in Figure-4 depicts floor 1 or not. Similarly I am not sure whether the ~~words~~ letters A,B,C, and B as indicated in plan, figure-4, depicts floor 1-A, 1-B, 1-C and 1-D or not. I do not

www.vadaprativada.in

www.vadaprativada.in

recollect whether ASI anywhere has indicated the floors as 1-A, 1-B, 1-C and 1-D also or not. Floors are shown in Section and plans also where it is necessary. In this plan figure-4, only floor 3 has been depicted and floors A,B,C shown in the said plan may be in regard to floor no. 3 itself. In Sections floors are also shown. It is not necessary that in plan all the floors should be shown. Since the structures shown in plan, in figure-4, pertain to floor no.3 itself and it is because of this reason that in the said plan only floor 3 has been shown. In the plan of trench E-6, wall 16 running north-south has been shown along with three other walls running east-west. Wall 16 was contemporary to floor 3 but it was laid down on floor-4. Floor 4 is relevant in relation to wall 16 as far as foundation is concerned which is cut into it from floor 3 which is the contemporary floor of the wall. Floor-4 was contemporary to foundation of wall 16. The three east-west walls depicted in plan of figure-4, in trench E-6, belonged to the period earlier to the disputed structure but they were used for construction of the disputed structure. According to the plan, figure-4, there are three east west walls and the entry at Serial no.51 on page 295 in regard to only two east west running walls is incorrect. There appears to be as is evident in serial no.51 on page 295, in regard to north south walls in

www.vadaprativada.in

trench E-6, the plan also shows two north-south walls. It appears that the plan, figure-4, also contains one north-south stone masonary wall and the other brick masonry wall. They are not parallel. Rather one wall is running over the other wall. The stone wall is on the lower side. The stone wall was also contemporary to the floor –3 while the brick wall was contemporary to the period ~~three~~ III and the subsequent floors. Brick wall was also contemporary to floor-3. I have seen both these walls on the spot. In trench no.6 both these walls constitute wall 16 and in the said trench one wall is lying below it. According to me, wall 16 was constructed in two different phases. I cannot say in terms of years as to what would have been the gap in the period of construction of two phases of wall 16 but the other would have been of the late contemporary to the stone wall. It may be correct that full wall 16 was constructed in one phase and not in two phases. This is also true that below wall 16 there was only wall 17 and no other wall. Wall 17 is running obliquely north-south below wall 16. In plan, figure-4, no floor has been shown in E-7. Amongst the structure only walls running north-south and east west have been shown. The wall shown running north-south is part of wall 16. East-west wall shown in the plan, figure-4, of trench-E-6 could be the southern wall of

www.vadaprativada.in

the disputed structure. The said wall was contemporary to floor 3, and wall 16 was also contemporary to floor-3. Both these walls were constructed during the same period. Southern wall of the disputed structure was not constructed afresh in 1528 AD but it was re-utilised in 1528 AD, meaning thereby original construction of southern wall was earlier to 1528 AD. The said wall could have been constructed in 1130 AD. No floor has been shown in Trench E-7 in figure-4 because floor 3 is shown in trench E-6 and the same shall be read in respect of the floor shown in trench E-7. In trench F-6, as shown in figure-4, two pillar bases are there but they are not marked as pillar bases. The said pillar bases are on the upper side in the trench, i.e., on northern side. One of these pillar bases is towards north east and other is towards north west of the trench. In both these pillar bases two stones have been shown along with brick bats. Baulk is also visible in trench F-6 and F-7. Apart from these two, one pillar base falls partly on the baulk of trenches F-6 and F-7 and partly in trench F-7. The same is near the place where F-7 is written. The pillar bases are indicated by circles or semi circles or squares as the case may be, in the plan. Circles below numbers of trenches are not indicative of pillar bases but they are indicative of pegs. Part of pillar base comprising

www.vadaprativada.in

of brick bats is in baulk of trench F-6 and F-7 and the remaining part showing stones and the brick bats is in trench F-7. "P.H." is the abbreviated form of word "Post-Hole", meaning thereby some bamboo etc. was fixed at those points where word "P.H." is mentioned. The south east corner of trench F-7 also shows existence of pillar base. South western side of trench F-7 also shows existence of pillar base. According to the plan, Figure-4, there are four pillar bases depicted in the said figure in trench F-7. Entry at serial no.67 in regard to the pillar bases in trench F-7 on page 298 appears to be hurriedly prepared and the same is incomplete.

Figure 3-B which is key plan of structures shows all the structures found in various trenches. Pillar bases have also been treated as structures. All the pillar bases shown in this figure 3-B are of period VII. On the northern side in figure 3-B, 6 pillar bases have been shown beyond northern wall of the disputed structure. The portion shown by green colour in figure 3-B represents the disputed structure. Line which appears to be in blue colour, behind the portion shown by green colour is also actually in green but by appearance it is slightly different than green and represents the same period VIII. All the walls of disputed structure are marked with Green colour but the said portion pertains to

www.vadaprativada.in

www.vadaprativada.in

period-VIII. According to this plan southern wall of the disputed structure also belongs to period VIII, i.e, the Mughal period. The period given by the ASI in regard to southern wall to be of period-VIII is to be treated as correct as compared to the period given by me earlier that the said wall belongs to 1130 AD. 1130 AD will fall in period VII. The wall running north-south marked with light red colour which is of period VII is wall no.16. According to me, in figure 3-B, more than 45 pillar bases are shown. There could be less than 50 pillar bases but I am unable to count them as 50. The portion marked with light red colour within the upper portion marked with green colour there are two pillar bases. One of them is in trench F-2 and the other is in trench F-3. Similarly, in the lower portion inside the green colour marked portion also there are two pillar bases marked with light red colour. One of these two pillar bases inside the green marked portion is in trench F-6 and the other is partly in trench F-7 and partly in baulk of trenches F-6 and F-7. In the lower portion outside the said green marked area there is one pillar base shown in trench F-6 and three pillar bases in trench F-7.

Q. So called three pillar bases being described by you outside the green marked portion of trench F-7 cannot at all

www.vadaprativada.in

be called pillar bases, as all the three stones of the same appear to be just appurtenant to each other ?

A. They are of the same complex and they are pillar bases.

According to me, in figure 3B six pillar bases are shown in trenches F6 and F7 including one partly on the baulk. On being confronted with the tabulation chart of the pillar bases as shown on pages 63 and 64 of ASI report at serial Nos.31,32 and 35, the witness stated that according to plan, figure 3B, his statement regarding the number of pillar bases in trench F7 being 4, including one on the baulk, is correct and the description given in the chart regarding the same at pages 63 and 64, regarding the pillar bases in trench F7, is not correct. I have already stated that the distance between pillar bases was approximately 10 feet. The distance between the pillar bases shown in between the letters G7 and G8 in figure 3B is about 3 metres. As per marking and the colour in the map figure 3B, just below G7 seems to be a pillar base.

I do not agree with the suggestion that the western portion of the disputed structure running from north to south was a straight wall but the indication of the map is different. It appears from figure 3B that in the middle portion of the

www.vadaprativada.in

said wall of the disputed structure it was slightly projected towards the west. In photo numbers 22,23 and 24 of the album, paper No.201-C the western wall of the disputed structure is straight on the outer side. I have never seen the disputed structure when it was in existence, becuase I had never been in Ayodhya. Though I have not seen the disputed structure, but since the structure pertains to a mosque and normally in a mosque, on western side there is a projection from outside and therefore, I say that there was a projection in the disputed structure. For this reason the projection has been shown in figure 3B of the ASI report, to which I also agree. I disagree with the suggestion that there was no projection in the western wall of the disputed structure and non-showing of the straight wall in figure 3B is an omission. It is not correct to say that the projected pillar bases on a particular floor will be of the same period of ~~that~~ floor because the pillar bases could be of different periods. The pillar base is of a prior ~~period~~ to the floor or after the period of floor, will depend upon the position of section of a particular trench.

I do not remember whether ASI has assigned any period to floor I, IA, IB and IC shown in figure 23. In figure 23 floor No. 2 is shown in yellow colour. I do not recollect

www.vadapprativada.in

www.vadapprativada.in

what period has been assigned by the ASI to this floor 2. He voluntarily stated that the ASI has assigned period to every floor in the report, but at this time I cannot recollect what period has been assigned to the various floors. There is no mention of period of floor 1 and 1A in para 2 on page 53 of ASI report, Vol.1. From the observations of the ASI report on page 53 to the effect that "floors 1 and 1A in the inner side with decorative coloured cemented surface painted with black and buff coloured arched rectangles pointing towards west, a feature of the mosque", I cannot tell the period of floors 1 and 1A. I do not remember as to how many floors during excavation were found by the ASI within the disputed structure.

From plate 35 of ASI report, Vol.II, I cannot say about the period of the floors visible in the said photograph. I do not have any idea to the effect whether the floors visible in plate 35 are of the level of the top floor of the disputed structure or it was at a higher or lower level. I have seen this part of floor which is visible in plate 35 for about 4-5 months. Although I had thought over during my stay at Ayodhya about the period of the floor visible in plate 35, but I could not form any opinion regarding the period of said floors. I do not remember whether ASI in its report has assigned any

www.vadaprativada.in

period to the floors visible in plate 35, but the ASI, as is normal practice in archaeology, surely would have assigned the period of these floors. The pillar bases visible in plate 35 appear to be of different periods and on different floors. In this plate there appear to be 3 pillar bases, towards the north and two towards the south of the baulk. These pillar bases are on the same floor and also belong to the same period. There are 3 more pillar bases towards the south, one of which, as seen from the upper part, belongs to the same category and in the lower part other 2 pillar bases are given their ~~previous~~ IN SITU position. In plate 35 in total 9 pillar bases are visible.

Statement read and verified.

Typed by stenographer in open court on our dictation, statement of this witness could not be concluded. Put up tomorrow for further cross examination.

13-03-2007

www.vadaprativada.in

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

Dated 14.03.2007 **D.W. 20/5 Javanti Prasad Srivastava**

(In continuation of cross examination dated 13-03-2007, the cross examination, on oath, on behalf of plaintiffs no.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman by Sri Z. Jilani, Advocate is resumed):-

In Plate 35 of Vol.II of ASI report, 9 pillar bases are visible as stated by me yesterday and they are PB 1 to 6 and thereafter PB 7 to 9 as described in figure 3-A of Vol.I of ASI report.

The witness having gone through the chart at page 56, 57 and 58 of Vol.I of ASI report, stated that it is correct that in respect of pillar bases No.1,2 ,3,5,6,7 and 8, the ASI has found that these pillar bases are projected over surface of floor 2. It is correct that ASI has not mentioned on which floor pillar base No.4 was found. It is also correct that ASI at page 58 in its report Vol.I has found that pillar base No.9 was available at the depth of 42 cm. from floor 2, cutting through floor 3. As per finding of the ASI in respect of pillar base no.9 it can be

www.vadaprativada.in

www.vadaprativada.in

said that it was below floor 2, but it cannot be said that it was sealed by floor 2. However, it was cutting through floor 3. Pillar base No.9, in view of the opinion of the ASI, it could be assigned to the period of floor No.2.

I do not remember that ASI in its report has also furnished a chart giving periodization of different floors of different trenches. Again said that the period has been given but I do not remember its contents. I feel that the ASI might have stated about the trenches of Z series in the chart of periodization in respect of floors. Normally in an excavation the archaeologist should give the details about periodization of all the trenches excavated by the team in the chart submitted with the report. It is also desirable that the details regarding floors of a particular trench with reference to the floors noticed in other trenches vis-a-vis their periodization should also be given in the chart of periodization submitted with the report. Such a chart in which layers and floors of different trenches are so given, is also called chart of concordance.

The witness having gone through page 37-A of Vol.I of the report stated that in the chart of periodization, no reference of Z series of trenches is given. In the aforesaid chart at page 37-A of the report, Vol.I, floor 2 of trenches J-5 and K is assigned to Mughal period, while floor 2 of J-3 is assigned to

www.vadaprativada.in

late and post Mughal period. As it appears from the aforesaid chart prepared by ASI at page 37-A, the periodization has been mentioned on both the ends of the chart without indicating the method to read this chart, which could have been in the form of index and this is lacking in the chart. As per this periodization in the chart (page 37-A of the report, Vol.I) floor 3 is admittedly of Medieval period as seen from both the sides of periodization chart. Floor 4 of G-7 has been shown in the aforesaid chart to be of early Medieval Sultanate period; whereas floor 4 of some of the trenches of E,F,G,H and J series has been shown to be of Medieval period. Trench G-7 of floor 3 in the aforesaid chart is shown to be of Medieval period. In the aforesaid chart floor 5 has been shown only in trench No.J-5 and in no other trench reference of floor 5 has come. Floor 5 has also been shown in the chart to be of early Medieval Sultanate period.

I agree with the opinion of the ASI given on page 40 of its report, Vol.I, that Medieval-Sultanate period is of 11th –12th Century AD. Similarly I agree with the opinion of the ASI given on page 41 of the report (Vol.I) that Medieval level/period begins from the end of 12th Century and continues to the beginning of 16th Century AD. To be more specific it can be said that Medieval period starts from the period of

www.vadaprativada.in

Mohd. Ghauri and ends with the defeat of Ibraim Lodhi by Babar. Mughal period starts from the rule of Babar.

The ASI in its report in Vol.I has divided the Mughal period into two parts i.e. Mughal period, Period VIII and late and post Mughal Period, Period IX. Period VIII covers the period of Babar to Aurangnzeb i.e. 1525-1707 AD belonging to greater Mughals and late Mughals period starts after Aurangnzeb belonging to later Mughals i.e. 1708 to 1857 AD. The period of late Mughals is also called post-Mughal. Again he said that post-Mughal period in fact will be the period after 1857. It is also known as British or Modern period.

I cannot answer as to whether floor 2 found at the disputed site during excavation is to be of same period in different trenches or it would vary from trenches to trenches as the ASI did not specify the same in its report. I do not recollect, as to what was the period of floor 5, which was the earliest floor found at the time of excavation, from my memory. However I agree with the opinion of the ASI, which is mentioned in the chart prepared by them at page 37-A, where they have assigned floor 4 and 5 to the early Medieval Sultanate period. On page 37-A in the chart the ASI has mentioned early Medieval Sultanate period whereas at page 40 they have mentioned Medieval period. To my mind it appears

www.vadaprativada.in

that there is difference between the two, but I cannot clarify the same.

Q. Is it correct to say that the term "early Medieval Sultanate" period indicated by light green colour in the chart at page 37-A is no other period than the period described as period VI (Medieval Sultanate level) of 11th – 12th Century on page 40 of ASI report, Vol. I ?

A. Since the term "early Medieval" has got a definite meaning in the chronological sense, I cannot equate it with Medieval-Sultanate level lightly, hence the excavators, who got this chart prepared are required to clarify the situation before any conclusion is drawn by us.

Q. Since the ASI report does not leave any gap between period V (post Gupta –Rajput level) ascribed to period 7th to 10th Century and period VI (Medieval- Sultanate level) of 11th –12th Century AD, there cannot be any other period equal to early Medieval-Sultanate period except the period of 11th century as per report of ASI given at page 40. What do you have to say?

A. In fact as pointed out by the learned counsel, Post-Gupta and Rajput period is covered under the broad term of "early Medieval". However, as already submitted earlier, the position could be got clarified from the compilers of the report

www.vadaprativada.in

before any conclusion is drawn in this regard. Sultanate period could start after 1194 A.D., and more technically after 1205 or 1206 A.D.

According to me, "early Medieval" period includes post-Gupta and Rajput periods. In this way early Medieval period will be treated to have started somewhere from 7th Century A.D. i.e. period of Harshvardhan, Gujar-Pratihars, Gahadwalas etc.

In view of my this statement, the period "early Medieval-Sultanate" and "post-Gupta Rajput" period as indicated in the chart at page 37-A is vague and can be clarified only by the author of the chart. The "early Medieval" period covers "post-Gupta and Rajput" level. Early Medieval period will end by the end of 12th Century and begins from 7th Century. I cannot give the specific Century of the floor No.5 off-hand.

I have read Chapter III of the ASI report only hurriedly and not thoroughly. As there is no mention of any floor in period V on page 40 of the ASI Report, Vol.I, it can be inferred that no floor of that period was found in the excavation. The earliest floor as found during excavation by the ASI and mentioned on page 40 of ASI report of Vol.I was of the period VI. In this way the earliest floor found by the ASI could be of 11th or 12th Century A.D. In this way, according to me, the

GS

www.vadaprativada.in

www.vadaprativada.in

floor No.5 would be of 11th or 12th Century A.D. Therefore, floor No.4 which was of later period would be of the period after 12th Century A.D. The period from the end of 12th Century is covered by the period VII upto beginning of 16th Century as described by ASI in its report on page 41. Total deposit of period VII is given in the last paragraph of ASI report at page 42 and according to it the thickness was approximately 50 to 60 cm. including layers 1 and 2.

Q. Is it correct to say that as per report of the ASI given at pages 40 to 42 there cannot be a difference of more than 50 to 60 cm. between a floor constructed in sub-period A of period VII and the floor constructed in period VI?

A. Yes it is correct.

I just recollect that ASI has divided period VII in three sub-periods A,B and C. Construction of wall 16 has been attributed by ASI to sub-period-A of period VII. According to ASI sub-period A of period VII starts from the end of 12th Century. The period prior to 1194 A.D. cannot be said to be period covered by the term "end of 12th Century".

Q. In view of the above statement is it correct to say that the so called massive wall (wall No.16) cannot be said to have been constructed prior to 1194 A.D. as per ASI report.?

www.vadaprativada.in

www.vadaprativada.in

A. (I will have to think over it and the reply will be given in the post-lunch-session).

(In post-lunch- session the witness gave reply to the above question in following words:)

According to me, the wall 16 could have been constructed sometimes between 1194 to 1199 A.D.

It is correct to say that the ASI in its report at page 41 has used the words 'end of 12th Century' in second para because rule of Gahadwal dynasty had come to an end in the last decade of 12th Century. Jai Chand was the last ruler of Gahadwal dynasty who was defeated in 1194 by Mohammad Ghauri. With the defeat of Jai Chand the rule of Gahadwal dynasty came to an end. The rule of Mohammad Ghauri was started in 1194 A.D. but in fact it was established in 1205-06 A.D. as in the intervening period the position of Sultanate rule remained unstable because of the stiff local resistance. The ASI has used the words 'thin wall' in last para of page 41 but it has not been clarified as to which thin wall it refers to but according to me this 'thin wall' will be some wall different from wall no. 16. I cannot tell the number of the wall referred as 'thin wall' in the report of ASI. Similarly I cannot give the location of the said 'thin wall' i.e. whether it was running north-south or east-west. I cannot say as to which floor is referred to in second para at

www.vadaprativada.in

www.vadaprativada.in

page 41 of ASI report in the sentence starting from "label of mounds" and ending with "F-8 and G-7". I cannot say whether the floor referred in period VII in the above sentence relates to floor no.3 or floor no.4. I do remember that the ASI in its report has referred to "brick crush floor" at several places. I had seen "brick crush floor" at the site but at the moment I cannot say right now in which trench I had noticed such floor. I think such "brick crush floor" was noticed in eastern and southern side and not on northern side. I agree with the opinion of ASI as written in second paragraph at page 41, that 'column based structure' was built over this very 'brick crush floor'. My statement in para 29 of my affidavit about existence of "extensive pillar mandapa type structure" is in respect of this very "column based structure" which ASI has referred in the above second paragraph of its report at page 41. My earlier statement in this respect at page 67 that "I have derived my inference regarding existence of temple at the disputed site on the basis of the temples of 11th –12th Century A.D., meaning thereby a temple was built on the disputed site in 11-12th Century A.D. which was demolished and a mosque was erected over it," refers to the same "column based structure" whose mention finds place in the above second para of ASI report at page 41. My statement on page 67 that 'the

OS

www.vadaprativada.in

www.vadaprativada.in

temple mentioned by me above, existed at floor 3. This temple was built by Gaharwal ruler of Kannauj somewhere around 1130 A.D." also refers to the same "column based structure" referred by ASI. Similarly, my statement at page 122 that "these temples were existing over floor three. ..... 'Govind Dev' a Gaharwal ruler of Kannauj" also refers to the same "column based structure" as is mentioned in ASI report at page 41, para-2.

Q. When the ASI has said that the so called column based structure was built in sub period-A of period VII, which according to you starts from 1194 A.D, on what basis you have stated in your above statement mentioned at pages 67 and 122 that the said so called temple was constructed in 1130 A.D. during the time of Govind Dev?

A. I have made this statement on the basis of epigraphical evidence in this regard which pertains to the rule of Govind Dev of Gaharwal ruler of Kannauj during whose time some local chief of Ayodhya had constructed the mandap like temple complex.

The said epigraphical evidence, relying on which I gave the period of the construction of temples, has been published by the Indian Archaeological Society, in its Annual Journal "Puratatva" by Dr. K.V. Ramesh, former Joint Director General of the ASI and an expert of Sanskrit and South Indian

www.vadaprativada.in

www.vadaprativada.in

languages, who has also deposed before this Court in this very case. However, presently I do not recollect the exact number and year of publication of the said 'Puratatva' magazine. The said epigraphical evidence is contained in the form of a big inscription pertaining to the period of Govind Dev . It is on the basis of the said inscription that I have derived the inference that "mandap like structure", as stated by me, could have been constructed in the year 1130 A.D. Although there was another small inscription also but I mainly relied upon the big inscription measuring about 5 feet x 2.5 feet on stone. I had read the translation of the said inscription written by Dr. K.V.Ramesh and on the basis of the same I had drawn the above inference after seeing the pillar bases on the excavated site. I do not know whether ASI had also referred to the above inscription relied upon by me in its report or not. I do not remember having read about the said inscription in the ASI report. The said inscription relied upon by me was not recovered during the excavation conducted by ASI at the disputed site. So far I remember the said inscription was recovered in the year 1992 by some person but I do not know name of that person. I do not think that the said inscription was recovered by some archaeologist during excavation. It was an accidental find within the complex of the disputed structure. I

www.vadaprativada.in

do not recollect whether the accidental find was found by any Archaeologist or some officer of the Government. I did not very much bother to find out who was the actual person who found this inscription. However, the said inscription is said to have been found inside the central temple covered by the plaster and only after removal of the plaster, the inscription came out which was existing there. Thereafter, museum people started studying and publishing about the same. The inscription in question was found from a wall under the central dome of the disputed structure. I do not recollect whether the fact that the said inscription was found from a wall under the central dome of the disputed structure is mentioned in the said article of Dr. K.V. Ramesh read by me or not. I have read somewhere that this inscription was taken out from a duly plastered wall of the disputed structure and when the plaster was removed, the inscription came out. The inscription was taken out from the wall by some persons when the disputed structure was standing over there. I am not aware of the fact that when the building was standing, the same was in the custody of the Court. I did not try to find out as to who had taken the photographs of the said inscription and other details in this regard. The copy of the said article published in "Puratattva", the Annual Journal, is with me. The said volume

www.vadaprativada.in

of the "Puratattva" annual Journal is in Lucknow also. I can bring the said Volume of Journal tomorrow before this Court. This is wrong to say that the inscription was recovered or its photograph was taken when the structure was not standing at the site in dispute. Voluntarily said, at least that portion was standing where inscription was fixed duly covered by the plaster.

Q. Is it correct to say that the said inscription is alleged to have been recovered from the debris of the disputed structure after its demolition on 6th December, 1992?

A: It is not correct to say that it was recovered from the debris but it was recovered from the wall of the disputed structure and at least that portion of the wall containing the inscription was intact and was in standing position and only when the plaster was removed, the inscription was noticed and taken out.

Statement read and verified.

www.vadaprativada.in

www.vadaprativada.in

Typed by stenographer in open court on our dictation, statement of this witness could not be concluded. Put up tomorrow for further cross examination.

14-03-2007

www.vadaprativada.in

www.vadaprativada.in

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

Dated 15.03.2007 D.W. 20/5 Jayanti Prasad Srivastava

(In continuation of cross examination, dated 14-03-2007 the cross examination, on oath, on behalf of plaintiffs no. 1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman by Sri Z. Jilani, Advocate is resumed):-

I can just read Sanskrit but do not understand the language. The inscription in question is in Sanskrit. I have read the same in Sanskrit but I have read its translation in English. I have seen the photograph of the said inscription. I know Dr. S.P.Gupta for the last about 50 years or so. I have read the book Ayodhya Ka Itihas ~~and its~~ Puratattva (Ext.OOS-5-3) cursorily. This book relates to the History of Ayodhya. But I do not remember whether the book covers the controversy involved in this suit or not. I do not exactly remember whether the book covers Ram Janma Bhumi temple dispute since I have studied the book regarding inscription only which I referred yesterday. At this juncture the witness has been shown Vishaya Suchi (contents) of this book and asked whether he

www.vadapprativada.in

has read Chapter-X and XI or not. The witness after going through the said Vishaya Suchi stated that he has not thoroughly gone through both the chapters but concentrated on only Parishishtha Ka of Chapter-XI dealing with Ayodhya-Ka-Vishnu-Hari-Mandir, Shilalekh and Bhawanuwad. The rest of the portions of Chapter X and XI have been gone through by me only cursorily. I had seen the photograph of the inscription as referred above and printed on paper no.289C1/210-211. I had read this book some times in the year 2003. At the time of preparation of my affidavit filed in this case I had only gone cursorily through the said inscription in this book. At the same time I had gone through the Parishishtha Ka containing translation of this inscription on paper No. 289C1/195 to 199. I had not gone through the contents in Sanskrit given on page 289C1/195/196 but I had gone through Hindi translation of the said inscription on paper nos.289C1/197-199. The inscription on pages 289C1/197-199 and the article published and written by Dr. K.V.Ramesh were read by me earlier in 2004. The translation of inscription on paper no. 289-C1/197-199 was read by me earlier to my reading of the article of Dr. K.V.Ramesh which was published subsequently in the year 2004 in 'Puratattva' Journal. The 'Puratattva' Journal in which article of Dr. K.V.Ramesh is published pertains to the year

www.vadapprativada.in

www.vadapprativada.in

2002-2003. This journal was no.33.This article was read by me in January, 2004. The translation of the inscription as read by me in the above Puratatva Journal no.33 is same as it is on paper no.306-C1/1 to 11 (Ext. OOS/5/2). I have not studied from the point of view whether the translation of Dr. K.V.Ramesh on paper no. 306 C1/1 onwards is in any way different from the translation of paper no.289C1/197 onwards. As stated by me yesterday, I have brought my personal copy of 'Puratattva' Journal No.33 published by Indian Archaeological Society for the year 2002-2003 with me containing the translation of the inscription made by Dr. K.V.Ramesh and if so directed, I can file it. The witness ~~than~~ filed the photocopy of article of Dr. K.V.Ramesh containing the translation of inscription as published in 'Puratatva' Journal No. 33 and the same is taken on record and marked as paper no. 302 C-1/1 to C-1/7. This is true photo-copy of the article published in Puratattava Journal No. 33. The original is before me and I have verified this photo-copy from the original. (The document is, therefore, exhibited as **Ext. No.T-1 (O.O.S.no.4 of 1989).**

Govind Chandra as referred on paper no.289C1/199 is the same Govind Dev as referred by me as ruler of Kannauj of Gahadwala dynasty. The name of Govind Chandra finds place in line no.22 of the inscription as is apparent from the

www.vadaprativada.in

translation. On paper no.306C1/1 also, in the last but two lines, there is mention of the name of Govind Chandra in the epigraph. Similarly on paper no. 306C-1/11 also in the translation of verse 22 there is a reference of the name of King Govind Chandra. It is correct to say that as it appears from translation of verse 22, the same was written after Govind Chandra's regime and that the name of the Govind Chandra's son as mentioned in the said verse, was Ayush Chandra. The temple whose reference finds place in the inscription was not constructed during the regime of Govind Chandra himself but by his nephew of the same dynasty. This temple was known as "Vishnu Hari Temple". The "Vishnu Hari Temple" is the same as Ram Janam Temple. It is wrong to say that "Vishnu Hari Temple" is situated near the place Chakrateerath in Ayodhya. I have some times seen Chakrateerath but I have no idea abut its location. As all the religious place of Ayodhya are near Sarju river, therefore, the Chakrateerath may also be near Saryu river. Some of the temples are at the distance of one-two furlongs from Sarju river while some are at a distance of 2 or 4 Kilometres or even more from Sarju river, as the case may be. I can not say whether the Chakrateerath place is more than one Kilometre away from the disputed site. I have heard and casually read about the book on Ayodhya written by Hans

www.vadaprativada.in

Bakker. The said book of Hans Bakker which I casually read is paper no.120C-1/2.

Q. Is it correct to say that Hans Bakker in his above book on Ayodhya has referred to "Vishnu Hari Temple" being situated near Chakrateerth which is away from the disputed place ?

(Ms. Ranjana Agnihotri, counsel for defendant no. 20 in OOS no.4/1989 has raised an objection that in view of the above statement of the witness that he has heard and casually read about the book, this question does not arise.)

(We have considered the objection and reply of the learned counsel for the plaintiff, who has put this question, and considering the same we hereby overrule the objection.)

A. It is incorrect. Again said that since I have not read the book of Hans Bakker on Ayodhya, therefore, I cannot say as to whether he has said in this book that the building of "Vishnu Hari Temple" was situated at the place near Chakrateertha which was away from the disputed site.

This is correct to say that Lord Rama was worshiped in 12th Century also in Ayodhya as one of the Avtars of Lord Vishnu. Voluntarily said that even prior to 12th century Lord

www.vadaprativada.in

Ram was worshiped in Ayodhya. I disagree with the suggestion that there was no Ram Janma Bhumi or Ram Janma Sthan Temple in Ayodhya in 12th Century. The temple referred in paper no.302-C-1/2 is the same temple of Vishnu Hari about which I have stated in para-29 of my affidavit before this Court as 'an extensive pillared mandapa like structure'. On page 302-C-1/3 the temple is said to be made of stones. On paper no.302-C-1/7 also it is stated that the temple was of large and lofty stones which had been sculpted out. This portion also refers to the same temple which I have referred in para-29 of the affidavit as above.

Q. How many rows of large and lofty stones were found at the disputed site during the course of excavation by the ASI?

A. During the course of excavation by the ASI pillar bases have been found which had stone pillar rows and one stone pillar has also been found.

Q. Is it correct to say that no stone pillar was found from below the surface of the disputed site during excavation by the ASI?

A. It is incorrect to say that no pillar was found from below the surface during the excavation as one such pillar was found from below the surface from the central part of the mound in the debris during the excavation.

www.vadaprativada.in

In plate 31 of ASI report, Volume-II there is no pillar visible, instead there is a stone Makar Pranal relating to some Shiv Temple.

Q. Is it correct to say that in plate no.31 of Volume II of ASI report part of a pillar is very much visible lying below the debris and above the surface/ top floor of the disputed structure?

A. Yes. It is correct to say. My above statement that no pillar is visible in plate no.31 is incorrect.

In plate nos.83 and 82 of the ASI report also stone pillars are visible. I cannot exactly say whether either of these two pillars visible in plates no.83 and 82 was recovered from below the surface during excavation in any of the trenches.

Q. My specific suggestion is that none of these two pillars visible in plates no.82 and 83 were recovered by the ASI from below the surface in any trenches during the course of excavation?

A. I disagree with the above suggestion.

In plate no.26 of ASI report, Vol.II there appears to be no pillar visible in it. Pillars in plate nos.82 and 83 of the said report of ASI pertain to the disputed structure. They must have been installed somewhere in the disputed structure. It could be there in the disputed structure until its demolition.

www.vadaprativada.in

www.vadaprativada.in

I do not agree with the suggestion that the aforesaid two pillars visible in plate nos.82 and 83 of ASI report being part of the disputed structure could not have been noticed ~~are~~ or recovered during excavation, from below the surface. The aforesaid two pillars can be called large and lofty stones. Sand stones can also be called large and lofty stones. In some cases calcrete stones may also be called large and lofty. The pillar bases shown in plate no. 35 are only bases over which there would have been large and lofty stone pillars. The pillar bases shown in plate no.35 can not be called large and lofty stones. The stones of pillar bases shown in plate no.37 Vol.II, of ASI report, also cannot be called large and lofty stones, but they form part of the system over which there would have been pillars standing there. Similarly in plate no. 40 of the said report also stone block is part of the system and not in itself large and lofty stone.

The stone block visible on the top in the plate no. 36 is also part of the system as a pillar base, but is not itself large and lofty. Stone block visible in plate no. 28 of the ASI report, Vol.II, also in itself is not large and lofty, but is part of the system i.e. the construction was comprised of large and lofty stones. The stone pieces visible in plate no.26 of the said report can be called large and lofty stones. Large and lofty stones are

www.vadaprativada.in

those in pillar forms. The stones used in other places of the building may be large, but need not be lofty. The stone pieces used at places other than the pillar can also be called large and lofty, if they are used in the vertical form such as for doorjambs etc. and in horizontal form as lintel and the door sills.

Q. Is it correct to say that no such large and lofty stone as has been described by you above, was found in any of the trenches excavated by the ASI?

A. Whatever was found during the excavation is detailed in ASI report, Vo.II. Voluntarily said that the other portions must have been plundered as is so common on such occasions during hundreds of years meaning thereby that after passage of long time the finds can not remain intact and can be noticed only in different pieces in tits bits.

The ASI in its report has not mentioned about the large and lofty stones, but they have referred large stones. The ASI has relied upon the large stones found during excavation in their conclusion.

ASI in its conclusion on page 272 has referred to broken octagonal shaft of black schist pillar, which can be called large and lofty stones. The other items are there, but they are not large and lofty. The foliage pattern used in conclusion pertains

www.vadaprativada.in

www.vadaprativada.in

to a large stone. Kapotapalli and doorjamb has been referred by ASI at page no. 272 as large and lofty stones.

Apart from the fragment of octagonal shaft of pillar stone shown at plate no.84 there were other 1 or 2 such fragments of octagonal shafts found during the excavation. Besides the octagonal shaft visible in plate no. 84 whether there were other such stones of octagonal shaft, I shall be able to tell only after going through entire report of ASI, Vol.II. The broken octagonal shaft of black schist as referred in the conclusion part at page 272 is the same shaft which has been depicted in plate no.84. Since the octagonal shaft as visible in plate no.84 is broken shaft as reported in the ASI report, it is wrong to suggest that this can not be called to be large or lofty stone in itself. The large and lofty stone in the shape of Kapotapalli and doorjambs on having foliage patterns can also be shown by me after going through the ASI report,Vol.II. There does not appear any reference of the pillars visible in plate nos. 82 and 83 of the ASI report, Vol.II in the summary given by ASI on page 272 in its report, of Vol.I.

Q. Is it correct to say that pillars visible in plates no. 31, 82 and 83 have not been referred or relied upon by the ASI in its conclusion of the report as they were not recovered during

www.vadaprativada.in

excavation from below the surface, but they were found above the surface?

A. I cannot say as to why the ASI did not refer the aforesaid three pillars in its report for arriving at the conclusion drawn by them.

The temple referred by me in para 29 of my affidavit refers to the same temple whose description is there in the note (tippani) below translation of line no.21 of inscription on paper no.289 C-1/198 of the book of T.P.Verma and Dr. S.P.Gupta. I cannot say, as mentioned in the above note, whether the temple was reconstructed in place of some earlier construction during the period of Govind Chanda for the reason, I have not examined the inscription referred by me above from this point of view. According to me, the construction of temple that I have referred in my affidavit and statement was a fresh construction made in 1130 A.D. and no reference of any reconstruction is given by me. The period as comes out from the above note is the period different from the period as given in my above statement regarding construction of the temple. According to me, it is the same temple about which I have given reference in my statement whose reference finds place in the above note. There is no contradiction in my statement and the facts mentioned in the above note on paper no.289 C-1/198.

www.vadaprativada.in

Since the inscription does not give the date, I have concluded it to be of about 1130 A.D. and also to be the new temple as also pointed out by Dr. K.V.Ramesh in his book.

Q. In view of your statement that the so called temple was said to have been constructed in about 1130 A.D. as new temple, will you treat the statement contained in the tippani (note) in para 21 of paper No.289 C-1/198 about the period and nature of construction of the said temple as incorrect?

A. I have arrived at my conclusion on the basis of Dr. K.V.Ramesh's assessment about the date of construction of the temple on stylistic grounds of epigraphy as no specific date is given in the inscription itself.

This is correct to say that while giving affidavit as well as making statement in cross examination, before this Court, I have relied upon article of Dr. K.V.Ramesh only and have not taken into account the translation of the inscription as given in paper no.289 C-1/ 197 to 199, including the above note on 289 C-1/198.

Statement read and verified.

www.vadaprativada.in

www.vadaprativada.in

Typed by stenographer in open court on our dictation, statement of this witness could not be concluded. Put up tomorrow for further cross examination.

15-03-2007

www.vadaprativada.in

www.vadaprativada.in

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

Dated 16.03.2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(In continuation of cross examination, dated 15-03-2007 the cross examination, on oath, on behalf of plaintiffs no. 1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman by Sri Z. Jilani, Advocate is resumed):-

I cannot say as to who amongst Sallkasana, Alhana Anayachandra, whose names find place in the article of Dr. K.V.Ramesh (paper no.302 C/2/C-7) was the successor or the predecessor of Govind Chandra. Whether from the article itself this fact can be ascertained or not, I shall be able to answer only after going through the said article in the post lunch session. This is correct that as disclosed in the article of Dr. K.V.Ramesh also the rule of Govind Chandra of Gahadwal dynasty was from 1114 to 1155 A.D. Sri K.V.Ramesh has not given in his article that the inscription was written and the temple was constructed in 1130 A.D., but in my own assessment as I have stated that the temple was constructed in

www.vadaprativada.in

1130 A.D. and have also given the same period for the inscription.

In plate no.36 of the ASI report, Vol.II, two floors are also visible besides the pillar base no. 13. The said pillar base is in between the two floors. The floors are numbered from top to bottom. The floors which are visible in plate no. 36, are floors no.1 and 2. The top floor which was visible at the time of excavation will be called floor no.1 and the top floor i.e. floor no.1 was of Post- Mughal period over the entire disputed area. Second floor found in different trenches belong to different periods. Second floor in trench no.ZH-1 visible in plate no. 36 is of Post-Mughal period. To me there appears to be a third floor also in plate no.36 in the central part as is seen from the plan of the trenches. The photograph in plate no.36 partly shows position of sections and partly plan of trenches. In plate no. 36 the section of ZH-1 facing north on the northern side is fully visible. Sections of east and west of the said trench are partly visible in plate no.36.

The ASI in its report on page no.28, at serial no.47, has mentioned that trench ZH-1 was excavated upto the depth of 80 cm. and one floor and the pillar base were found at a depth of 70 cm. and 55 cm. Voluntarily said that from the plan, other two floors are also to be seen within the excavated area of 80

www.vadaprativada.in

cm., which are visible. The depth of the trench could be more than 80 cm. The depth given at serial no.47 as 80 cm. is in respect of anomaly only.

Q. In view of your above statement can it be said that ASI has wrongly mentioned on page 28 that the trench was excavated upto the depth of 80 cm.?

A. As seen from the trench position it seems to be so.

Looking to the plan position as visible in plate no.36 the statement of ASI on page 28 at serial no.47 regarding trench ZH-1 that further excavation beyond 80 cm. was not conducted upto the required depth where anomalies were shown, it is lacking.

Q. What do you mean by the term 'lacking' with reference to ASI report at page no.28 serial no.47 ?

A. By using the term 'lacking' in my statement, I mean to say that the ASI has not disclosed the total depth of excavation in the trench.

Q. Do you mean to say that the ASI has not given total depth of the trenches excavated by them in their statement contained on page 28 at serial no.47 ?

A. Yes, they have not given the total depth.

The statement of ASI regarding the pillar base being found at the depth of 55 cm. in trench ZH-1 is correct.

www.vadaprativada.in

The third floor which according to me is visible in plate no.36, may be called floor no.3. The said third floor is visible only in the central part of the trench which has been excavated in an area of about 1 X 2 meters. The pillar base in this trench is on floor 1 and the same shall be called to be resting on floor no.1. It cuts floor no.2. It does not cut floor no.3. At this junction, the witness has been confronted with the entry on page no.59 in regard to pillar base no.13 regarding its resting on floor 4 and cutting through floor 3. The witness has stated that the said details are given on the basis of spot position while my statement is based on looking to the photograph of plate no.36.

Q. Do you mean that the photograph given in plate no.36 does not depict the correct spot position of trench ZH-1?

A. The photographs give the plan position horizontally and in absence of full section, I am not in a position to say more than what I have stated above and therefore, my statement that pillar base no.13 was resting on floor no.1 and cutting through floor no.2, may be wrong.

www.vadaprativada.in

Q. Is it possible to make statement about a floor which has not been excavated and which is not visible in regard to the fact that something was resting upon it?

A. It is not possible.

In plate no.36 floor no.4 is not visible and therefore, it can be said that the excavation had not gone upto floor no.4 in this trench.

Q. In view of your above statement that excavation of trench of ZH-1 has not gone upto floor 4, whether the statement of ASI given on page 59 about pillar base no.13 that the same was resting on floor no.4, can be said to be correct statement?

A. This could be correct because the position would have been given by the ASI co-relating with the stratigraphic position in the adjacent trenches even though not excavated in the particular trench.

Site note-books prepared during excavation are primary piece of evidence regarding conducting of the excavation. As for as information part is concerned, the site note-book is the first source, but if the excavators do not feel necessary to include any part of the site note-book in the main report, it is his prerogative in view of the requirement of the situation and

www.vadaprativada.in

the information in the site note-book could be given somewhere in the remarks column only.

Q. If there is any inconsistency about some information between the site note-book and the final report, the site note-book is to prevail or not against the final report?

A. That depends upon the discretion and the decision of the team leader, who decides after taking into account the overall situation of the excavation project. Voluntarily said that the trench Supervisors are generally younger colleagues and sometimes are even trainees, therefore, their mentioning of a particular fact in site note-book which contains day to day performance, is not to be given that importance as to prevail upon the team leader's decision.

Q. What was the other material or document before the team leader other than the site note-book about the day to day progress of the excavation of a particular trench?

A. As far as information is concerned, the site note-book is the only source of information regarding details of excavation of a particular trench.

This is correct to say that since the site note-book is the only source of information, the report is given on the basis of information contained in the said site note-book.

www.vadaprativada.in

www.vadaprativada.in

Sri S.K.Sharma, who was a member of excavation team, was Assistant Superintending Archaeologist, Agra at the time of excavation. The Assistant Superintending Archaeologist in Archaeological Survey of India is a quite senior person having standing of about 10-15 years. Sri S.K.Sharma was one of the co-authors of chapter IX of ASI report, Vol.1. The same Sri S.K.Sharma is the excavator, who wrote the site note-book no.41.

In all the excavation other than the excavation of the disputed site at Ayodhya site note-book alone is prepared on day to day basis and no day to day register is prepared as was prepared in this case under the orders of this Court.

According to site note-book no.41 on page 25 the excavation of trench ZH-1 started on 14.4.2003 and surface having a floor of lime and *surkhi* was removed. The surface floor which is said to have been removed is not called floor no.1. The floor found after digging is called floor no.1. The floor found during digging on 15.04.2003 as mentioned on page 26 of site note-book shall be called floor no.1 or the first floor. A pillar base was also found 15 cm. below the first floor as per entry on page 26 of the site note-book.

The witness having seen the entry at page no.26 of the site note-book no.41and the entry made at serial no.47 at page

www.vadaprativada.in

28 of Vol.1 of the report, said that there is a discrepancy between the two regarding the depth of floor and the pillar base. The entry made in the site note-book is to prevail over the entry made at page no.28 of the ASI report of Vol.I. As is evident from the entry on page no.27 of the site note-book no.41, the thickness of floor no.1 found on 15.4.2003 and removed on 16.4.2003, was 2 cm.

Q. From the entry made on page no.26 of the site note-book no.41 does it appear that the so called pillar base was noticed 15 cm. above floor 1 as digging on 15.4.2003 is said to have been closed at 51 cm.?

A. The pillar base could be within the depth of 51 cm.

The said pillar base cannot be said to be resting on floor no.1, but the said pillar base was cutting through floor no.1.

I cannot say definitely whether the brick bat platform whose reference finds place at page 28 of site note-book having continued in the area, refers to the same platform whose reference is there at page 26 of the said site note-book. The platform below the stone slab in upper part of the photograph of plate 36 could be the same which has been referred at page 28 of the site note book no.41. The platform, upper part of which is visible in the photograph of plate no. 36 is in square

www.vadaprativada.in

www.vadaprativada.in

shape and it is in four courses of brick bats. I cannot say whether a pit like portion noticed on north-east corner of the trench as recorded on page 28 of site note book no. 41 is visible in the photograph of Plate no.36 or not. The floor which was found at the depth of 105 cm. in the northern side referred on page 29 of the site note book 41 could be the same floor which I had described as second floor. I cannot say whether the other floor of lime and brick crush which was encountered at the depth of 109 Cm. mentioned at page 29 of the site note book 41 is the same which has been referred by me as 3rd Floor or 2nd Floor or not. No pit is visible in the photograph of plate no.36 either on plan or section. I cannot say regarding the number of the floor which was encountered at the depth of 105 cm. during excavation on 20.4.2003 of trench no.ZH-1 as mentioned in page no.31 of the site note book 41. The excavator should have numbered the different floors found by him during excavation. This is an omission in the site note-book. It was the last digging of the said trench no. ZH-1 which took place on 20.4.2003 as shown on page no.31 which deals with digging of 20.4.2003 and therefore, there is no entry in the site note-book in regard to trench no. ZH-1. In this way it can be said that trench no. ZH-1 was dug upto the depth of 173 cm. In this way the mention that the trench no. ZH-1 was excavated upto the depth of .80 metre

www.vadaprativada.in

as mentioned at serial no. 47 at page 28 of ASI report volume-I, is wrong. As the excavation has gone beyond one metre where the first anomaly was first noticed in GPR, statement at serial no. 47 to the effect that further excavation was not conducted upto the required depth where anomaly was shown, is wrong. The entry in the last column of page no. 59 against pillar base no.13 of trench ZH-1 to the effect that the foundation was resting on floor no.4 and cutting through floor no.3 is faulty. The position of pillar base no. 13 in figure 9, deals with the description as per the site note book no. 41.

Statement read and verified.

Typed by stenographer in open court on our dictation, statement of this witness could not be concluded. Put up before commissioner on 19-03-2007 for further cross examination.

16-03-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

19-03-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 16-03-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others).

(In continuation of cross examination dated 16-03-2007, cross examination on oath, on behalf of plaintiffs nos.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman by Sri Z. Jilani, Advocate resumed):-

Plate no. 36 of the ASI's report volume-II, was shown to the witness by learned cross examnier. The witness after viewing this plate stated that one orthostat is visible over the pillar base in this plate. As per the photograph no ''mortise hole'' or ''groove'' is visible in this plate. Having been shown plate no. 10, the witness stated that orthostats are visible in four pillar bases. Voluntarily said the photograph of this plate is dim. From viewing this plate no. 10, it is not possible to state

www.vadaprativada.in

www.vadaprativada.in

about the total number of pillar bases visible in this plate. Pillar base numbers also can not be given on the basis of this photograph of plate no. 10. The statement written in the caption of this plate that pillar bases of northern area are shown in this plate, is correct. As seen from the photograph of plate no. 10, no 'mortise hole' or 'groove' is visible in any of the pillar bases, shown in this plate. In plate no. 9 of the above report there are three orthostat in three pillar bases visible in this plate. No 'mortise hole' or 'groove' is visible in any of the pillar bases, shown in plate no.9. In plate no.1, of the above report, one pillar is visible in this plate fixed in vertical position. In plate no. 11 of the above report, one pillar base seems to be there in the upper middle side of the photograph. A large stone is visible in right upper side of the photograph of plate no. 11. The same is not indicative of the pillar base. The pillar base seems to be in upper central side as stated earlier. Orthostat could be over this central pillar base but the same is not visible fully in this plate. No 'mortise hole' or 'groove' is visible in the pillar base of this plate no. 11. In plate no. 13 of the above report no pillar base is visible. In plate no. 14, 15, 16 and 17, no pillar base is visible. No pillar base is visible in plate no. 18, 19 and 20. In plate no. 21, four pillar bases are visible. All the four pillar bases are visible in the lower and central side of this plate

www.vadaprativada.in

no. 21. In the lower left-side two pillar bases are visible, one is in the lower side and the other is in the upper side. No orthostat is visible in this plate, similarly no 'mortise hole' or 'groove' is visible in this plate no. 21. In the central place of this plate two pillar bases are visible in the left-side of the electric pole. In plate no. 22, no pillar base is visible. In plate no. 30, there are two pillar bases visible but no orthostat is visible in these pillar bases. No 'groove' or 'mortise hole' is visible in these two pillar bases. The depth from the surface of the trench could be about two metres. These two pillar bases are resting over the depth of 2 metres approximately as stated above.

Learned cross examnier drew the attention of the witness towards page 64 of volume-I, of the ASI's report where pillar bases no. 34 and 35 are described by the ASI as resting on floor-4.

Having been shown site note book no. 15 submitted by ASI, the witness stated that this site note book relates to trench F-7. The trench supervisor of trench F-7, was Gajanan L. Katade. Since AA, is written against his name, therefore, he should be Asstt. Archaeologist and not Asstt. Superintending Archaeologist. I am not aware about Gajanna L. Katade's experience. From the 'contents' of the above report it is evident that Gajanan L. Katade was co-author of chapter-4 and chapter-

www.vadaprativada.in

www.vadaprativada.in

7. On page 1 of the site note book no. 15, the location of trench F-7 is given. It is mentioned that this trench was situated to the south of the make-shift structure. On page-3, of the above layer one was at a depth of less than 20 cm. 20 cm is the closing depth of layer one. Floor-1 and 1-a were noticed within the depth of 20cm. On page-3 of the above site note book, the operation area is mentioned as ' southern two-third area of the trench'. In plate no. 30 of the ASI report volume-II, southern two-third area of trench F-7, has been shown in lower side. On page-7 of this site note book layer two was noticed within the depth of 55cm in between 40cm and 55 cm. On page-9 of the above site note book it is mentioned that floor-2, which was 10-12 cm thick was removed. Floor-2 was noticed below 55 cm. A structure was seen at the depth of 75cm in the south-west and south-east corner of trench F-7. Floor-2 must have been found at a depth of around 60cm. This structure was made of two stone blocks. These blocks are the same stones to which I have referred as pillar bases. These stone blocks visible in lower and upper portion of plate no. 30 are the two pillar bases which have been mentioned by me above. Both these pillar bases are in trench F-7 as this site note book no. 15 relates to trench F-7. They were above the depth of 85cm as the digging closed at 85 cm on 23-04-2003,on which day these pillar bases were found.

www.vadaprativada.in

On page-11, of the above site note book, when digging started at 85cm and closed at 100cm there is no mention about any pillar base and floor. On page-13, when digging started at 100cm and closed at 106cm, floor-3 had appeared and layer-3 had been removed. From the description given on page-15 of the above site note book it is evident that from 26th April, 2003 the digging started in other part of trench F-7 i.e. in the north-west corner of this trench. This digging of north-west corner of trench F-7, continued up to 3rd May, 2003, the details of which are mentioned at page 23 and 24 of the above site note book. From 6th May, 2003 the digging of baulk between trenches F-6 –F-7, started which continued up to 13th May, 2003. From this site note book it is evident that the details of the excavation of trench F-7, are given on pages 1 to 24. On page-1, the signature of the trench supervisor is dated 19th April, 2003 on which date the excavation of trench F-7 started. From pages-3 onwards signatures of the trench supervisor are dated 10th November, 2003 while the excavation at the disputed site was over on 7th August, 2003 and report of excavation was submitted by ASI on 22nd August, 2003. From the aforesaid site note book no.15, it is evident that the two structures being described by me as pillar bases, found in trench F-7, were described by the trench supervisor as 'stone foundations'. These stone foundations

www.vadaprativada.in

www.vadaprativada.in

were found below floor-2 and above floor-3, between the depth of 75cm and 100cm. These stone foundations can be said to be resting on floor-3, above layer-3.

Learned cross examnier drew the attention of the witness on page-64 of the ASI's report, volume-I, the witness stated that the description given in the above site note book about the said pillar bases resting on floor-3, is correct and the description about these pillar base number 34 and 35, that they were resting on floor-4 is also correct in its place as it gives the final position as asserted by the team leader.

Q: What is the basis and source of information for the team leader to state on page-64 of the report that the said so called pillar bases no. 34 and 35 were resting on floor-4, as against the site note book which described the said foundation stones to be resting on floor-3?

A: This could be based on the cross section of the overall site. However the team leader himself required to explain this position .

I don't know whether any cross section of the site referred by me above was prepared by ASI or not. Whether cross section of entire site was prepared by ASI or not can be answered only after going through the report submitted by ASI. I can state about it tomorrow after perusing the report. On

www.vadaprativada.in

www.vadaprativada.in

pages 25 onwards of the site note book no.15 there is mention of baulk between F-6 and F-7 but there is no mention of the baulk between trenches E-7 and F-7.

Learned cross examiner drew the attention of the witness towards site note book no. 12, the witness stated that this site note book relates to excavation of trench E-7 and the baulk of trenches E-8 and F-8. From pages 1 to 41 of the site note book no. 12 there is mention of only trench E-7 and from pages 43 to 45 there is mention of baulk between trenches E-8 and F-8. In this site note book also there is no mention of the baulk between trenches E-7 and F-7. Revised General Index containing interalia chart of all the site note books was shown to the witness, who after going through it stated that from page 1 to 3, the details of all the 45 site note books are given. There is no mention of the baulk between trenches E-7 and F-7 in any site note books on pages 1 to 3 of the Revised General Index.

Q: As there appears to be no site note book relating to the alleged excavation of the baulk of E-7 -- F-7, which document prepared by ASI can be said to be the source of information given in respect of so called pillar base no. 34 as mentioned on page no. 64 of the ASI report volume-I ?

(Km. Ranjana Aghnihorti Advocate, raised the objection to the above question that although the witness was present at

www.vadaprativada.in

www.vadaprativada.in

the excavation site but the registers and other relevant documents were not prepared by him and as such asking questions in respect of the documents which were not prepared by the witness being irrelevant should not be permitted to be asked. ASI persons and team leader in these circumstances should be called.)

(Learned cross examiner in his reply submitted that the witness is not being asked about any particular document said to have been prepared by ASI but he is being asked about the basis of information which is contained in the ASI report in chapter-4 which is said to have been written by six persons of ASI team and not by leader of the ASI team and as such it is not expected that for seeking such a petty information, seven members of the ASI team should be summoned for examination in this court.)

A: This question can be replied by the team leader of the excavation.

By team leader I mean Hari Manjhi and Dr. Mani both and more particularly by Dr. B. R. Mani.

Q: How can you call Dr. B. R. Mani to be the leader of the team when he was replaced by Sri Hari Manjhi under the orders of this court ?

www.vadaprativada.in

www.vadaprativada.in

(Km. Ranjana Aghnihotri Advocate, raised the objection to the above question that the witness is an expert archaeologist but he has no legal knowledge about all the orders passed by Hon'ble court. He was at the excavation site only for observation which was done during excavation.

(Learned cross examiner in his reply submitted that the witness claims to have read the ASI report, volume-I, in which these facts about the composition of ASI team and its leader are mentioned at pages 7-8 showing that initially the ASI team was headed by Dr. B. R. Mani but subsequently Sri Hari Manjhi was appointed team leader in the last weak of May 2003, in pursuance of direction of this Hon'ble court.)

A: I think he was not replaced but Hari Manjhi was added by the department as senior and co-leader of the team.

Q: Do you mean to say that the observation made in the last line of page-7 of the ASI report volume-I, continued on page 8 of said report that Sri Hari Manjhi was appointed team leader, is not correct ?

(Km. Ranjana Aghnihotri Advocate, raised the objection to the above question that the question has already been replied by the witness and repetition of the questions should not be permitted)

www.vadaprativada.in

www.vadaprativada.in

A: As already stated by me Sri Hari Manjhi was no doubt made as team leader but as seen from page 8, Dr. B. R. Mani continued to direct the excavation thus the position stands clear in the light of my above statement.

Figure-3 (,page 14-A) of the ASI report volume-I, gives the key plan of structures.

Q: Whether this figure 3-A, giving plan of structures can be said to have been prepared after the close of excavations on 7th August, 2003 ?

(Km. Ranjana Aghnihotri Advocate, raised the objection to the above question that all the figures and drawings were sketched by ASI persons and these figures neither sketched by the witness and nor before him by the ASI persons. Asking such types of questions relating to dates, figures and drawings which was never sketched before witness should not be permitted to be asked)

(In reply to the above objection the learned cross examiner submitted that the witness had not been asked to give the date of preparation of figure 3, but rather he has been asked to give the period because as an archaeologist he must be aware that such plan of structures giving details about all the structures found during excavation can not be prepared unless the excavation is over)

www.vadaprativada.in

A: In excavations drawings and sketches are prepared simultaneously side by side of the excavation. However, they are finalised subsequently in a final and presentable form in due course. Thus the position remains quiet clarified in my statement.

Q: By the word 'subsequently' used in your above statement do you mean to suggest subsequent to the closure of the excavation ?

A: I do not mean by 'subsequently' the closure of excavation as I have explained above during the course of excavation the drawings are prepared first and then finalised

Q: By your statement that 'they are finalised subsequently in a final and presentable form in due course', do you mean to suggest that this finalisation is also done before the closure of excavation ?

A: It could depend on the situation as may be there after completing the work.

In figure 3, trench E-7 is not mentioned between trench D-7 and F-7 as it is not necessary to show the peg number once the portion has been excavated. It is already evident from the adjacent peg markings. The position is to be taken as implied in such situations. In figure 3-A (page 38-A) pillar base no. 34 and 35 have been shown in southern side of trench F-7. As per

www.vadaprativada.in

www.vadaprativada.in

figure 3-A the removal of baulk between trench E-7 and F-7 does not seem to have been there in the concerned trenches.

Statement read and verified

19-03-2007

Cross examination of this witness could not be concluded. Put up on 20-03-2007 for recording further cross- examination of this witness

(H. S. Dubey) 19.3.2007
Commissioner
19-03-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

20-03-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 16-03-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others).

(In continuation of cross examination dated 19-03-2007, cross examination on oath, on behalf of plaintiffs nos.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman, by Sri Z. Jilani, Advocate resumed):-

Learned cross examiner drew the attention of the witness towards figure-1 (page 13-A) of the ASI report volume-I. The witness stated that this is a contour map. It was prepared before the commencement of the excavation at the disputed site. The purpose of preparing the contour map is to know about the behaviour of mound, its ups and down, its heights and depressions etc. The contour map shows only surface of the mound and area which is proposed to be excavated. There is an

www.vadaprativada.in

area marked as AYD-1. 'AYD' is short form of Ayodhya and number-1 indicates the main site of the main mound and the western portion. There does not seem to be any entry of AYD-2 or 3 etc. I am not aware about any marking done by Ayodhya museum as AYD-1.

Learned cross examiner drew the attention of the witness towards plate no. 37 of the ASI's report volume-II, the witness after viewing this plate stated that two finished pillar bases are visible in this plate. Orthostats are visible in these two pillar bases. No 'mortise hole' or 'groove' is visible in this plate.

In plate no. 37 pillar base no. 1, is in the northern upper side whereas pillar base no. 5 is towards the south near the scale. Both these pillar bases appear to be on the same level of floor. On page 56 of the ASI report volume-I, pillar base no. 1 has been shown projected over the surface of floor-2. Pillar base no. 5 is also projected over the surface of floor-2 by 11cm. 11cm is the height above the floor-2.

Learned cross examnier drew the attention of the witness towards site note book no. 41. Page no. 43 of the site note book was shown to the witness, who after seeing it stated that this is the only description in this site note book about the baulk between trenches ZH-2 – ZH-3. This baulk was excavated only upto the depth of 55cm. Only one floor was encountered in

www.vadaprativada.in

trench ZH-2. This floor will be called floor-1 of this trench. The stone block of sand stone measuring 60 X 58cm was exposed near the north-eastern part of the trench. This very stone block of sand stone measuring 60 X 58cm has been shown as pillar base no. 1 on page 56 of the ASI's report, volume-I. According to the entry made on page 43 of the site note book no. 41, stone block of sand stone was found above the depth of 55cm. On page 43 of the site note book no. 41, a diagram has been given in which in the upper portion a stone block measuring 60 X 58cm has been shown whereas in the lower portion of this diagram a stone block measuring 58 X 53cm has been shown. The stone block of upper portion has been shown as pillar base no. 1 on page 56 of the ASI's report volume-I, whereas the lower stone block has been shown as pillar base no. 5 on page 57 of the same report. The size of this stone block marked as pillar base no.1as given on page 56 of the above report is not tallying with the size given on page 43 of the site note book number-41. The measurement of this sand stone block given on page 56, should be taken as correct because this measurement would have been given by the draftsman of the excavation team. On page 56 of the above report, two sizes have been given of this stone block one is in column-4 and the other is in column-9 against the entry of

www.vadaprativada.in

www.vadaprativada.in

pillar bases. The entry in column-4, is size of the pillar base in centimetre whereas column-9 is material and measurement of top block in centimetre. 'Top block' means top of stone block. The measurement on page 43 of the site note book no. 41, with regard to stone block of sand stone is the measurement as given in column-9 on page 56 of the ASI's report volume-I. Other stone block shown in the lower side of the diagram of the above site not book no. 41 is not the stone block of same baulk but it belongs to trench ZH-2. The entry on page 43 of the site note book no. 41, relates to the baulk of trench ZH-2 --- ZH-3 as well as to the trench ZH-2 also. On page 42 of the above site note book description of trench ZH-2 is given in which a square sand stone block was found at the depth of 48cm from the surface. In this trench a floor of lime surkhi was found at the closing depth of 55cm. This floor should be taken as floor-1. The stone block on the trench ZH-2 could be on the surface of floor-1. This squarish sand stone block has been mentioned as pillar base no. 5 on page 57 of the ASI's report volume-I. The measurement on page 57 of this sand stone block is different from the measurement of the same given on pages 42 and 43 of the site book no. 41. The measurement given on page 57 of the above report should be taken as correct because it is based on actual measurement made by draftsmen of the site.

www.vadaprativada.in

Q: Whether the measurements taken by the draftsmen, as stated by you, are recorded in any register or site note book, if so, what is the name of that document, register or note book ?

A: The measurements are recorded in the note book of the concerned draftsmen who prepare the drawings of different plans and sections etc.

There is a note book of draftsmen also in which they record the different measurements and prepare the drawings accordingly. This note book is not called as site note book which is prepared by the trench supervisor. If there are more than one draftsmen, then each one of them maintains his own note book on the basis of which, he finalises the drawing or diagram. I don't remember as to how many draftsmen were there in this excavation at Ayodhya.

Q: Whether the number of draftsmen at Ayodhya was more than one or there was only one draftsmen ?

A: There could be more than one draftsmen. Said voluntarily, sometimes surveyors and artists are also required to prepare the drawings.

Having shown plate no. 39 of the ASI's report volume-II, the witness stated that it could be top stone block of a pillar base. As recorded on the caption of plate no. 39 this stone block pertains to pillar base no.34. the measurements given column 4

www.vadaprativada.in

on page 63 of the ASI's report volume-I in regard to pillar base no. 32 are not the measurement of the stone block. The measurement of stone block is given in the last column against the entry of this pillar base as 38 X 32 X 19cm. In the last column against the entry of pillar base no. 32 it is mentioned that the foundation was resting on floor-4 whereas the octagonal member carved with floral design was resting on floor-2. Floor-4 pertains to foundation of pillar base, whereas floor-2 pertains to the floor on which the octagonal piece was resting..

Q: Whether any so called pillar base is visible in this plate no. 39 other than the decorated octagonal sand stone block visible in this photograph ?

A: No pillar base other than the decorated octagonal sand stone block is visible in plate no. 39.

Site note book no. 15 was shown to the witness. The attention of the witness was drawn to page 27 of this note book, the witness stated that this page deals with the baulk of trench F-6 – F-7. The description of the architectural fragment which was square at the base and octagonal at the top and was measuring 38 X 19cm refers to the description of the pillar base no. 32 as given on page 63 of the ASI report volume-I. This was placed on floor-2. On page 23 of the site note book no. 15

www.vadaprativada.in

www.vadaprativada.in

in the entry at serial no. 10 in the right side column there is mention of an architectural fragment of sand stone measuring 32.5 X 19cm. It is the same octagonal sand stone block which is mentioned in the last column against the entry of pillar base no. 32. This sand stone block was found above the depth of 53cm as given on page 23of the site note book no. 15, meaning thereby that this sand stone block was found within the depth of 53cm. This octagonal sand stone block was placed over floor-2 meaning there by that floor-2 was found at the depth of 53cm. The description about the digging of the baulk between the trench F-6 --- F-7 is mentioned only on pages 25, 26, 27, 29, 30 and 31 of site note book no. 15. The rough diagram of this octagonal sand stone block is given on page 24 of this site note book.

Plate no. 42 of the ASI's report, volume-II, was shown to the witness who after viewing this plate stated that this pillar base no. 22 is said to have been found in trench F-2. On page 61 of the ASI report, volume-I, it is mentioned in the last column that this pillar base no. 22 was resting on floor-4. Only one sand stone block is visible in plate no. 42 on pillar base no. 22 in trench F-2. The size of this stone block can not be given by me. Site note book no. 8 prepared by ASI deals with trench F-2. It was prepared by Mr. C. B. Patil.

www.vadaprativada.in

www.vadaprativada.in

Mr. C. B. Patil was Asstt. Superintending Archaeologist, if I remember correctly. He is co-author of chapter-2 and 7 of the ASI report volume-I. He is quiet a senior person having experience of 10 to 15 years. From the perusal of pages 5 to 7 of the site note book no. 8, it is evident that northern half portion of trench F-2 was excavated upto the depth of 1.20cm.

In plate no. 38 of the ASI report volume-II orthostat is visible. Two 'mortise holes' are also visible but there is no 'groove' visible in plate no. 38. In plate no. 39 and 42 there is no orthostat. Similarly there is no 'mortise hole' or 'groove' in these two plates. In site note book no. 8, which is regarding the trench F-2, on pages 5 to 7 no pillar base is mentioned.

In site note book no. 7 on page 19, details of trench no. F-2 are given which continued up to page no. 37. This site note book starts from page 1, which shows that trench supervisor was Gajanan L. Katade Asstt. Archaeologist, to page 17 Signatures of Gajanan L. Katade are available on these pages. On pages 19 to 37 signature and writing is of some other person who has signed as S. Z. Ali. From pages 51 to 58 signatures and writing of Gajanan L. Katade are again found. On page 59 again there is signature of S. Z. Ali. On the title page of site note book no. 7 the name of Gajanan L. Katade above is written. The name of S. Z. Ali also should have been

www.vadaprativada.in

on the title page of this site note book. The complete description about a particular trench should have been given in one site note book, otherwise if one or two note books are also there, then there is no harm because the details should find place in site note book whether in one ste note book or more than one site note books. However, they should be numbered. On page no. 19 of the site note book no. 7 there is an entry to the effect that trench was earlier excavated by Sri C. B. Patil and later on by Sri Gajanan L. Katade. This shows that trench F-2 was excavated by three persons namely Sri C. B. Patil, Sri Gajanan L. Katade and Sri S. Z. Ali. On page 13 of the site note book no. 7, it is mentioned that the digging of trench F-2 was closed at a depth of 2.53metres.

On page 24 of the ASI report volume-I, at serial no. 31, it is mentioned that G.P.R. survey indicated the anomalies in the form of alignments at the depths of 2.3 – 2.5metre and excavation was conducted only up to the depth of 1.50metre and furthur excavation was not conducted upto the required depth where the anomalies were shown in view of the importance of the exposed structure, whereas on page 13 of the site note book no. 7, it is mentioned that digging in trench F-2 closed at the depth of 2.53metre. Thus there is difference between these two descriptions. This description on page 24 of

www.vadaprativada.in

the above report was given by the persons in which Sri C. B. Patil was one of the co-authors. Both these description should be taken in their own way as faithful recording of the digging.

Q: When the description about the depth of digging given at serial no. 31 of page 24 of the ASI report volume-I, is clearly against the recording about the depth of digging of the concerned trench no. F-2 as given on page 13 of the site note book no. 7, how can you say that the description given about the said trench F-2 at serial no. 31 on page 24 of ASI report volume-I was a faithful recording ?

(Km. Ranjana Agnihotri Advocate, raised the objection to the above question that the witness has studied only the ASI report volume-I and II. The site note books were neither prepared by him nor provided to him and his entire cross examination is based on excavation at site as well as the ASI report and not on the basis of these site note books, such question should not be permitted to be asked.)

(In reply to the above objection learned cross examiner submitted that witness claims himself as an expert archaeologist and a simple question put to him is with reference to contradiction in the ASI report and the site note book being shown to him and as such he is ex[illegible] to give a reply after seeing the site note book as to which description is to be relied

www.vadaprativada.in

upon i.e. the description given in the report or the description given in the site note book)

A: Because the position is recorded therein, in both the situations as far as any other aspect is to be seen, Dr. Mani could be in a position to throw light on the same, being one of the team leaders.

Q: How can Dr. Mani be expected to comment upon the correctness or incorrectness of the information given by a particular trench supervisor in a particular site note book ?

A: He can at least clarify the situation.

In plate no. 42 of the ASI report volume-II, floor-2 and floor-3 have been marked. Floor-3 could be on the right side where scale is lying. The structure which is visible in the middle of this plate could be resting over floor-2. Two pillar bases are visible in plate no. 43 of this report. Orthostats are not visible in any of the two pillar bases shown in trench no. G-2. No 'mortise hole' or 'groove' is also visible in these two pillar bases no. 23 and 24. There seems to be three floors in plate no. 43. Stone blocks are visible in the pillar base of the left side and not in that of the right side. Both of these two pillar bases are in trench G-2. According to the chart of periodization given on page 37-A of the ASI report volume-I, floor-3 and floor-2 of trench G-2 have been shown to be of medieval period, seen

www.vadaprativada.in

from the left side of the chart. In plate no. 44 of the ASI report volume-II, pillar base no. 27 is visible in the eastern lower central side. This pillar base is resting on this floor. Floor number is given there which is very dim, perhaps it is floor-3. Orthostat is not visible in this plate. No 'mortise hole' and 'groove' is also visible in this plate.

Statement read and verified

20-03-2007

Cross examination of this witness could not be concluded. Put up on 21-03-2007 for recording further cross- examination of this witness

(H. S. Dubey) 20.3.2007

Commissioner

20-03-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

21-03-2007 **D.W. 20/5 Javanti Prasad Srivastava**

(Commissioner appointed vide order dated 16-03-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others).

(In continuation of cross examination dated 20-03-2007, cross examination on oath, on behalf of plaintiffs no. 1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman, by Sri Z. Jilani, Advocate resumed):-

It is wrong to say that the so called pillar base no. 27 as shown in plate no. 44 of the ASI's report volume-II, is in the south-west corner of the trench H-5, as seen from the photograph, in the absence of any reference peg. Reference peg is visible in north-west corner of plate no. 44 which is dim. Said voluntarily, in that way my earlier statement holds good that it will be somewhere in the south-east side instead of south-west side.

www.vadaprativada.in

www.vadaprativada.in

Learned cross examiner drew the attention of the witness at figure-11 (page 62-A), the witness after seeing this figure stated that pillar base no. 27 seems to be in south-west corner. My above statement in this regard could be, therefore, incorrect in view of figure-11 and marking made by the ASI report therein. In this figure-11 pillar base no. 27, appears to be above floor-3 and no floor-4 is shown in this figure. Pillar base no. 27 was resting on floor-3 as per the diagram of figure-11. In plate no. 44 labels of three floors appear to be there.

In plate no. 45 of the ASI's report volume-II, one pillar base no. 29 is visible. It is the same pillar base which has got three stone blocks within it. Labels of the floors are not seen in the photograph of plate no. 45. These three stone blocks are below three courses of stone. No orthostat, 'mortise hole' or 'groove' is visible in this pillar base in plate no. 45. On page 25 at serial no. 35 of the ASI report, volume-I, three pillar bases are mentioned, first at the depth of .70metre, second at the depth of .55metre and third pillar base was found at the depth of 1.60metre. The first pillar base which was found at the depth of .70metre, is visible in plate no. 45 of the ASI report volume-II. This pillar base no. 29 is situated in central western part of the trench F-6. On page 62 of the ASI's report volume-I, pillar base no. 29 of trench F-6 is mentioned as rectangular, foundation

www.vadaprativada.in

partially exposed. The pillar base which is visible in plate no. 45 also appears rectangular in shape. On page 62 and 63 of the above report with regard to pillar base no. 29 it is mentioned in last column that this pillar base was resting on floor-4. This description is correct.

Q: If the so called pillar base no. 29 said to have been found at a depth of 0.70metre can be said to be resting on floor-4, then on which floor the third so called pillar base referred at serial no. 35 on page 25 of the ASI report volume-I, allegedly found at the depth of 1.60metre can be said to have rested ?

A: The pillar base which was found at the depth of 1.60metre in trench F-6 could naturally be below floor-4 and above floor-5 and resting upon floor-5.

In plate no. 46 of the ASI report volume-II, one pillar base is visible. Only one label of trench no. F-7 is visible in plate no. 46. Trench F-7 starts from the north west side of the trench from the label of reference peg. The trench F-7 is in the south-eastern side of the label of trench F-7. Trench F-7 is visible in plate no. 46, but its northern part could pertain to trench F-6 also. No orthostat, 'mortise hole' or 'groove' is visible in plate no. 46. There seem to be three stone blocks in pillar base no. 31, as seen in plate no. 46.

www.vadaprativada.in

www.vadaprativada.in

On page 27 of site note book no. 15, floor-2 has been referred whereas on page 29 floor-3 has been referred. On the day when floor-3 was exposed in the baulk of trench F-6 – F-7, digging was closed at the depth of 105cm. On page 31 and 32 of the above site note book no. 15, there is no mention of any floor. Pillar base no. 31 would be resting on floor-3. On page 25, although it is not mentioned that any pillar base was exposed but in the north-south area the brick encasing of the stone foundation was 1.95metre with a height of 38cm from floor-3, it could be a pillar base.

Q: If the said brick encasing found at the height of 38cm above floor-3 is taken to be the so called pillar base then it can not refer to the so called pillar base no. 31 visible in plate no. 46, as the said so called pillar base no. 31 has been described by you to be resting on floor-3?

A: As per the written details on page 25 of the site-note book no. 15, dated 6th May, 2003 the height of the foundation is given 38cm above floor-3. Thus the description given on page 25 of the site-note book no. 15 should be relied upon for the pillar base.

Having shown plate no. 47 of ASI's report, volume-II, the witness after viewing this plate stated that two pillar bases are visible in plate no. 47. They are in trench F-9. No orthostat,

www.vadaprativada.in

www.vadaprativada.in

'mortise hole' or 'groove' is visible in any of these two pillar bases. Stone blocks are visible in both the pillar bases. These stone blocks seem to be rectangular in shape in both the pillar bases. In plate no. 47, one pillar base is in upper level whereas the other pillar base is at the lower level. A scale is lying beside the pillar base at lower level, I can not say as to which pillar base is number 44 in the absence of any indication. Both pillar bases as visible in plate no. 47 are not resting on one and the same floor but are at different floors. The pillar base which is in the right upper side is resting on floor-2. Thus the other pillar base being in the lower side would naturally rest on floor-3. Both the pillar bases visible in plate no. 47 are rectangular in shape. The pillar base which is on the lower level could be squarish in shape. Pillar base referred at serial no. 37 on page 26 of the ASI report volume-I, is the same pillar base which is visible in plate no. 47 towards right upper side of the trench which is resting on floor-2. This plate no. 47 is complete picture of trench F-9, where almost all the four sides of the trench are visible. This trench F-9 would have been excavated upto the depth of 1metre below the surface of the trench. Since the depth of trench F-9 is recorded at serial no. 37 of page 26 of ASI report volume-I, it is to be relied upon, because this description is based on the actual measurement taken by the

www.vadaprativada.in

www.vadaprativada.in

draftsman, surveyor, drawing officer etc. as the case may be, whereas my assessment is based on only eye observation on seeing the photograph.

Q: Does it mean that your statement given above about the approximate depth of trench F-9 being only about 1metre was not a correct assessment ?

A: I think I have clarified the position in my above statement, however, if the fault only is to be accounted for, it may be so, as pointed out by the learned cross examiner.

At serial no. 37, on page 26 of the above report the description of only one pillar base is mentioned at the depth of .50metre and there is no mention of second pillar base, thus this statement on page 26 at serial no. 37 is correct and my statement on the basis of photograph which gives the picture of the other pillar base below floor-2 is also seen hence that statement is also correct in that way.

Q: How is it possible that description of only one so called pillar base, given at serial no. 37 of page 26 can be said to be a correct and complete description of trench F-9, if you find two so called pillar bases in the photograph of same trench given in plate no. 47 ?

A: Because the description on page 26 speaks about the position of only one pillar base when it was recorded. The

www.vadaprativada.in

photo plate was prepared after the digging and at a later stage thus both the situations stand clarified, being self-evident in their own sphere.

Q: Do you mean to suggest that the details of trenches mentioned from pages 19 to 36 of the ASI report volume-I, were prepared before the closure of excavation and they do not depict the complete details found and noticed upto the end of excavation ?

A: They were prepared during the course of excavation side by side along with the photographs and drawings and finalised by the time of closure of excavation. However, in some cases there could be lack of co-ordination in respect of photographs, drawings and descriptions which is not unlikely in such cases. Thus the situation remains explained.

Learned cross examiner drew the attention of the witness towards the figure no. 12 (page 66-A) of the ASI report volume-I. The witness stated that both the pillar bases no. 43 and 44 are shown in trench F-9. Both these pillar bases are on different floors whereas there is mention of floor-2 only and the other floor although is indicated in writing its number is not given. Pillar base no. 43 has been shown to be resting on floor-2 in this figure 12. In this figure 12, trench F-9 is shown towards the north side whereas reference peg of trench F-10

www.vadaprativada.in

falls towards south. The place where reference peg of trench F-9 is given is in the upper side of the trench. The floor which is mentioned without number in the plan of figure 12 is approximately at the depth of 50cm or more than the depth of floor-2 as seen from the diagram of figure-12. Said voluntarily, the trench shows the horizontal position on the basis of which vertical position can not be worked out in exact terms of the measurement, unless section depiction is also there which gives the vertical position. The pillar base no. 44 was at a lower level than pillar base no. 43 as is evident from the plan position of figure 12. The pillar base which is at the upper side resting on floor-2 as visible in this plate no. 47 is pillar base no. 43 and the pillar base which is seen in the lower side, below floor-2, near the scale, is pillar base no. 44. This identification of pillar base no. 43 and 44 has been done by me on the basis of figure no. 12.

www.vadaprativada.in

Q: Are you now in a position to state whether cross section of the entire site was prepared by the ASI or not as was put to you on 19-03-2007 and you had replied that you can answer about the same only after going through the report ?

A: There are various cross sections attached to the ASI report giving the position of east-west and north-south sections but I could not locate any cross section of the entire site in the

www.vadaprativada.in

ASI report as the index of sections given in figure 15 as per list of figures and plates (page III) could not be located by me.

In plate no. 48 of ASI report volume-I, only one pillar base is visible in trench G-9 and its number is 45. This pillar base is not resting on floor-2 but it is cut into the floor-2 as seen from the photograph of plate no. 48. Two stone blocks are visible in this pillar base in four courses of brick bats. There is no orthostat, 'mortise hole' or 'groove' in this pillar base. Only floor-1 and floor-2 are visible in this plate but floor-3 and floor-4 are not visible. There is no digging below floor-2.

Plate no. 49 of the above report deals with the north-south oriented brick wall which is wall no. 16 and the 'niche' which is shown here is facing towards the east. In the southern side of the section, layers from 2 to 6 have been marked as seen from layer labels. There is no pillar base visible in plate no. 50. Wall 16 and wall 17 are visible in this plate. The wall having brick bats in its upper portion is wall 16. Wall 17 is towards the west side over which a scale is lying and one long stone being an architectural member is lying over it. In plate no. 51, wall 17 seems to be there over which a scale is lying. The wall which is above the scale portion is wall 16. In plate no. 52, floor-5 is visible in the photograph. The wall which is visible in this plate is wall 16. Floor-5 which is visible in plate no. 52 is dated to

www.vadaprativada.in

10-11th century. I think this has been dated by the ASI. This plate 52 pertains to trench E-8. Floor-5 is found in one or two other trenches also but I don't recollect their numbers at this stage.

Q: Is it correct to say that the so called floor-5 of trench E-8 has not been dated by the ASI in the charts given at pages 37-A and 37-B or at any other place in the ASI report volume-I ?

A: The periodization of floor-5 of trench E-8 has not been given in the charts given on pages 37-A and 37-B.

Having shown plate no. 52 of the ASI report volume-II, the witness stated that trench number has not been indicated in this plate. It is not possible to date the floor visible in plate no. 53 in absence of trench number. I think wall 16 has passed through the trenches of the 'E' series from north to south. Since peg mark is not visible in plate no. 54 of the ASI report, volume-II, therefore, it is not possible to state about the trench number. Two walls are visible in plate no. 55. The bigger wall is wall 16 but I can not mention the number of small wall which is running east-west, by memory. Two pillar bases are visible in plate no. 56. One pillar base is in the upper part of the photograph whereas another pillar base is in the lower part of the photograph. The pillar base of the upper part is attached

www.vadaprativada.in

www.vadaprativada.in

with any wall or not can not be stated as the position of wall is not clear in this plate. It is wrong to suggest that no pillar base is visible in plate no. 56. In the lower part a stone architectural member is visible lying over the pillar base. I can not give the number of the trench of these two pillar bases visible in plate no. 56 in the absence of any reference peg marks. East-west running wall is clearly visible in this plate but the wall running north-south is not clear as it could be layer deposits. I can not give the number of this east-west running wall by memory. In plate no. 57 as indicated in the caption of the photograph it pertains to trench no. J-5 and J-6 both. No pillar base is visible in this photograph. I have seen the graves as visible in plate no. 58 at the disputed site during excavation in the northern area. The face of the skeleton found in these graves was facing towards the west. If I remember correctly, no portion of the circular shrine as visible in plate 59 was found in the baulk of trench E-8 and F-8 but a portion of it could be near the baulk.

Q: Is it correct to say that the structure visible in plate no. 59 described as so called circular shrine was noticed during the excavation of the baulk of E-8 – F-8 in the first week of August, 2003 ?

A: I don't exactly remember about its position and date.

Statement read and verified

21/3/07

www.vadaprativada.in

Cross examination of this witness could not be concluded. Put up on 22-03-2007 for recording further cross- examination of this witness.

21.3.2007

(H.S. Dubey)
Commissioner
21-03-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

22-03-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 16-03-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others).

(In continuation of cross examination dated 21-03-2007, cross examination on oath, on behalf of plaintiff nos.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman, by Sri Z. Jilani, Advocate resumed):-

I have also worked as 'Exploration Assistant' in the ASI from 1957 to 1964. I covered full aspects during excavation as per the guidelines given in the form D issued by the ASI which had certain categories and the items which were to be explored keeping that in mind.

Q: While doing full coverage surveys did you cover 'quadrats' or 'transects' ?

A: I am not aware of these two terms.

www.vadaprativada.in

www.vadaprativada.in

I was exploring for the archaeological site.

Q: Whether 'field walking' is the only method of exploration of archaeological sites ?

A: Yes, regarding the archaeological exploration on the basis of ground survey, 'field walking' method is the only method by going from village to village in a particular area/ or district.

'Sanghol' is not an early historic site but it is prior to that period which is called Proto-historic period site. 'Kushan' period items were found at Sanghol site.

Learned cross examiner drew the attention of the witness towards para 25 of the affidavit of examination-in-chief of the witness, the witness after reading this para stated that in Ayodhya excavation lay out of trenches was done in view of the G.P.R. survey indications.

Q: My question was that what was new about the method of trench layout adopted by the ASI which may be called the adoption of "latest techniques of layout of trenches" ?

A: Generally the layout of the trenches is done in the grids of 10 X 10metres with one metre baulks and mid baulks of 50cm in between them demarcating four quadrants in one grid of 10 X 10metres. But here, the grid pattern measurements were suitably amended in view of G.P.R. survey indications

www.vadaprativada.in

measuring 4 X 4metres, with one meter baulk only between the grids. This was latest technique adopted by ASI during excavation at Ayodhya.

Q: Do you mean to say that laying of trenches of 10 X 10metre was an old method and laying out of trenches of 5 X 5metre was a latest technique adopted by ASI ?

A: Yes, laying out as per the method into the grids of 5 X 5meters is the latest technique adopted for Ayodhya as explained above and the method of grid pattern digging is also modern as against the previous technique of digging on the basis of measurements taken as per indications of Dumpy level.

Q: How these methods adopted by the ASI were different from the methods adopted by R.E.M. Wheeler ?

A: The method adopted by Sir R.E.M. Wheeler is the latest method as against the pervious method of Sir John Marshal and the ASI has adopted the Wheeler's technique in the present method of digging. Ayodhya digging is also covered under the Wheeler's method of digging.

Q: Do you mean to say that the method adopted by R.E.M. Wheeler was the 'latest technique of layout of trenches' as mentioned by you in para 25 of your affidavit ?

A: Yes, the ASI adopted the latest technique of Sir Mortimer Wheeler based on stratigraphy, layers etc.

www.vadaprativada.in

www.vadaprativada.in

I have mentioned about Kalibagan site of excavation in para 23 of my affidavit. These are at serial no. 3, 4 and 7 and relate to the same site. This refers to same site of excavation. I have not referred about 'kalibangan' site at any other place in para 23 of my affidavit except those mentioned above. Said voluntarily the excavation is done by the ASI seasonwise and thus the site of 'kalibangan' was excavated during the three different seasons when I had participated in the same and that is why it has been mentioned in three times in para 23 of my affidavit separately. 'kalibangan' excavation was carried out by the Department in nine seasons. I had participated only in three seasons of them as stated above. I can not tell about the exact number of draftsmen who were engaged in preparation of survey maps of the 'kalibangan' excavation.

Q: Do you remember the name/names of any of the persons who had prepared survey maps or other drawings of 'kalibangan' excavation ?

(Sri Ved Prakash Advocate, raised the objection to the above question that the excavation in relating to 'kalibangan' excavation is not the subject matter of the present suit nothing has also been pleaded about by the Sunni Central Waqfs Board therefore no question regarding this aspect can be permitted to be asked)

www.vadaprativada.in

www.vadaprativada.in

(In reply to the above obj ection learned cross examiner submitted that 'kalibangan' excavation has been referred by the witness in para 23 of his affidavit dated 15th January, 2007 showing his alleged experience of excavation and as such there was no occasion for the Sunni Waqfs Board to have referred about the same in its objection filed in 2003 or 2004. The questions put to the witness about 'kalibangan' excavation are in order to test the veracity of his statement made in para 23 of his affidavit.)

A: Yes, as far as, I remember by memory I can tell few names. These persons were Sri Jain senior surveyor, Sri A. K. Roy surveyor, Sri Lalit Jain draftsman, Sri Jagtap draftsman, Sri Puranic draftsman and Sri J. S. Dubey draftsman.

I was deputed there as Technical Assistant of the Excavation branch. Technical Assistant is more senior post as against draftsman. I remember the names of Sri Limaye, Sri Pyara Singh who were photographers at 'Kalibangan' excavation site. Photographers and draftsmen are different categories therefore they are not senior or junior among them in-comparison, however, they are senior or junior as per their scales in their own line. The photographer is not subordinate in that sense of the term however, he is a helping person to the Technical assistant in the ASI. I was assigned the job of

www.vadaprativada.in

www.vadaprativada.in

digging in all the three seasons in which I had participated along with doing the duty of site in-charge and/or camp in-charge as the case may be. My immediate superior used to be a senior Technical assistant and we all were working under the Superintendent archaeologist of the then sole Excavation branch of the ASI at Nagpur. In all the three seasons of excavation at 'Kalibangan' my senior technical assistant was Sri K. S. Ramchandran. I can not tell by memory about the number of trenches excavated by me during all the three seasons in which I had participated. The number of trenches excavated by me could be more than two or more in each season.

I had not excavated myself the trenches at Sanghol during excavation but got the excavation done by the Technical assistants serving under me. I remained at Sanghol during the concerned seasons mentioned in para 23 of my affidavit. I don't remember as to whether some pillar bases were recovered or not during excavation at Sanghol. Said voluntarily, the areas of operation to be covered by the ASI as against the area covered by the Punjab State Archaeology Department were separate. I had not visited Sanghol after the close of excavation of that site.

www.vadaprativada.in

Q: Whether this site of Sanghol is being preserved and maintained by the ASI even at present ?

A: Some of the monuments at Sanghol sites are preserved and maintained by the ASI, which ~~ten~~ museum is maintained by the Punjab State Archaeology Dept. Chandigarh.

The report of Sanghol excavation has not been published but its results have been published in the "Indian Archaeology- A Review" volumes on year to year basis. I had not mentioned about the volumes of I.A.R. in which Sanghol excavation has been reported. I had mentioned about that at serial no. 17, 18 and 19 pertaining to the years 1987-88, 1988-89 and 1989-90 in para 23 of my affidavit. The volumes of I.A.R. are of same year in which Sanghol excavation has been reported by the ASI.

At Fatehpur Sikri, in district Agra, U.P., I was among the co-directors along with the officers of the ASI and the members of the Aligarh Muslim University. Earlier Prof. R. C. Gaur was the Director of this project from the University side, whereas Dr. Sunil Ray was the Director from the ASI and I was associated with him during the first season. Report of Fatehpur Sikri excavation was published by the Aligarh Muslim University but ASI has only reported in the "Indian Archaeology- A Review" (I.A.R.) volumes about the year to year work done by both the teams. In the volumes pertaining

www.vadaprativada.in

1976-77 and 1981-82 in which I was a participant, my name also should be there in the concerned seasons report but I don't remember to have seen the said reports.

Q: Do you mean to say that after conducting the excavation you are not interested in perusing the report about that excavation as published in the I.A.R. (Indian Archaeology-A Review volumes) ?

A: I am very much interested to see the publications in which I had a role, however, since the printing goes in arrears in ASI and there are transfers, retirements etc. despite the interest of seeing the things done duly reported we are unable to get them in time.

Learned cross examiner drew the attention of the witness towards annexure 2 and 3 of the additional objection filed on 03-02-2004 + (C. M. application no. 17 (O)/ 2004). The witness after viewing these two photographs stated that these two photograph appear to be the photographs of the pillar bases.

Q: Do you recollect that such type of pillar bases were recovered at the Sanghol site ?

A: I don't recollect in this regard that such type of pillar bases were recovered at Sanghol excavation site falling in the area to be covered by the ASI team as against the team of State Archaeology Department of Punjab, Chandigarh.

+ Corrected vide order of Court dated 13.1.2009.

13.1.2009
D.S.D.

www.vadaprativada.in

Q: Do you mean to say that some type of pillar bases were recovered at the Sanghol site ?

A: There could have been some type of pillar bases at Sanghol.

Q: Whether the pillar bases recovered at Sanghol site have any resemblance with the so called pillar bases said to have been recovered during excavation at Ayodhya ?

A: As stated above I have no idea about the pillar bases found in Sanghol excavation and I can not give any opinion about the same as compared to the pillar bases found during excavation at Ayodhya.

Q: Do you remember that the pavement, pillar bases and bricks etc. visible in the photograph filed as annexure-4 with the aforesaid additional objection filed on 03-02-2004 were found during excavation at Sanghol ?

(Km. Ranjana Agnihotri Advocate, raised the objection to the above question that the copy of additional objection mentioned above was never supplied to the witness nor it was ever given to him for perusal hence questions related with to the additional objection filed by Sunni Central Waqf's Board should not be permitted to be asked)

(In reply to the above objection learned cross examiner submitted that copies of this additional objection were supplied

www.vadaprativada.in

to the counsels who were representing the parties in this court at the relevant time and copies of such documents are never supplied to the witness. However the said additional objection and its annexures are very much before the witness at this time and question are being put to him only after showing the said additional objection and annexures).

A: I don't remember.

Q: Do you remember that in how many reports about excavations mentioned in para 23 of your affidavit, published in I.A.R. or separately your name has also appeared as a participants in the team of excavation ?

A: So far as I remember my name has appeared as a participant in all the concerned excavation reports.

The excavation reports regarding the excavations mentioned as serial no. 1 to 6, 8 to 13, 16, 20 and 21 of para 23 of my affidavit have been invariably published in the Indian Archaeology- A Review volumes of the concerned years. However, the report concerning serial no. 8, 9, 10 and 11 have been published separately also. Serial no. 8 and 9 have been published by the Archaeology Deptt. of Nagpur University. The excavation report regarding serial no. 10 has been published by the ASI in a collaboration work of ASI and the Cambridge University. Serial no. 11 has been published by the ASI.

www.vadaprativada.in

Regarding serial no. 12 and 13 the excavation report has been published briefly in the "Indian Archaeology- A Review" volumes of the years concerned. The excavation report regarding serial no. 16 has been published in the "Indian Archaeology- A Review" volume of the concerned year. I did not take part in excavation of sites mentioned at serial no. 20 and 21 as only exploration has been done on these site and no excavation was done.

Since paras 22 and 23 of my affidavit, as given on page-4, have also been repeated on page-6, therefore it will be expedient to number the subsequent paras 22 and 23 given on page-6, as ' 22-A and 23-A'.

Learned cross examiner drew the attention of the witness at para 30 (last sentence on page-7), the witness stated that from this averment I mean to say that there could have been written objection but I was not aware of that. If any oral objection would have been raised in my absence, I was not aware of it. By this averment I only mean that I am not aware of any oral or written such objection raised by any party at the site. Before writing this fact in my affidavit I did not enquire from my counsel in this regard.

www.vadaprativada.in

Attention of the witness was drawn to the objection dated 21-05-2003, filed by Sri Haji Mahboob before the observers and following question was put to the witness:-

Q: Is it not evident from the objection dated 21-05-2003, filed before the observers and especially from its last two paragraphs that it was being objected during excavation that ASI was trying to create and manufacture some sort of structural bases/pillar bases by cutting the floor ?

(Km. Ranjana Agnihotri Advocate, raised the objection to the above question that the witness has stated in para 30 of his affidavit that "The pillar bases were found in presence of parties, their counsels, their nominees and observers appointed by this Hon'ble court and never any oral objection was raised by any of them in respect of creation of pillar bases'. The witness has stated about only the 'ORAL' objections and contrary to this permission should not be granted to be asked)

A: The question raised about manufacturing and creations of the pillar bases seems to be funny and child like and just layman's observation and hence need not be taken seriously. While preparing the subject for photography and the drawing purposes the photographers and draftsmen of the excavation team insist for properly exposing the four corners of the item i.e. structure etc. to take proper measurements and the trench

www.vadaprativada.in

supervisors who are Post-Graduate persons often with Diplomas in Field Archaeology and Doctorates are rather taken to task on such occasions by the draftsmen, photographers etc. even though they are in a superior position. while at that particular time if some non-technical gentlemen come to the site and make some observation regarding the technique of digging of the ASI personal which is the Premier Institution in the Country and acknowledged as such in the World, we can just take it very lightly and graciously.

Q: Whether the objection dated 21st May, 2003 referred to above and the diagrams / drawings annexed therewith appear to you to have been drafted and prepared by some layman or by some archaeologist ?

A: I think I have covered all the aspects in my brief reply given above.

Q: Is it not evident even from the objection dated 07-06-2003, and the drawings annexed therewith that detailed objections were taken against the creation and manufacturing of false structural bases, later described as pillar bases, by ASI ?

(Km. Ranjana Agnihotri Advocate, raised the objection to the above question that the witness has not uttered even a single word in respect of these so called written objections neither he has come to give his statement in respect of these

www.vadaprativada.in

www.vadaprativada.in

objections hence such question should not permitted to be asked.)

(Objection dated 07-06-2003, filed by Sri Hazi Mehboob and others which is available in Paper Book regarding observers reports regarding excavation work at Ayodhya, part-I, was shown to the witness)

A: As I have already stated else where that modern archaeological excavation is done on the basis of inch to inch digging principles. The allegation of manufacturing and creating certain evidence seem to me to be funny and child like. I do not like to say any thing more as ASI personal could also have taken large heartily including myself.

Q: Is it not correct to say that your statement contained in para 30 of your affidavit that so called pillar bases "were neither created nor manufactured by the ASI" has been made without examining the site note-books, concerned drawings and photographs and relevant observations made in this respect by the ASI at different places in the report ?

A: I was not supposed to go through the site note-books which are a part of the ground work of the ASI team, rather preliminarily ground work. I have gone through the ASI report only after its publication and I feel that the facts mentioned therein are faithful barring some draw backs found somewhere

www.vadaprativada.in

here and there in the report, which should be overlooked in view of this very important and major work completed during the very record period and duly published for perusal of the Hon'ble Court and World.

It is wrong to suggest that pillar base no. 9 to 12 and 15 to 50 were not genuine pillar bases but they were wrongly described by the ASI as pillar bases.

Statement read and verified

22-03-2007

Cross examination of this witness could not be concluded. Put up on 23-03-2007 for recording further cross- examination of this witness

(H. S. Dubey) 22.3.2007
Commissioner
22-03-2007

www.vadaprativada.in

www.vadaprativada.in

Before:-Commissioner Sri H.S.Dubey, Additional District Judge /Officer on Special Duty, High Court Lucknow.

23-03-2007 **D.W. 20/5 Jayanti Prasad Srivastava**

(Commissioner appointed vide order dated 16-03-2007 of Hon'ble Special Full Bench of Allahabad High Court, Lucknow Bench, Lucknow, passed in O.O.S. No. 4 of 1989 (R. S. No. 12/61) Sunni Central Board of Waqfs, U.P. and others Versus Gopal Singh Visharad and others).

(In continuation of cross examination dated 22-03-2007, cross examination on oath, on behalf of plaintiffs no.1, 6/1 and 8/1, the Sunni Central Board of Waqfs, Ziyauddin and Maulana Mahfuzurrahman, by Sri Z. Jilani, Advocate resumed):-

It is wrong to say that no excavation was conducted by ASI at Paiyam Palli (north Arcot) Tamil Nadu during the year 1966-67.

At this stage learned counsel of Sunni Central Waqfs Board filed true Photostat copies of the extracts from eight books mentioned at serial no. 1 to 8 as per list paper no. 303C-1 in O.O.S. no. 4/89. The extracts filed by learned counsel were verified from the original books by the witness who, after

www.vadaprativada.in

comparing these extracts from the original books said that the extracts which have filed are true photocopies of the original books.These papers were marked as 304C-1/1 to 304C-1/43. The excavation report regarding Paiyam Palli site in District North Arcot Madras was undertaken by the ASI in the year 1967-68 but its excavation report was not published in I.A.R. volume 1967-68 as is evident from paper no. 304C-1/23 to 304C-1/ 28 in which on page 20 and 21 the reports of exploration and excavation of Madras have been briefly given. At that time Tamil Nadu was known as Madras. Said voluntarily that the excavation conducted by the excavation branch of Nagpur during 1966-67 at Paiyam Palli District North Arcot, Tamil Nadu would have been published in the I.A.R. pertaining to 1967-68.

The attention of the witness was drawn on paper no. 304C-1/38 to 304C-1/ 42, which is extracts from the book "Excavations at Kalibangan (1960-1969)", the witness after going through these papers stated that on paper no. 304C-1/42 under the heading "Acknowledgement" the names of 'Technical Assistant', 'Typist', 'Photographer', 'Senior Technical Assistant' and many others are given. My name also appear in the fifth line as J. P. Srivastava. Those persons who have contributed different chapters in this excavation report are

www.vadaprativada.in

mentioned on paper no. 304C-1/ 43 (contents). The report regarding excavation at 'Sanghol' referred by me at serial no. 19 in my affidavit (para 23) is the same excavation, the report of which has been filed as paper no. 304C-1/30 to 304C-1/37. Page 94 (paper 304C-1/37) of this report deals with some brick built bases of pillars. At least from this report it can be said that pillar bases were exposed there. The excavations mentioned at serial no. 1 and 2 in para 23 of my affidavit are the same excavations,the reports of which have been filed as paper no. 304C-1/18 and 304C-1/19 to 22. My name has not been mentioned in these reports but they pertain to the same excavations in which I had participated. Said voluntarily the brief reports do not contain the names of any Technical Staff members. The excavation report in regard to Fatehpur Sikri has been filed as paper no. 304C-1/12 to 304C-1/15. This excavation at Fatehpur Sikri was confined to the trial digging on the slope of the east of 'Badshahi Gate' and to the clearance of debris in the area lying south-west of 'Tansen's Baradari'. The report regarding detailed excavation at Fatehpur Sikri has been filed as paper no. 304C-1/ 8 to 304C-1/ 11 was shown to the witness and the following question was put to him.

www.vadaprativada.in

www.vadaprativada.in

Q: Whether this report of 1988-89 excavations of Fatehpur Sikri shows that large excavations were conducted in 1987-88 and 1988-89 ?

A: This document shows the brief notes on the excavations done at Fatehpur Sikri during 1988-89.

The Photostat copies of I.A.R. 1988-89 filed as paper no. 304C-1/1 to 304C-1/7 relate to the same excavation which has been mentioned at serial no. 18 in para 23 of my affidavit. On page 71 (paper no. 304C-1/ 5) in para 4, in the fourth line the words," Many circular post-holes" refer to the circular holes in which 'Bamboo-poles' or 'wooden-poles' were fixed to sustain some super structure above them. These holes are generally of small dimensions i.e. approximately of the diameter of 6 to 8-10inches in which the 'Bamboos' or 'wooden poles' could be fixed to remain intact while sustaining the super structure a 'Hut' or any thing else, as the case may be.

Q: Is it correct to say that in the I.A.R. 1964-65 and 1965-66 the excavations of 'Kalibangan' referred by you at serial no. 3 and 4 of para 23 of your affidavit have been reported but in those reports your name is not there ?

A: I don't remember.

www.vadaprativada.in

www.vadaprativada.in

I can't say whether my name appears in the excavation report in I.A.R. 1967-68, in the report regarding the excavation of Singan Palli mentioned at serial no. 6 in para 23 of my affidavit.

Q: In I.A.R. 1969-70 there is no report about the excavation of Pauni (Bhandara) mentioned at serial no. 8 of para 23 of your affidavit. What do you have to say in this regard ?

A: It could be in the report of 1968-69 regarding serial no 8.

The excavation referred by me at serial no. 10 in para 23 of my affidavit could be reported in the I.A.R. 1969-70. I can't say whether my name appears in IAR 1970-71 regarding the excavation mentioned at serial no. 7 in para 23 of my affidavit. It could be in the volume pertaining to 1969-70.

I have not seen the drawings and maps other than those which have been annexed with the ASI report volume-I. I have not seen nor have got any idea about the other albums of photographs of Ayodhya excavation filed by ASI except volume-II of the report.

Q: Can you give any opinion about the manner in which the drawings etc. were prepared and photographs were taken by the ASI without looking into and perusing the same ?

www.vadaprativada.in

A: I can not give any opinion regarding photographs and drawings which are not included in the Ayodhya excavation report volume-I and II, neither I was entitled to go through them.

Q: Is it correct to say that all excavated materials were not seen in the presence of advocates, parties or their nominees but only selected items mentioned in the day to day register used to be shown to the parties or their nominees and counsels and only those items used to be sealed ?

A: I don't agree.

It is wrong to suggest that the facts mentioned in para 27 and 28 of my affidavit are wrong and are not based on records.

Q: How many trenches formed part of the so called "big rectangle" referred by you in the last line of page 6 in your affidavit ?

A: I can reply this question in the post lunch session after seeing the diagram of trenches.

Q: What kind of structure and of which height could be raised on the brick-bat heaps, suggested by the ASI as so called pillar bases?

A: A structure could be raised on stone pillars of about a height of 7 feet with brackets and beams of stones and a

www.vadaprativada.in

www.vadaprativada.in

Shikhar like super structure to a height of about 15feet upto the finial.

Q: Are you aware that the foliage patterns suggested by you to be indicative of temple site were used in abundance in the Mosque in India especially in 12th and 13th centuries ?

A: Those were from the temples themselves which were demolished by Muslim rulers and partly utilised converting them into Mosques.

About 44 trenches could form the area of a sort of big rectangle mentioned in para 30 of my affidavit. These trenches belong to F, G and H series.

Q: Can you name the temples which were allegedly converted into Mosque in 12th and 13th century?

A: In 12th century the temples converted to Mosque could be in the former Sindh and Gujrat area, but I do not remember the exact names and places of any such temples. In 13th century the Quwatul Islam Mosque of Delhi near Qutub-Minar, Adhai-Din-Ka- Jhopra at Ajmer, Kamal Maula Masjid of Dhar and the mosque at Mandu are some of the examples where temple Mandapas were converted into mosques by utilising some of their pillars, stones and fragments etc. and the others were destroyed while pulling down the temples.

www.vadaprativada.in

Q: Is it correct to say that there is no historical or archaeological evidence to support your contention that the aforesaid Quwatul Islam mosque near Qutub Minar or any other mosque referred by you above was converted from any temple or was constructed after demolition of any temple at its site ?

A: It is incorrect to say and I do not agree.

Q: Are you aware that slabs bearing decorative Arabic characters were found at Ayodhya excavation which are identical with those found in the 13th century buildings like the Qutub Minar ?

A: Slabs bearing Arabic characters were found in the upper portions of the temple which belongs to the 16th century onwards and not to the 13th century.

Q: Can you point out the floor or level from where the Arabic inscriptions visible in plates 91 and 92 of ASI report volume-II were found ?

A: These two architectural members were found from debris of the central part of demolished structure.

The architectural members found from the debris can not be dated on the basis of stratigraphy however they can be dated on the basis of epigraphical characters. I don't have expert knowledge in epigraphy. However, I can understand a little but

www.vadaprativada.in

www.vadaprativada.in

I can not date the architectural members on the basis of epigraphical characters. I can not date the architectural member of plate no. 91 and 92 on the basis of epigraphy. I have not studied the Arabic characters of 13th century or of any other period.

I am aware that animal bones bearing cut marks were found in all parts and at all levels in the disputed site.

Q: Can bones of Sheep/Goat and other such animals be found at a temple site ?

A: Yes, bones of Sheep/Goat or such animals can be found in the area where some 'Shakti' and 'Shiva' temples are there where in animal sacrifices are practised.

Q: Is it correct to say that the so called temple which you have alleged to have been constructed in 1130 A. D. was neither a 'Shakti temple' nor 'Shiva' temple ?

A: The temple complex at Ayodhya was consisting of the main temple of Lord Vishnu with subsidiary shrine of Lord Shiva in the south and Shakti temple in the north.

I don't recollect by memory as to how many walls were found during excavation at Ayodhya. I can not tell about the number of walls of the disputed structure noticed during the course of excavation at Ayodhya.

www.vadaprativada.in

www.vadaprativada.in

Q: Whether any wall of the period of wall 16 was found by the ASI in east, north or south which could be said to have been associated with wall 16 ?

A: Since most of the walls were destroyed only the western north-south massive wall over which these shrines were standing remains to be there and for the other evidence is not available.

I have not examined 'antiquity register' prepared by the ASI before filing of my affidavit in this Hon'ble Court. Said voluntarily, as it was not expected to be seen by me. I had seen the antiquity register only during the course of excavation when it was put before everybody during excavation in the afternoon including my self.

Q: The register which was shown to the parties and their nominees etc. at the site is called 'day to day' register and not 'antiquity register' because antiquity register was never shown to any party, their nominee and their counsel at the site. What do you have to say in this regard ?

A: I had seen the 'day to day' register and not the antiquity register.

I have not seen the antiquity register prepared by ASI earlier to this day. In other excavations antiquity register is also prepared simultaneously on day to day basis. Antiquity register

www.vadaprativada.in

www.vadaprativada.in

is prepared by an Antiquity Assistant or A Technical Assistant dealing with antiquities along with Pottery Assistant. Antiquity register is prepared on the basis of daily finds which are sent to the antiquity/pottery yard on day to day basis by Trench Supervisors. Antiquity register is not checked by the Trench Supervisor, it could be checked by the team leader. Ordinarily antiquity register is checked by team leader along with site note books on the day to day basis for the co-ordination point of view. It must be in the hand writing of concerned technical assistant or person in-charge of antiquity. I do not know as to who has prepared the antiquity register filed in this Hon'ble Court by the ASI. At the time of writing of different chapters of the final report of the excavation the persons who contribute these chapters are required to study and examine this antiquity register.

Q: If there is a discrepancy or variance about the description of a particular antiquity entered in the 'site note book' and in the 'antiquity register' then which entry or description should be relied upon by the person/persons writing the final report ?

A: The person writing the final report is to go through the site note book and the antiquity register both, while preparing the text for final report and whatever is thought to be proper

www.vadaprativada.in

www.vadaprativada.in

and correct taking an overall view of the objects completes the report and that is considered to be the final report.

Q: Is it correct to say that you have given your statement in this Hon'ble Court with a preconceived notion that as if some temple had existed there at the disputed site at-least from 12th century A. D. while there is no archaeological or historical evidence about the existence of any such alleged temple?

A: I disagree. There is enough archaeological and historical evidence to prove my stand.

Q: Is it correct to say that you have given your statement in support of the theory of the alleged existence of temple at the disputed site prior to the construction of Babri Masjid merely on account of your association with Vishwa Hindu Parishad and also because of your religious belief about the alleged existence of such temple ?

A: No, it is incorrect to say like that.

Q: Is it correct to say that you have tried to support the ASI report without examining the same in the light of the finds and materials recovered during excavation and documents and photographs prepared by the ASI ?

A: It is not correct to say.

www.vadaprativada.in

www.vadaprativada.in

It is wrong to suggest that it is not established from the ASI report that any temple had existed or was demolished at the disputed site before the construction of disputed structure.

(Cross examination of the witness by Sri Z. Jilani Advocate, concluded)

X X X X X X

Sri Syed Irfan Ahmad, Advocate for defendant no. 26 of O.O.S.No.5/89 adopted the cross examination of D.W. 20/5 already made on behalf of plaintiff of Sri M. A. Siddiqui and Z. Jilani Advocates in O.O.S. No. 4/89.

Sri Syed Irfan Ahmad and Sri Fazle Alam Advocates for defendants no.6/1 and 6/2 in O.O.S. No. 3 of 1989 adopted the cross examination of D.W. 20/5 already done on behalf of plaintiffs of Sri M. A. Siddiqui and Z. Jilani Advocates.

Cross examination on behalf of all the contesting parties concluded. Witness discharged.

statement read and verified

23-03-2007

www.vadaprativada.in

www.vadaprativada.in

Statement typed on my dictation by stenographers in open court

H. S. Dubey 23.3.2007

(H. S. Dubey)
Commissioner
23-03-2007

www.vadaprativada.in

www.vadaprativada.in

12027

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. NO._____ OF 2017
IN
CIVIL APPEAL NO.10866-10867 OF 2010

IN THE MATTER OF:

MOHD. SADDIQ (D) THROUGH LRS. ...APPELLANT

VERSUS

MAHANT SURESH DAS & ORS. ETC. ...RESPONDENTS

APPLICATION FOR EXEMPTION FROM FILING OFFICIAL TRANSLATION OF ANNEXURES/ DOCUMENTS.

www.vadaprativada.in

TO

THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUSTICES OF
THE HON'BLE SUPREME COURT OF INDIA.

The humble Application of the Respondent/ State of Uttar Pradesh above-named:

MOST RESPECTFULLY SHOWETH:

1. That the appellants have filed the above captioned Civil Appeal and the same is pending adjudication before this Hon'ble Court.

2. That in compliance of the order dated 11.8.2017 passed by this Hon'ble Court in the above captioned matter, the respondent/State of Uttar Pradesh is filing

www.vadaprativada.in

the true translated copy of the statement of OPWs No.1 to 9 and 10 to 16 which are originally in Hindi language and the same have been translated in English by the competent translator.

3. That the respondent/State of Uttar Pradesh is praying this Hon'ble Court to exempt the respondent/State of Uttar Pradesh from filing official translation of the above documents in the interest of justice.

PRAYER

It is therefore most respectfully prayed that this Hon'ble Court may graciously be pleased to:

a) exempt the respondent/State of Uttar Pradesh from filing official translation statement of OPWs/documents in the interest of justice.

(b) Pass any such other order/orders that this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.

FILED BY

[KAMLENDRA MISHRA]
ADVOCATE FOR THE RESPONDENT/
STATE OF UTTAR PRADESH

NEW DELHI
FILED ON 22.1.2018

www.vadaprativada.in

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.10866-10867 OF 2010

IN THE MATTER OF:

MOHD. SADDIQ (D) THROUGH LRS. ..... APPELLANTS

VERSUS

MAHANT SURESH DAS & ORS. ETC. ..RESPONDENTS

AFFIDAVIT

I, Ashok Kumar Singh S/o Shri Virendra Singh, aged about 49 years, working as Officer on Special Duty, Home Department, Government of Uttar Pradesh, Lucknow, presently at New Delhi, do hereby solemnly affirm and declare as under:-

1. That in my aforesaid official capacity I am well conversant with the facts and circumstances of the case, hence competent and authorized to swear this affidavit.
2. That I have read and understood the contents of the accompanying applications and I state that the contents of same are true and correct to the best of my knowledge and belief.
3. That the annexures/documents are true and correct copies of their respective originals.

DEPONENT

VERIFICATION

Verified at New Delhi on this the _____ day of January 2018, that the contents of above affidavit are true and correct to my knowledge and belief and no part of it is false or concealed therefrom.

DEPONENT

www.vadaprativada.in

BEFORE HON'BLE HIGH COURT ALLAHABAD, LUCKNOW BENCH, LUCKNOW

ORIGINAL CIVIL SUIT No.03 OF 1989

Nirmohi Akhara ... Plaintiff

Versus

Priya Duttram & Ors ... Defendants

CHIEF EXAMINATION OF WITNESS No.3/20 UNDER ORDER 18 RULE 4 CPC

I, Rajaram Chandracharya Age about 76 years, Chela M. Raghunath Das R/o Ranchor Rao Mandir Dakot, District Kheda, Gujarat, do hereby solemnly affirm and declare as under:-

www.vadaprativada.in

1. That I came to Ayodhya at the age of 14 years and became Pupil of M. Raghunath Das Ji in the well-known Shri Ram Janm Bhumi Mandr, Nirmohi Akhara. At that time M. Raghunatth Das was the Mahant of Nirmohi Akhara.

2. M. Raghunath Das Ji Maharaj were living in Nirmohi Akhara Mandir situated at Ramghat, but I was serving in the Janm Bhumi Mandir, to Lord Ram Lala, to whom I believe my Great God, to offer worship

www.vadaprativada.in

him, cleaning utensil (dainty), offering flower, tulsi chaplet and broom inside and outside the temple.

3. At that that elder priest of the NirMohi Akhara were Govind Das Ji and his assistant Priest was Sudershan Das, Baldev Das etc. and the work of preparing bhandar and offering was being done by Ram Kishun Das, Lakhnaua Baba. One Pahari Baba was Ram Priya Das, who were the pupil in Kop Bhawan and were helping in the kitchen.

4. At that time Panch Girwar Das and Ram Pyare Das of the Nirmohi Akhara were living there and Golki Ram Lakhan Das Ji were living in the Temple of Ramghat Akhara, who used to come in the Mandir Ram Janm Bhumi, Rakot Mohalla, Ramghat, Ayodhya Nirmohi Akhara, day and night and write the accounts of income and expenditure. There near the store house, documents of the books and accounts and documents of accounts were being kept in the wooden box in the room of Sant Niwas

www.vadaprativada.in

and other documents were kept in the Mandir Ram Jan Bhumi and Nirmohi Akhara.

5. M. Raghunath Das Ji was my Guru Maharaj. For the darshan and special take care of Bhagwan Ramala he must come once in a day.

6. I also use to go Nirmohi Akhara Ramghat too and to serve Guru, but lived only in Ram Jan Bhumi Mandir to maintain the presence of Ramlala and to continue worship and serve in other way.

7. I was helping in the kitchen store of the Mandir Ram Janm Bhumi of Ram Lala, as per the instructions of Panch and Pujari.

8. I learn my language i.e Hindu Sanskrit at home. I came to Ayodhya in 1943 after Quit India Movement. I higher education took place in Banaras Ramanand Sanskrit Vidyalaya. In Ayodnya I used to go to Gyatri Bhavan Sanskrit Vidyalaya, to read Vedas. I studied in Banaras from 1954 to 1959.

www.vadaprativada.in

9. Since 1943 to 1949 attachment worship, celebration ceremony of the Virajman Bhagwan Ramlala was being continuously done according to Ramnandiya Bairagi rites, rituals and tradition in Shriram Janm Bhumi and bharmavalambi Sanatan Vedic religion follower are specifically i.e. in Garbh Grah for darshan without any hindrance and offer Prasad offerings, dravy, flower, sweets et. These all offerings is belongs to Ramlal, which takes by the priest of Nirmohi Akhara and gives offering and Charamamrit to the visitors and also give aarti. Entire possession was of Nirmohi Akhara and within the arrangement of Nirmoha Akhara they used to worship the God and made celebration.

10. That internal part in which is stated as *garbh grah*, has three peaks above it. There is courtyard in the east and in its east there is swekch Wall, in the west side of the swekch wall along with

www.vadaprativada.in

courtyard and peaks part is called internal part., which was attached by the police on false ground in the year 1949 and prepared attachment seizure, which original and photocopy is list (1) document No. 108 C1/4, which has been filed in suit No. 5/89 by Nirmohi Akhara. I read its copy and seen in the earlier case of 145. After reading the same I am giving its statement, in which all the articles of Bhagwan Ramlala are referred, which boundary of the attached part, according to the then site plan, was written by the administration and police as under:-

East: Chabutra, possession of Mandir Ramji Nirmohi Akhara courtyard

West: Parikarma

North: Hata, Chatti, Pujan and Nirmohi

South: land, fallow and parikarma

13. Original fard charge which was given by Ram Lakhan Das, Gokmi Nirmohi Akhada to Siya Ragahv Sharan Pujari Nirmohi Akhara,

www.vadaprativada.in

is document No. 108 C 1/3 which is filed in Suit No.5/89, on which bears signature of Pujari Siya Raghav Sharan and Ram Lakhan Das Golanki Das. I have seen them writing and reading, which is the charge of Ram Lala Ram Chabutra Mandir. This annexure 16 is photostate.

14. In March 1966 in mutual dispute between M. Prem Das and Ram Lakhan Das Golanki outer part was attached in which possession was restored to Ram Lakhan Das Golanki Nirmoki Akhara by the Court within a period.

15. In February 1982 I received letter of M. Ramkewal Das at Ranchor Rai Mandir Dakor Gujarat that people of Hanuman Garhi have looted Ram Janm Bhumi and I came to Ayodhya and on reaching there from the Mahant Ram Keal Das, Panc and Pujari Siya Raghav Sharan, it came to know that entire article of the Akhara, document, registry etc. have been looted by Dharamdas of Hanumangarh along with Ra Lakhan Sharan Bhagat and their men and due to this

www.vadaprativada.in

dispute in February 1982 outer part which was attached due to dispute of Pujari Siya Raghav Sharan, and receiver were made there in the inner part, then outer and inner both the parts were attached. Copy of the letter is list (2) and photo copy of the charge sheet of loot dacoity is list (3), which was given to be me by M. Ram Kewal Das, who has now died.

16. Original certified copy of agreement 39/C, ¼, 19.3.1949 is filed in original suit of Nirmohi Akhara No. 3/8, which was taken from sub registrar. In which rites and regulations of the Khara are recorded. Document No. 39 C 1/33 is the rituals of the Akhara, and is registered as a agreement, which is registered before the Sub Registrar on 16.3.1949. At that time it was registered by mahanth of Nirmohi Akhara M. Raghunath Das and his 12 other panchas in which my guru P. Raghunath Das Ji was at first number.

www.vadaprativada.in

17. In this reference I had given an application to City Magistrate, Faizabad on 6.2.1961, which copy is annexed in original suit No. 3/89 as paper No.39 C1/26. In the outer part of Ram Janm Bhumi, in front of the Ram Chabutra, was given for putting tin shed where Nirmohi Akhara does chanting.

18. 39C 1/23 is site plan which was sanctioned and was in the small chabutra where chanting was used.

www.vadaprativada.in

19. Document No. 39C 1/22 is the certified copy of application filed by me, which is the building certificate pass for putting tin shed by me over the outer part of the Janm Bhumi Mandir i.e. in front of the Ram Chabutra, which the police is preventing to made and hence police be ordered not to raise any objection in the above construction. This is the order on my application document No. 1/21 sanctioned by City Magistrate, R.P.S Singh and put tin shed.

www.vadaprativada.in

20. Along with the paper No. 39C 1/22, copy of Building certificate which is passed in 1959 in the name of M. Raghunath Das and along with at 39C 1/23 and 39 C.1/24 is attached. The site plan for installing the tin shed at Kirtan Chabutra, for increasing the time, these both site plan were sanctioned in the name of M. Raghnath Das. This document No. 39C.1/25. Paper No. 39 C1/26 is the copy of application given by me which was given on 6.2.1961.

21. By paper No.39 C 1/27 written statement of section 145 Cr.P.C. is filed by the Baba Baldev Das who was pujari Ram Janm Bhui Mandir and list of documents 39 C. 1/ 1 is file in the original suit No. 3/ 89 filed by Nirmohi Akhara.

22. Paper No.39 C 1/3 Jhengu Ka Theka, Sitakup, water of well is the arrangement for drinking water, which were given by M. Narrottam Das Akhara, which are the documents of 1900 and are in Urdu

www.vadaprativada.in

language, which Hind translation is papare No. 39 C 1/32.

23. Paper No.39 C.1/33 contract of Batasha of M. Narootam Das Jji, for 5 years in the Ram Janm Bhumi, Gopal Kurmi 1902 which is in Urdu and its Hindu version is para No. 39C 1/34.

24. Paper No. 39 C. 1/35 is the document of annual contract given by M. Raghunath Das to Mata Prasad for the shop on the Ram Janm Bhumi door, which is of 1945 and is in Urdu and its Hindu version is paper No. 39 C.1/36.

25. Paper No. 39 C. 1/37 is the copy of notice, which s the gist of the proposal

26. Paper No. 36 C.1/36 is the original proposal which is as per agenda of 4.2.1959 is original writing of agenda which bears my signature as Rajaram Chandracharya, above my signature has the signature of Baldev Das Janm Bhumi. Below my signature has the signature of M.

www.vadaprativada.in

Raghuvar Prasad Bada Sthan. Besides this document bears signature all the big saint, mahant of Ayodhya. Mahant bada sthan Raghguvar Prasad has always accepted the ownership of Nirmohi Ahada.

27. Paper No. 39 C1/39 is the agenda which was propagated by Mahant Baldev Das Ram Janm Bhumi, which was propagated to 47 saint Mahant. Agenda bears signature of all.

28. Paper No. 41 C.1 to 9 document i.e. 41 C1/2 to 41 C1/10 are the notice under section 80 to the govt. employees prior to the filing suit, which are notice, postal receipt and acknowledgment receipts.

29. M Bhaskar became Chela of M. Baldev Das after my coming and was living as a Asstt. Pujari at Ram janm Bhumi. He also used to go to Faizabad Naka Hanuman Garhi Mandir.

30. There are various temple under Nirmohi Akhara, in which main is Shri Ram Jan Bhumi Mandr and Mandir Vijay Raghav

www.vadaprativada.in

Mandir, Sumitra Bhavan Mandir, Ichha Bhavan Mandir, Sita Koop Mandir etc.

31. There are two doors to come in the premises of Sriram Janm Bhumi Mandir, one in east side called Hanumant Dwar which has no door and remained opened and both the side of above door has kasauti stone and poles which shape are embroidered and I have seen Mahaviri in it since the beginning. According to the faith since the beginning devotees and saint were treated it as idol of Hanuman Ji, therefore this gate was named Hanumat Gate. Second gate was on north side which is called Singh Dwar, in which door was closed with tin door and was open in the fair, which was being open by the open and closed by Nirmohi Akhara. There is a picture made on the above gate from two faces of two loins. Above door is called Sinh Dwar.

32. Outer part i.e out of the attachment of 1949, in the east north south part, Ram

www.vadaprativada.in

Chabutra , Shiv Darbar and Chatti Pujan premises, storehouse room and Sant nivas was located, which I am looking since the beginning. I was living along with the priests of Nirkohi Akhara are Sant Nivas. Prasad was made in the bhandar and grain etc. was kept in the storeroom.

33. Ram Cchabutra Mandir 17 ft. x 21 ft and was about 3 ft height, and lumber thrown was kept above it and in the middle Bhagwan Ramlala, Laxman, Bharat Ji, Shatrughan Ji were sitting and Hanuan Ji were also there. Since I have been there I am looking and my guru ji told that a case of this Chabutra was sued in 1885, and since then it is continuing in the possession of Nirmohi Akhara and there worship of Bhagwan Ram Lala is continuously happening. I myself worshipped Bhagwan there from 1943 and I have constantly seen priests of Akhara while regularly offering Aarti and were celebrating, where devotees used to come

www.vadaprativada.in

there for darshan and sweet and flowers were offered and also taking Prasad from the Priests.

34. Two *dar* of 2 ¼ - 2 ¾ ft were made in the east side of Ram Chabutra Mandir i.e. Ram Chabutra, in which bar doors were installed, which was famous in the devotee as *gufa mandir*, in one of this *gufa mandir* Kaushalya Ji is taking Ramlal on her lap and also has idol of Hanuman Ji, which was viewed by the devotees and in the second cave there was 2 ft height stone idol of Bharat Ji and small idol of Shatrughan of octal metal and sometimes it was placed at the chabutra and sometime in the *gufa mandir* at near Bharat Ji. Devotee also used to visit there. I have been watching since the beginning.

35. At near North Sinh dwar at the place of chatty Pujan where small step sign of Bhagwan Ram Lal along with four brothers were present on the marble stone and nearby *chulha, belam and chakal* was

www.vadaprativada.in

placed, there also devotes used to bow and viewed. There Pujari of Nirmohi Akharwa were regularly worshipped, I have been watching the same since the beginning.

36. Guruji had told that arrangement and possession of these all the religious places of the outer part is being made according to records since 1885. Whereas my Guruji had told that worship, Aarti etc. in all the above religious places situated at Sri Ramjan Bhumi and Virajman Bhagwan Ramlala, was being done prior to Manav Smiti, by the Sant, Pujari of Nirmohi Akhara and in this regard the known tradition connecting to the Akhara is that the facts known form the human memory which I learnt from my guru tradition. Since the time of Shyamanand Das, worship in Mandir Ram Jan Bhumi is being arranged in the possession of Nirmohi Akhara from the eternity, which came into my knowledge from guru tradition.

www.vadaprativada.in

37. Bhagwan Ramlala are sitting in the above *grabhgrah* (sanctum) since the beginning and constantly living in the possession and arrangement of Nirmohi Akhara. In the internal part also possession of Nirmohi Akhara is undisputedly and openly in the knowledge of general public.

38. In the year 1943 when I reached at Sri Ram Janm Bhumi, at that time Bhagwan Ramala were sitting in the *grabhgrah* i.e. below the middle peak, n the north west corner at stairway. Bhagwan Ramlala and Lakhan are sitting in the silver crow in the childhood and stone idol of Hanuman was seated out of the crown and four five Salimram were also seated there, in the below part of main shikhar, crown of the swing lumber in which Bhagwan Ramlala were seated, in the savan swing, Kartik purnima etc.

39. In the month of February 1949, false case of breaking the tomb has been registered against three saints by the police

www.vadaprativada.in

department, which was later false by the Court and the three saints were discharged from the charges. In this manner under the pressure of Muslim functionary influential of the police Ayodhyay Muslim Zahur Ahmad, Achhan Miyan, Haji Fenku, on 23 December 1949 a forged report was lodged at Kotwali Ayodhya and on the forged report under the pressure of Muslims and from the influence of the political leaders City Magistrate Faizabad, illegally attached the inner part and deliberately with intention to loss to the Nirmohi Akhara administration has made the above attachment and above attachment made on 29 December 1949 Addl. City Magistrate shri Markandey Singh, in which order written statement was invited. Upon reading its file above information came to my knowledge which was like this :- "Hindus who are actual residents of Ayodhya and claiming ownership and possession of the suit property, or claim darshan". Hence in the above file in the proceeding under section 145 for only

www.vadaprativada.in

claiming of ownership possession, on behalf of the Nirmohi Akhara, was made by Baldev Das Pujari of Janm Bhumi. Besides Abhiram Das has filed written statement for darsha and any of Hindu or Hindu society have not filed any written statement.

40. Chanting were also performed in front of the Mandir Ram Chabutra since the beginning and same was continuing after the attachment and decision for determination to continue the same was of Mahant Baba Baldev Das and he was continue chanting.

41. After the attachment darshan of Bhagwan Ramlala were being made from the door of rods where the police was guarded.

42. Behind the Ramjan Bhumi Mandir there was *munderi* of Parikarma. In front of the Ramjanm Bhumi Mandir, in the east side Sita Koop, small temple beside the Sita Koopm, and North side was of the panchas of Nirmohi Ajhara, such as Sita Koop

www.vadaprativada.in

Mandir, Ramlala Mandir and Sumitra Bhavan was in the east west corner of Ramjanm Bhumi, in whch Shemavtar Lakhanpal were along with mother Sumitra Ji. When I came to above Mandir, at that time Ram Das, who were the Panch of Nirmohi ahara, was Mahant. In original suit No.4/89 which is filed by Sunni Central Board, is filed as document No. 63, in which following writing is written in the land number:- In possession of Ramnandiya Nirmohi Akhara Baba Ram Das Chela Avadh Bihari Sumitra Bhavan Mohalla Ram Kot City Ayodhya. And in this case - original suit No.4/89 in the document No.64 of Sjunni Central Board, Sumitra Bhavan Ram Janmbhumi Chabutra Kanbhusundi possession of Shri ram Das Ji Baba Birth place is written, jansthan means birth place of Ram Janm Bhumi.

43. There is also a *Samadhi Sthal* of Rishi Munis next to the Ramjanm Bhumi, which is referred in the case of Gopal Singh

www.vadaprativada.in

Visharad by the advocate Commissioner. In above case of Gopal Singh I am party in the case being panch of the Nirmohi Akhara.

44. Case No. 5/89 suit of Shri Devki Nandan is based on totally false and frivolous facts. Shri Devkinandan has no right to file the suit nor he can be the vali of Bhagwan Ramlala and Bhagwan Ramlala who is seated in the Ramjanm Bhumi mandir or seated in the Ramchabutra, sevyit sarbarhkar of both is Nirmohi Akhara, which is the religious monastery and panchayati math. Nirmohi Akhara is doing the worship, path, rajbhot, ceremony etc. of the prestigious Viranjaamn Ramlala prior to the human memory. Devotees are view the Bhagwan Ramlala within the supervision of panch of Nirmohi Akhara. Panch Sadhu Saint of the Nirmohi Akhara have never prevent any Hindu public for the darshan of Bhagwan Ramlala and worship, chanting bhajan of the Ramlal is

www.vadaprativada.in

continuing according to the custom and tradition of Ramnandiya Bairagiya community. In the year 1943 since I came I have not seen any Muslman coking from the side of Ramjanm Bhumi premises and earlier also Muslim not come from this side.

45. My Guru Maharaj and second aged Sadhus told me that after the riots of 1934, none of the Muslim has used this road i.e. after 1934 Muslim not come on this road and hence *namaz* is never offered in the disputed premises nor used as a mosque.

46. There are various temples within the Nirmohi Akhara, out of them refamous Ram Janm Bhumi Mandir is the located at Ram Kot. Nirmohi Akhara is a religious math which is being arranged by the Panchas. Panchas arranged a meeting and pass the resolution and decide which is binding to the Mahant. Mahant is on independent and is makes arrangement of mandir of Nirmohi Akhara and property under the Panchas.

www.vadaprativada.in

47. Acharya of Ramnandiya Sampradaya is Janki and Sri Ram Ji. Swami Ramanand has counter the special vision therefore he was named Ramnandi Bairagi Sampraday. Akhara of Ramanandiya Bairagi was established by the Balaband Ji Maharaj in the year 1500.. There are several meetings of Nirmohi Akhara in North India. There are several temples under all these meetings. In Ayodhya, ancient meeting of the Nirmohi Akhara is in Ramghat Ayodhya. Akhara is a public, religious trust. In Ayodhya there are seven Akharas of Ramandniya Bairagi. (1) Digamber Akhara (2) Nirwani Akhara (3) Nirmohi Akhara (4) Santoshi Akhara (5) Khafi Akhara (6) Mahanirwani Akhara (7) Niralambi Akhara. There are several temples in each of the Akhara and different Gods are seated, such as Hanuman Mandr in Nirwani Akhara, in which Hanumant Lal is seated. Narsingh Mandir in which Narsingh Bhagwan is seated. Ram Janki Mandir in which Ram Janki is seated. All the temples are vested in Akhara.

www.vadaprativada.in

Similarly Vijay Raghav Mandir is in Nirmohi Akhara in which Ram Janki is seated, with whom there is darbar, such as - Laxman, Bharat Shatrughan, Garuj Ji and Ram Janm Bhumi Mandir is under Nirmohi Akhara, in which Ram Lal is seated, along with there are idols of three brothers. Mahant and sarvarkar of the Nirmohi Akhara is appointed by the panhas through election and heritage is not valid i.e. after the guru Chela is not became the Mahant. Immovable property of Mandir and Akhara of Nirmohi Akhara is being recorded in the name of Mahant Akhara in the govt documents. Thakur seated in the temple of Akhara, they are not the owner of property, rather entire property remains under the ownership of Akhara, which itself is a religious trust. Arrangement of entire temple and property being universally by Mahant Akhara.

48. Pedigree of the relevant mahants of Nirmohi Akhara is as under:-

www.vadaprativada.in

M. Govind Das Ji

M. Ayodhya Das Ji

M. Gopal Das Ji'M. Jayram Das Ji

M. Ratandas Ji

M. Anant Ram Das Ji

M. Mangal Das Ji

M. Jagannath Das Ji

M. Kauslya Das Ji

M. Makhan Das Ji

M. Tulsi Das ji

M. Baldev Das Ji]

M. Raghubar Das Ji

M. Narottam Das Chella Raghuar Das

M. Ram Charan Das Ji

M. Raghunath Das Chela M. Dharm Das

M. Rameshwar Das Chela Ishwar Das

M. Kewal Das Chela Gopal Das Ji (taken resignation)

M. Jagannath Das Chela Caishnav Das

49. Ramanand Ji was born in the end of 13th Century. Kabir Das Ji was in his disciples. Two disciple of Ramanand Ji - Anant Nand Ji Sursura Nand

www.vadaprativada.in

www.vadaprativada.in

Kewla Nand Sadhwa Nand

Anubhava Nand

Brahmanand

Brijanand

Balanand

Disciple of Madhvanand was Narhari Dass and disciple of Narhari Das was Tulsi Das Ji, who are the author of Manas. Anubha Nand and his sub disciple Balanand has built three Akharas for promotion, awareness and progress of the Shri Chatur Sampraday and seven other Akharas which is based on military method and is continuing from about 600 years ago and Shri Math of Ramanand Sampraday is Banaras. At present Guru Shivramacharya Ji were in this thrown who expressed very anger towards the activities of Vishwa Hindu Parishad. His statement is published in the newspapers which have been filed by the Akhara.

50. Name of the disputed ancient Temple was Ram Janm Sthan and was known by this name since the beginning, but morally it is

www.vadaprativada.in

famous in the name of Ram Janm Bhumi in entire world. According to Hindu religion vedic and sanatan significant of the Ram Janm Bhumi is more because birth of Bhagwan Ramchander of Vishnu incarnation was took place at this place. I got prove to this faith from reading and hearing of Ramanayan Skand Puran by Balmimi, Rudryal, Ramcharit Manas by Tulsi and various other historic and literary granta.

51. The pran prastistha of life of Bhagwan Ramlala, who was sitting in this temple, had been performed by a mahant of the Nirmohi Akhara before the manav smriti. Similarly dignity of life of Bhagwan Ramlal in the Ram Chabutra has been performed by a mahant of Nirmohi Akhara before manav smriti. Entire pran prtishtha were held according to vedic rites Similarly in the outer part within the courtyard, in the south east corner, Pran Pratishtha of Pasht Mukhi Shankar Ji, Ganesh Ji, Nandi Ji, etc. was performed by

www.vadaprativada.in

the Nirmohi Akhara before the Manav Smriti. This was also performed with the vedic rites. Similarly pratishtha of *charan chinh* of the four brother at Chhati Stehal was performed by a Mahant of the Nirmohi Akhara prior to the Manav Smriti. These all things were known from the aged Sadhus and from Guru Maharaj and on asking my Guru told that these things were learnt by him in a tradition manner from their Guru Maharaj. These facts which I told that only *Pran Pratistha* of the God was performed and property was not dedicated, because property was already vested with the public religious trust Nirmohi Akhara. Hindus has fully liberty for the daarshan of all the Gods, but no Muslim was allowed to go inside nor any Muslim could go inside. We know this fact traditionally from our Guru Maharaj. From 1946 to 1949 in the inner part or the main mandir and from 1946 to 1982 till the attachment, at Ram chabutr, Shasht Mukhi Shakar Bhagwan Sthal, Chhati Pujan Sthal, worship was

www.vadaprativada.in

being don according to the tradition of Ramanandiya Bairagi Sampraday and vedic customs by the Nirmohi Akhara and offer Arti in five times. Mahant of the Akhara was being elected. After the election and after taking the charge, agreement is made in favour of the panchas as per custom and get registry . Any of the Mahant of the Akhara has no right to execute registry of sale deed of transfer of the property of the Akhara or writing of any document. Name of all the Akhara mentioned in the above statement, they custom and tradition are one. Nirwani Akhara under which famous Hanman Garh Mandir is situated. They have got registered some of their custom before the sub Registrar Faizabad, and punished in the form of book and propagated. A photocopy of the book is filed in this case.

52. In suit No. 4/89 of Sunni Central Board, Khasra abadi issued by the Nazul Department of Mauza Ramkot is filed by the

www.vadaprativada.in

Sunni Central Board as paper No. 65-A 2/1, which Hindi version is read by me. I met to my advocate and on 14.6.61 Raghunath Das Ji who was my Guru Maharaj and mahant of Nirmohi Akhara, has registered the case and in this manner possession of the Nirmohi Akhara is undisputedly continuing since the beginning.

53. Suit No.5/89, there were small temples of Sadhus off Nirmohi Akhara in front of Nirmohi akhara and Sriram Janm Bhumi, for which they had filed case against Shri Ashok Singhal and Vishwa Hindu Parishad in the year 1989, which is still pending. Copy of the suit along with site plan, is filed in the suit No. 5/89 filed by Nirmohi Akhara, as document No. 108A 1/18 and report of Revenue Officer Malviya, made in the same suit, is filed in original as document No. 108C/1/23. Site plan is correct. In front of the Shriram Janm Bhumi, in east side, Sadhus of the Nirmohi Akhara used to live by making a

www.vadaprativada.in

small temple which was in the queue from Sita Koop to North.

54. 108 C1/36 is the copy of written statement filed by Abhiramram Das, which was filed by Abhiramdas in the proceeding under section 145 Cr.P.C., who has considered the title and right and possession of Nirmohi Akhara on the Ram Chabutra Mandir. Abhiramdas is deceased.

55. M. Raghubardas has filed suit in the year 1885 individually for constricting the roof. Nirmohi Akhara, who was the owner in possession of the Panchayati Math and Mandir Ramjanm Bhumi was not the party.

56. In the case of Sunni Central Board Vs Gopal Singh Visharad Suit No.4/89, Defendant No.3 Nirmohi Akhara has filed 8 books before this Hon'ble Court, in the books at Sr.no. , Hanuman Garhi, Ayodhya which is a famous temple under Nirwani Akhara, its customs and tradition is printed in the book. All the customs and tradition in the above book is similar. My

www.vadaprativada.in

statement is also confirmed from the customs mentioned in this book.

57. In Sr.no.3 of the above list, the book Anand Bhashya Darshan Shri Ramananda Charya Granthmala, by the 29th pushp, Shri Anand Bhaskar Jagatguru Shri Swami Ramanandacharya and Book Smriti Grangh Anand Bhaskar Jagat Guru Shri Swami Ramanandacharya Shri Mahraj 30th Pshp is also filed. Its rinter is Shri Anand Bhasykar Printing Jagatguru Shri Ramanandcharya Peeth Chowk Ahmedabad 380007, Editor Mandal Swami Hari Prasadcharya Ji, Swami Sitaram Charya Ji, and Swami Swarupa Charya, Publisher Shri Ramnand Darshan Shodh Sansthan Jagatguru Shri Ram Nandacharya Peeth Vishram Dwarka Ji, rest Math PO Shigda Porbandar Saurashta and Shri Kaushelender at PO Paladi Ahmedabad. This book is recognized in the public opinion, because another writing is based on the Vedic literature and history. Therefore this is also put

www.vadaprativada.in

light my sect and in the totality of history and structure of the Akhara and above facts are corroborated from the book list No.8 "Rajasthan Ki Bhakti Parampara Yewam Sanskriti" filed in the above list, writer Dinesh Chander Gupta and Onkar Narayan , Jodhpur. First edition of this Book is 1993 printer Bharat Printers Jodhpur and pubisher is Rajasthani Granthakar Jodhpur.

58. From the above list No.7, Shri Ramvan Gaman Sthal, researcher Dr. Ramavtar, Publisher Shri Ram Sankriti Shodh Sansthan Nyas, Village Khajuri Khas, PO Gokulpuri, Delhi and printer Martbhumi A-31 Fleeted Factory Complex, Jhandewalan, New Delhi. This book is still popular in the same name according to ancient name place and is known, which description is mentioned in Balmiki Ramayan. In this book Janak pur travel of Ramji and leaving of Shriram for Forest is mentioned in page No. 34 to 400 of the book, which is annexed as "4" as

www.vadaprativada.in

part of the affidavit. The annexed site plan with this book, the identical photo State list (5) part of affidavit and list (6) entre chart is annexed, in which I myself visit at several places.

59. I am annexing herewith Identical photo state of the resolution of 22.11.1989 of Akhil Bhartiya Pattdarshan Akhara Parishad, is annexed List (7) in two page, which is part of my affidavit, which bears signature of president of Akhil Bhartiya Pattdarshan Akhara Parishad, is shri Mahant Parmanand and also bears signature of Mahant Ram Kishan Giri (General Secretary), I have seen him writing and reading. Resolution is in original, which Photostat copy was given to me by the Mahant of Agni Akhara, Gopala Nandji and this letter is addressed to Secretary, Vishwa Hindu Parishad Prayagraj. According to which Akhil Bhartiya Pattdarshan Akhara Parishad has passed this resolution that

www.vadaprativada.in

"it is undisputed fact that Ramjanm Bhumi place is belongs to Nirmohi Akhara".

60. I got handwritten letter of Ramkishan Vyas Niyamak Oriental Institute M.S. University Baroda, along with documents, English edition of Quran Sharif chapter 187, which English translation is read by me. I understand from Aayat No.107 which Hindi translation of the Quran (15) is annexing by me, which is identical Quran Sharif Arabi with Hindi translation, which is read over and understand the English translation that such mosque which are made by forcible demolition, or built forcibly in the land of others, is not considered as a mosque nor *Namaz* is valid there.

61. Photo state copy of main propaganda Muslim law writer Hafizul Rahman Ex. Dean Senir Professor Law, Law Literature, Publishing Ministry of Law and Justice, Govt. of India along with premises, Writer 1 Gate Pass Muzahir has purchased book

www.vadaprativada.in

which page No.194 and four which is the part of above book, and list (17) of my affidavit, I understand the same that there were Idolatrous in Saudi Arabia.

62. Book Bodhyana Khyan, complier and publisher Patal Lal (Sia Advocate) Lahriya Sarai, Darbhanga, Printer Surya Dhan Narayan Jha Abhuimat Vidya Peeth Press, true photocopy of the main page and page 44, 45 and page No. 64, 65 of the said book is annexed along with the affidavit as part of the affidavit, which shall be Annexure List 8. According to which I would like to say that Bhagwan Bodhayan Shri Purshottamcharya Ji is at the 9th position of Vaishnav Sect, which Vedas are studied through history and ancient. Vedop Brahman and used to interfere through Shri Madyabalmiki Ramayan i.e. Shrimad is the ancient and more authentic of Balmiki. Detailed description of the composition book is in this list, which is published in Hovert Press Berlin< which is also

www.vadaprativada.in

written in roman script (English) by Dr. D. Valliant. These Shri Bhagwan Bodhayan Shri Purshottamcharya Shri Vishnav Sect is in 9th place in the earlier Archarya. Its photocopy is filed and book Smriti Granth thirtieth pushp is at page No. 348/84. Which photo state list 9 is annexed with affidavit. Photostat Smriti Granth Page No.348/83 Shri Ramandacharya and Ex. Acharya comes in the category of 22nd.

63. Annexed list 10 (in Affidavit) custom tradition of Rajasthan and Sanskrit Book Dr. Dinesh Chandra Shukla and Omkar Naryan Singh First Edition 1993, Jodhpur Appendix is photocopy. According to which details of the disciple of Swami Ramanand Prshishy tradition is annexed.

64. I am annexing photocopy of the main page of the History of the Sriramjanm Bhumi, by writer Pandit Ramgopal Pandey, 'Sharad' Edition Sambat 2018 (19th) Ediion Man Page, subject list and page No. 10, 11, 14, 104,

www.vadaprativada.in

106 and 17. Which his list 11 of the affidavit.

65. Shrimath and CharanPaduka, Second edition publication Jogiraj Gawtsav Main Page 6, 7, 8, 9, 10, 11. Shri Ramanand Sect is filing for the confirmation, which I am writing category the Acharya 23, 24, 25 from my own hand. Shyamnand Ji is at 25th category, who is the president of the Ramjanm Bhumi and Acharya of Nirmohi Akhara. On whose time with the inspiration of Fazal Abbas - Jalalsah, rest temple were demolished and from these stones this construction was raised, but in my knowledge and hearsay knowledge sources after the year 1934 inner part of the mosque is never used and 1934 and earlier to that darshan and worship was offered.

66. Title is the historical heritage. Ganesh Bagh-writer Kamlender Krishan Pandey is published in the Hindustan Newspaper edition of 20.2.2004 and is along with photocopy which photocopy copy is filing

www.vadaprativada.in

by me with the affidavit as List (13), in which three pinnacle of the temple two small and middle pinnacle is seen big, which is similar to the disputed mandir. Dome of the disputed mandir is round and they are angular.

67. Photocopy of letter is annexed with affidavit (14) which send from the address of Dokar Gujarat by the Mahant of Nirmohi Akhra, Mahant Ram Kewaldas to me that Janmbhumi Mandir is looted and taken into possession by the people of Hanuman Garhi, come soon. This letter was reached in the post office on 21 February 1982 and send from Faizabad. Its post office seal, photo state list (4) is clearly readable and written that letter is issued from Faizabad on 19 February 82. My address is correctly written as Rajaramchandra-charya Ranchor Mandir, Dakor Gujarat.

68. I came Ayodhya after 21 February 82 and I came to know that in the dispute Pujari Siyaraghavsharan and Mahant Ram Kewaldas,

www.vadaprativada.in

Dharamdas who made party in the case of Sunni Central Board, has looted along with illegal team and entire documents related to Shriramjanm Bhumi, and register of Nirmohi Akhara etc. have been taken with them. On the above FIR case is registered and photocopy of the charge sheet is annexed with the affidavit 4/89< which was given to me by Mahant Ram Kewal Das.

69. Resolution 765-ga filed through document no. 764-ga filed from list of document filed in case No. 4/89 of Sunni Central Board, is of 23 June 1988 which bears my signature. In the same case document No. 766/1ga, is original notary agreement, which is dated 11 August 1988, which is according to the prior resolution, at that time sarpanch of Nirmohi Akhara M. Ramswaroop Das, and Bhaskar Das, Maniram Das, Ram Mangal Das, Ram Gopal Das @ Tiwari , Ramlakhan Das, Naga Jairamdas, has signed. I recognize them and they have signed in my presence. Document No.

www.vadaprativada.in

767/1ga filed in the same case, is agreement of Ramkewal Das, which bears signature of Mahant Ramkewal Das, writer is Maniramdas. Ramkewal Das and Maniramdas have been died. They have written and singed in my presence.

70. In suit No. 4/89 of Sunni Central Board, Khasra Abadi of Mauja issued by the nazul Department is filed by the Sunni Central Board as paper No. 65 A2. I read its Hindi version. I met to my advocate in which on 14/6/41 M. Raghunath, who was my Guru Maharaj and Mahant of Nirmohi Akhara, was roistered in the disputed land and in this manner undisputedly it is continuing in the possession of Nirmohi Akhara.

71. In Suit No. 5/89, there were small temple of Sadhus of Nirmohi Akhara and Sriram Janm Bhumi for which they have filed the case against Shri Ashok Singhal and Vishwa Hindu Parishad In the year 89, which is still pending. Copy of the suit along with site plan, is filed in the suit No. 5/89

www.vadaprativada.in

filed by Nirmohi Akhara, as document No. 108A 1/18 and report of Revenue Officer Malviya, made in the same suit, is filed in original as document No. 108C/1/23. Site plan is correct. In front of the Shriram Janm Bhumi, in east side, Sadhus of the Nirmohi Akhara used to live by making a small temple which was in the queue from Sita Koop to North.

72. My Guruji told me that after the riots of 1934, none of the Muslim has dare to go towards the garbhgrah and Sadhus of the Nirmohi Akhara also not allowed to any Muslim to towards the disputed premises and threatened to ran away. My this information is confirmed by the book of Hon'ble Justice K.N. Mishra, Allahabad, *"Ramjanm Bhumi Babri Masjid Vivad Aur Dhwastikaran Ghatna"* page No. 13, 14, which is annexed as list (20), in which according to report dated 1.12.49 of Mohd. Ibrahim, Secretary of U.P. Sunni Central Board Wakf Board, due to ear of Hindus and

www.vadaprativada.in

Sikh t he could not to in the disputed Garbhgrah and in the outer part and there was temple of Hindus where they resides. His meant from sikh would be Bairagi Sadhus, who five keeps heirs.

Deponent
Sd/-
(M. Rajaramchandracharya)

VERIFICATION

I, Rajaramchandracharya, do hereby verify that the contents of my affidavit of chief examination from para 1, to 9, 11, 13, to 15, 17 to 19, 21, 25 to 27, 29 to 41, 44 to 46, 48 to 51, 53, 55, 56, 67, 68, 69 are true to best of my knowledge and contents of para 10, 121, 16, 20, 22, 23, 24, 28, 42, 43, 47, 54, 57, 57 to 66 and 70 to 73 are true to best of my knowledge and records and knowledge obtained from boos. I further confirm all my above statement that they are true and correct and nothing has false. Verified at Premises of High Court, Lucknow, today on 27.10.04.

Deponent
Sd/-
(M. Rajaramchandracharya)

I, Know M. Rajaramchandracharya, and he signed in my presence.

Sd/-
R.L. Verma
Advocate
27.10.04

www.vadaprativada.in

12072

सूची (1)

www.vadaprativada.in

www.vadaprativada.in

12073

केवल नक्ल की फीस के लिए

Rejected

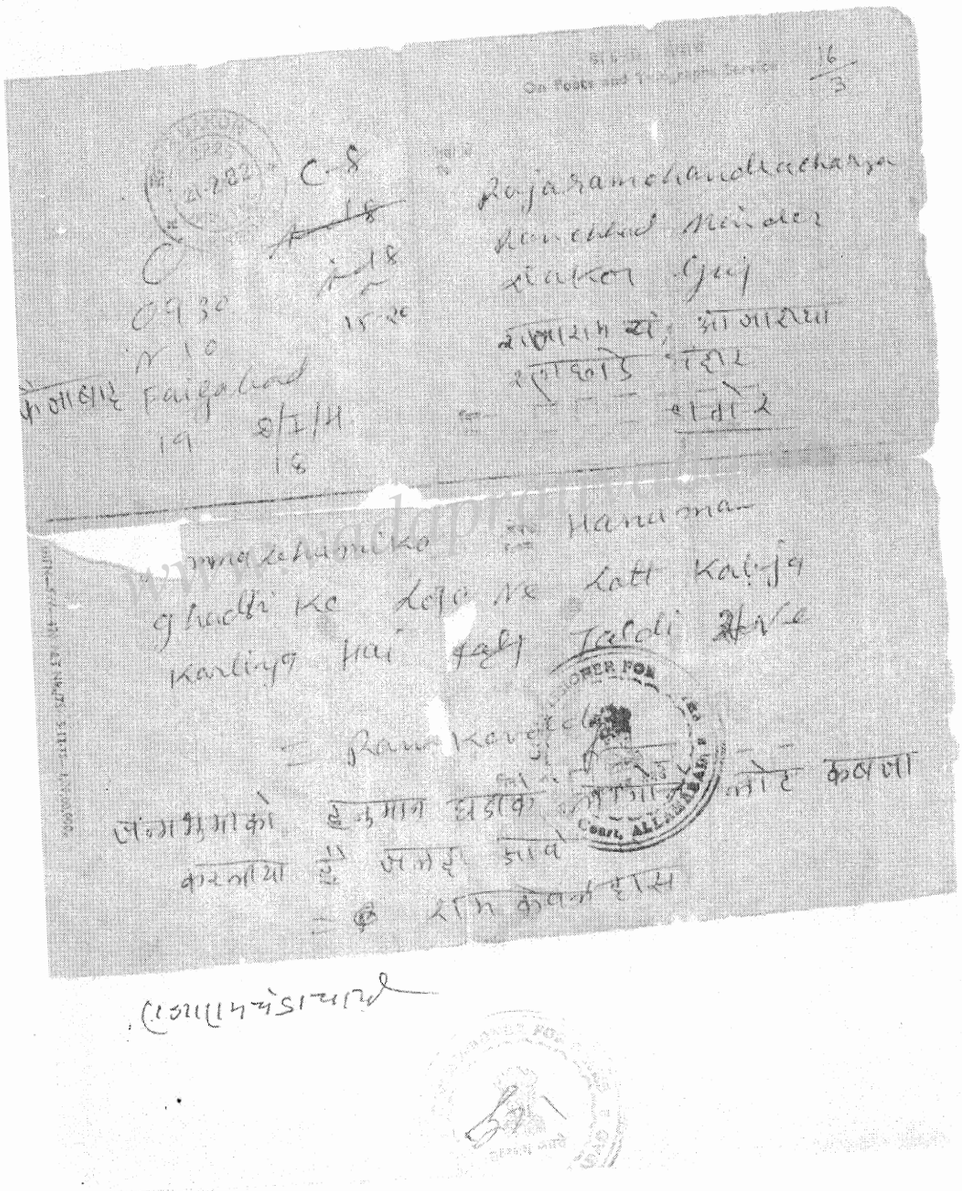
Date on which application was made for copy, specifying the requisite fee and the number of folios required. आवश्यक स्टाम्प सहित आवेदन पत्र देने की तारीख	Date of posting notice on notice board. नोटिस बोर्ड पर नक्ल तैयार होने की सूचना की तारीख	Date of delivery of copy. नक्ल वापिस दिए जाने की तारीख	Signature of official delivering copy. नक्ल वापिस देने वाले अधिकारी का हस्ताक्षर
19-4-63	19-4-63	19.4.1963	

www.vadaprativada.in

www.vadaprativada.in

12074

सूची (2)



www.vadaprativada.in

12075

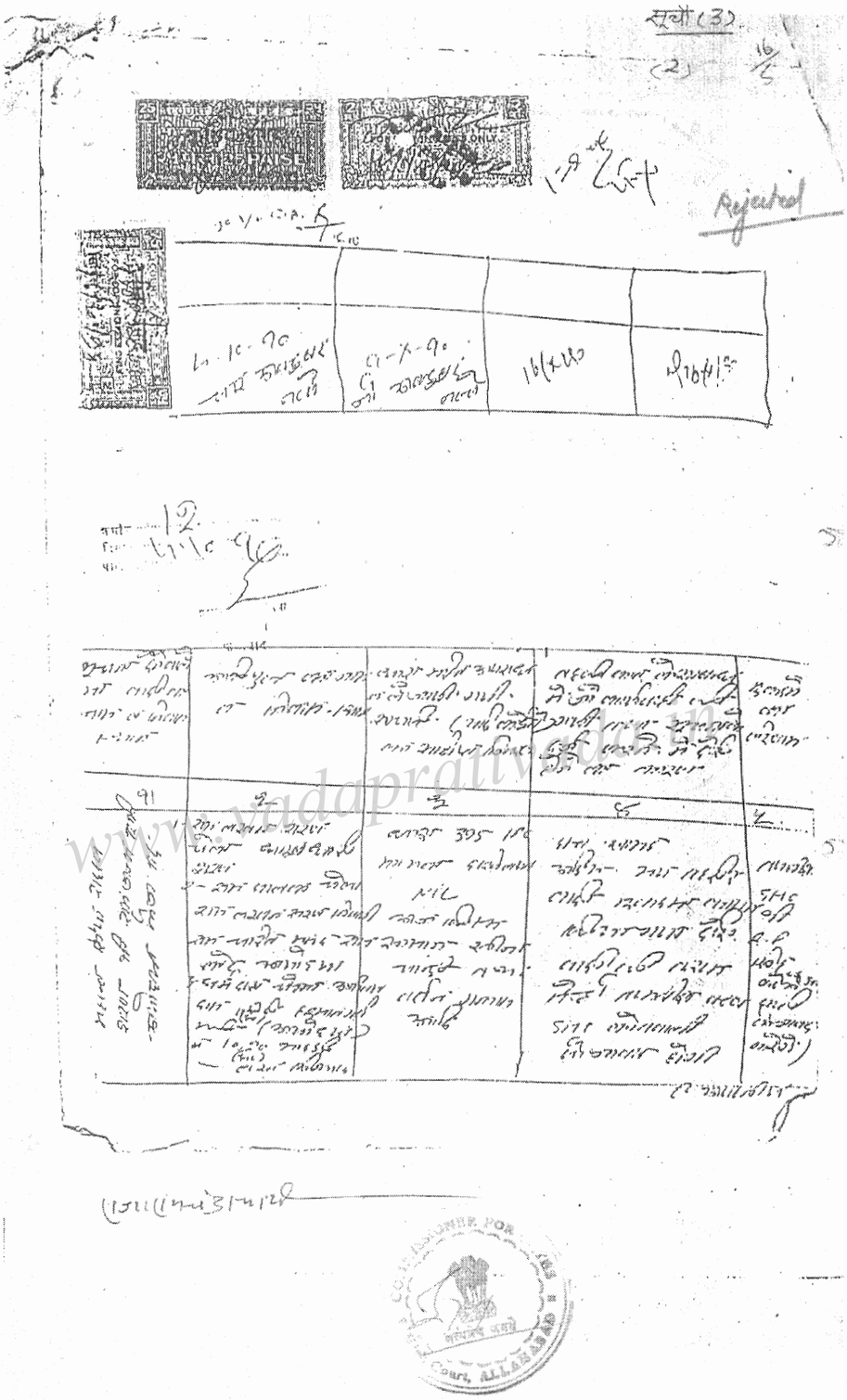
Rejected vide order dtd Court dated 26.5.2010

www.vadaprativada.in

COMMISSIONER FOR OATHS
High Court, ALLAHABAD

www.vadaprativada.in

12076



www.vadaprativada.in

12077

Rejected.

www.vadapativada.in

www.vadapativada.in

12078

www.vadaprativada.in

www.vadapativada.in

www.vadapativada.in

12080

सूची-3

(4)

www.vadapprativada.in

COMMISSIONER FOR OATHS
HIGH COURT, ALLAHABAD

www.vadapprativada.in

www.vadapravada.in

www.vadapravada.in

12082

www.vadaprativada.in

www.vadaprativada.in

www.vadaprativada.in

www.vadaprativada.in

12084

www.vadaprativada.in

12085

Rejected Vide order of even dated 26.5.10
26.5.10
O.S.D. (R.T.B. - B.M.)
www.vadaprativada.in

www.vadaprativada.in

12086

सूची-3

डब्लू ए 1400

न्यायालय श्रीमान तृतीय अतिरिक्त सत्र न्यायाधीश, फैजाबाद ।

सत्र परीक्षण संख्या- 49/83

पुलिसिया - एस॰आई॰आर॰

सरकार

बनाम

गोपालदास आदि ।

मु॰अ॰सं॰ 87 धारा 395 भादि॰सं॰

मूल/नियमानुसार प्रतिलिपि ।

न्यायालय के लिए 498872

प्रथम सूचना की रिपोर्ट

दण्ड विधि संहिता की धारा 154 के अन्तर्गत पुलिस द्वारा दर्ज किये जाने योग्य अपराध की प्रथम सूचना

थाना- कोतवाली अयोध्या

सन-डि॰ - फैजाबाद

जिला - फैजाबाद ।

संख्या- 44 । घटना का दिनांक व समय:

16॰2॰82 समय करीब 5॰30 बजे सुबह

दिनांक व समय	घटना स्थान दिशा और	पुलिस स्टेशन से कोई	पुलिस स्टेशन से दूरी	आने का दिन
17॰2॰82	मुहल्ला रामकोट			18॰2॰82

समय : 23॰45 बजे

got typed by me. Correct Version.

Arun
24/3/05

www.vadaprativada.in

www.vadaprativada.in

12087

www.vadaprativada.in

www.vadaprativada.in

नक्शा नजरीब हिन्दी लाइन

थानान जोकित पुलिस अधीक्षक महोदय फैजाबाद थानाना मैं मंदिर राम लला श्री राम जन्म भूमि के निर्विवाद भाग का महन्त व सरबराहकार सेवत है और पिछले 14 वर्षों से काबिज रह कर मंदिर का इन्तजाम देखता चला आ रहा है और मेरी डिक्री दीवानी न्यायालय और सिटी मजिस्ट्रेट के न्यायालय में हो चुकी है । मैं निरमोही अखाड़ा के महंत रामकेवल दास का चेला हूँ कि दिनांक 16-2-92 को करीब 5.30 बजे जब मैं अपने कमरे में अपने आसान पर बैठा भगवान का स्मरण कर रहे थे तथा अन्य कार्य करता दिशा भगवान में गए थे व दातुन कर रहे थे कि मेरे कमरे में एकाएक रामलक्ष्मण शरण चेला धनुषधारी शरण, रामबालकदास चेला रामलक्ष्मण शरण निवासी रामचरित्र मानस भवन राम कोट अयोध्या, धर्मदास चेला अमरामदास निवासी हनुमानगढ़ी मंदिर अन्य 10-20 आदमियों के जिन्हें देख कर पहचान सकते हैं रा: बालकदास, धरमदास, राम लक्ष्मण शरण ने प्रार्थी को पकड़ लिया और प्रार्थी का मुंह बन्द कर दिया और जो अपने अन्य साथियों से कहा कि समस्त सामान लूट लो तथा अन्य सभी सामान लूटने लगे उसके बाद कमरे का ताला तोड़ डाला और अन्दर जाकर मंदिर का समस्त सामान लूट लिया । दो, तीन संदूक जिसमें भगवान के आभूषण सोने, चांदी के थे, रुपये पैसे व कपड़े लत्ते आदि सामान लूट ले गए जिसकी लिस्ट अलग मैं पेश कर रहा हूँ राम बालक व धरमदास व राम लक्ष्मण शरण प्रार्थी को उठा कर यह कहते हुए मंदिर से ले चले कि इनको मैं ले चलकर सरयू कूप में डाल दिया व पीछे से कूद कर मर जाये और मंदिर संबंधी समस्त झंझट समाप्त हो जायेगा । प्रार्थी इतना घबड़ाया कि अब मौत से बच नहीं सकते । अत: उसने चीखी आवाज दी इस पर उन लोगों ने मुझे से प्रहार किया, आवाज सुन कर चौकी के दो सिपाही हवलदार व अन्य कई व्यक्ति दौड़े आये और प्रार्थी की जान बचाई जिसके संबंध में प्रार्थी ने भाग कर अयोध्या थाने में प्रार्थना-पत्र दिया अत: श्रीमानजी से निवेदन है कि प्रार्थी की रिपोर्ट थाना अयोध्या में दर्ज कराकर विध्वंशक के विरुद्ध उचित कार्यवाही करने की कृपा की जाये तथा का सामान बरामद करने की कृपा की जाये एवं अभी है रहे अभियुक्तगण को अविलम्ब पुलिस हिरासत में लेने का आदेश प्रदान किया जावे, प्रार्थी सियाराधौ शरण महंत सिया राघौशरण निवासी रामजन्म भूमि अयोध्या जिला फैजाबाद ।

सामानकी सूची संलग्न है पी०एस०टी० 357/1992 दि० 17-2-92

लिस्ट सामान जिसे डकैती में लूटा गया ।

1. टीन के लोहे वाली आलमारी में रखा था, भगवान के आभूषण जैसे सोने का मुकुट, चार अष्ट धातु वजनी चार तोला । ख- सोने की माला तिमाली चार अष्ट धातु वजनी दो तोला । ग- सोने की जंजीर दो तोला घ- छत्र चांदी का पांच अष्ट धातु वजनी डेढ़ किलो च- गंगा जमुना सिंहासनी ग- जैसे हाथी, घोड़ा, तलवार, ढाल, तीर, धनुष आदि छोटे-छोटे दो अष्ट धातु वजनी एक किलो लगभग छ- चांदी का मुकुट 10 अष्ट धातु वजनी एक किलो

Correct-verified
Ramesh

www.vadaprativada.in

12089

- 4 -

4- सोने का तिलक 12 अदद वजनी एक तोला, ख- चाँदी का तिलक 12 अदद दो तोला, दो लॉन भंडार इस्तेमाली क- परात पीतल के एक अदद बड़ा लगभग 3-4 किलो, ख- थाली फूल की चार अदद जिस पर सियाराधौ राधो लिखा है तीन लोटा एक बड़ा लगभग आठ किलो ग- थाली स्टील चार अदद, घ- गिलास चार अदद एक, दो फूल दो स्टील च- कटोरा चार अदद छूत वजनी करीब डेढ़ किलो छ- गंजीना पीतल चार अदद छोटे बड़े वजनी 15-20 किलो, ज- कड़ाई लोहे की तीन अदद, झ- चम्मच, चाकू, बेलना चम्मच, बेलन, डिब्बा, तेल मशाला आदि छुटरा सामान ।

3. आटा एक क्विंटल जो कमरे में रखा था ।

4. चावल एक क्विंटल जो कमरे में रखा था ।

5. गेहूँ तीन क्विंटल

6. दाल करीब 75 किलो

7. आलमारी तीन जिस्त इसमें सब से एक आलमारी उठा ले गए हैं शेष दो में तोड़ कर निम्न लिखित मुकदमे से संबंधित व अन्य सामान निरमोही अखाड़े का असल इकरारनामा श्री महंत जगदीश शरण दास, लिखा गया और लिखवा कब्जा चला है ।

8. असल पारमेट नामा नाम लिखते महंत रघुनाथ दास बहल प्रार्थी मय महजरनामा, 9. भगवान रामलला सराय राम स्वरूप दास से संबंधित कागजात व सभी नक्शे जिसे सन् 1974 से से चले हैं मय डिक्री व नक्शे, 10. कई किताब रजिस्टर जिसमें धर्म की संबंधित कार्यवाही व रामायणी वाचनालय संबंधी कार्यवाही 11. बदालू भक्तों की तमाम मदद उनके नाम का एक्का रजिस्टर जिसे पीछी के कार्यकर्ता इण्ण्ना कटा है। 12. रघुनंदन ने लिखा है, 13. तीन बड़े रजिस्ट्रर जिसमें कि मुकदमा का इतिहास प्रार्थी अभिरामण रघुनंदन व रमाशंकर दास लिखते हैं 14. वाचनालय संबंधी तथा धार्मिक पुस्तकें जिसमें वाचनालय की मुहर लगी है जो रजिस्ट्री है । 15. तीन बड़े रजिस्टर जिसमें बड़े-बड़े अन्य विद्वानों द्वारा प्रकट विप्पणियां जो प्रार्थी व मंदिर के सम्बन्ध में लिखी गयी है 16. चार कुर्सी, दो मेज, चार तख्त, दो बेंच, 10 टीन के बक्से, चार जिसमें प्रार्थी के पहनने के कपड़े, धोती, अंगोछा चोटकटी आदि व कंबल आदि दो बड़ी दरी जो कार्यालय में बिछी थी सात हजार रुपयानगद, महंत श्री सियाराधेशरण ।

संलग्नक -- श्रीमान ज्येष्ठ पुलिस अधीक्षक, जिला फैजाबाद,

श्रीमानजी से निवेदन है कि प्रार्थी का डकैती में लूटा हुआ सामान आज पता चला है कि धर्मदास के थान हनुमानगढ़ी जो अभिराम दास का कब्जे आ गयी है के हनुमानगढ़ी राम लालत दास के कब्जे तो मानस पान व गुलशरण जी पो राम लाल शरण के आदमी है भगवानदास व हरिहर दासजी लि हनुमानगढ़ी ले है, अतः श्रीमान जी से निवेदन है कि कोतवाल महोदय को आदेश देने की कृपा करें कि वे अविलंब मौके पर जाकर प्रार्थी का डकैती में गुम हुआ माल बरामद करें अन्यथा प्रार्थी की अपूर्णनीय क्षति हो रही है, अयोध्या थाना भी कोतवाल साहब अभियुक्तगण से हथियार हो गए हैं ।

Correct Verification

www.vadaprativada.in

उनके द्वारा प्रार्थी को किसी प्रकार की कार्यवाही की आशा नहीं है । प्रार्थी हरि मुखाम सिंघा रामजन्म भूमि अयोध्या कोतवाली फैजाबाद; दिनांक 17-1-82

श्री आर•पी• सिंह होशियारी नगर

आज ही तरफ शिकायत पत्र दिनांक 17•2•82 शिकायत पत्र है मेरे अयोध्या में राम जन्म भूमि पर शिकायत पत्र है को झगड़ा होने तथा इस संबंध में कार्यवाही के लिखा मे आपसे पहले से संबंधित है मैं महंत श्री रियाराधो शरण मैं दो प्रार्थना-पत्र 17-2-82 का उसके संतरन सामान की सूची को इस आशय से भेज रहा हूँ कि इसकी तैंत पूर्ण जांच रिपोर्ट अंकित कराकर विवेचना तथा उचित कार्यवाही करें । यदि सामान के जाने का आरोप सही हो तो बरामदगी बरामद करके तथा उसे विधिवत रूप से सुरक्षित रखने की कार्यवाही करें इसके बाद मैं न्यायालय के निर्देशानुसार विधिसंगत व्यवस्था की दी जा सकती है । उचित होगा कि इस मामले की विवेचना स्थानीय थाने को न देकर उप-निरीक्षक प्रभारी ए•आई•एस• को सौंप दें, आज जो परिवाद के आधार पर इसकी गहराई से विवेचना करके विधिसंगत कार्यवाही करें । हस्ताक्षर अपठनीय कृष्णकांत दीक्षित चौथे पुलिस अधीक्षक फैजाबाद संख्या एस•टी• 357 ए/82 दिनांक 17-2-82 संलग्न उक्त लेख अनुसार 3 प्रतिलिपि - एस•आई• प्रभारी एस•ओ•एस• को सूचनार्थ है । कार्यवाही हेतु निरीक्षक कोतवाली अयोध्या, कृपया इस पर उचित धारा में तुरंत मुकदमा कायम करके विवेचना हो व श्री आर•पी• सिंह निरीक्षक कोतवाली फैजाबाद को भेजें । हस्ताक्षर अपठनीय 17-2-82 सी•ओ• सिटी ।

नोट: मैं हाल मुकाम राजकीय पान्देय प्रमाणित करता हूँकि नकल तहरीर फाड़ व फाड़ अंकित की सही गार्डस तापी सा थ है तथा चैं ती है ।

ह० अपठनीय
17.12.82

Correct Verified.

24/3/05

www.vadaprativada.in

www.vadaprativada.in

www.vadaprativada.in

12093

श्री राम वन गमन स्थल

१. **अयोध्याजी** – अयोध्याजी श्रीराम की जन्मभूमि है। श्रीराम ने यहीं से वन की यात्रा आरम्भ की थी। अयोध्याजी मे १८–१२ किमी. के घेरे में गया वेदी कुण्ड, सीता कुण्ड, जनौरा (जनकौरा) आदि अनेक स्थल किसी न किसी रूप में श्रीराम वनवास से जुड़े हैं।

२. **तमसा तट** – यहां श्रीराम ने वनवास की प्रथम रात्रि विश्राम किया था। तमसा का वर्तमान नाम मंडाह अथवा मंढार है तथा स्थल का नाम गौरा घाट है। गौरा शब्द गह्वर का अपभ्रंश है। यह स्थान अयोध्याजी से लगभग २० कि०मी० है।

३. **पुरवा चकिया** – तमसा तट के पास ही एक स्थान है। अयोध्याजी के नागरिकों को उनके कष्ट से बचाने के लिए श्रीराम उन्हें तमसा तट पर सोते छोड़ गये थे। वहां से रथ इस तरह घुमाया कि नागरिक रथ की लीक के पीछे–पीछे न आ सकें।

४. **श्रीराम मंदिर, डाहडीह** – डाहडीह की उत्पत्ति 'डाह' शब्द से हुई है। अवधी में डाह का अर्थ है एकत्रित होकर रुदन करना। लोक मान्यता के अनुसार श्रीराम को न ढूँढ पाने के बाद अयोध्यावासियों ने यहाँ इकट्ठा होकर डाह किया था। एक पहाड़ी पर सीता राम जी लक्ष्मण जी का मंदिर बना हुआ है।

५. **सूरज कुण्ड** – रामपुर भगन से लगभग २ कि.मी. दूर सूर्यकुण्ड में श्रीराम, लक्ष्मण तथा सीताजी ने स्नान कर भगवान सूर्य की पूजा की थी।

६. **वेदश्रुति नदी** – वेदश्रुति नदी का वर्तमान नाम बिसूही है। श्रीराम ने यह नदी अशोक नगर के पास कहीं पार की थी। अशोक नगर (मंगारी) तमसा तट से लगभग १५–२० कि०मी० पड़ता है।

७. **गोमती नदी** – यहां गोमती नदी के किनारे महर्षि वाल्मीकि का आश्रम है। श्रीराम ने यहां से गोमती नदी पार की थी। सुलतानपुर का पूर्व नाम श्रीराम पुत्र कुश के नाम पर कभी कुशभवनपुर बताया जाता है।

८. **स्यंदिका** – स्यंदिका का वर्तमान नाम सई है। यह प्रतापगढ़ से १२ कि०मी० दूर देव घाट के नाम से प्रसिद्ध है।

वदथी – नदी का वर्तमान नाम सकरनी नदी है। यह प्रतापगढ़ से पूर्व दिशा में लगभग ८ कि०मी० दूर है।

९. **वालुकिनी नदी** – नदी का वर्तमान नाम बकुलाही है। नदी में कंकड़ रेती बहुत होती थी इसलिए नाम वालुकिनी था। प्रतापगढ़ से दक्षिण में लगभग १५–२० कि०मी० पर यह स्थल मिलता है।

१०. **शृंगवेरपुर** – कभी निषादराज गुह की राजधानी थी। इसका वर्तमान नाम सिंगरौर है तथा इलाहाबाद से लगभग २० कि०मी० उत्तर दिशा में गंगाजी के किनारे है। यहीं केवट प्रसंग हुआ था। निकटवर्ती स्थानों पर संध्या घाट, रामशैया, वीरासन, श्रीराम चरण पादुका, भरत डेरा, जटा वृक्ष आदि अनेक स्थल पाये जाते है।

११. **सीताकुण्ड** – शृंगवेरपुर से २ कि०मी० दूर गंगाजी के किनारे है। यहां से उन्होंने गंगा पार की थी तथा सुमंत्र को वापस अयोध्याजी भेजा था।

१३. **कुरई** – सीता मां गंगा पार से एक मुट्ठी रेती लायीं थी। उस रेती की कूरी कर उन्होंने भगवान शिव की पूजा की थी। बाद में यहां शिव मन्दिर की स्थापना हुई।

१४. **राम जोइहा** – श्रीराम ने इलाहाबाद से लगभग १५ कि०मी० उत्तर पश्चिम में चरवा गांव में स्थित हालव में स्नान किया था।

१५. **भरद्वाज आश्रम** – इलाहाबाद में एक टीले पर यह आश्रम स्थित है। पहले गंगा मां की धारा यहां से होकर बहती थी। श्रीराम भरद्वाज मिलन इसी स्थान पर हुआ था।

१६. **अक्षयवट** - सीता मां ने अक्षयवट की पूजा–परिक्रमा की थी। अक्षय का अर्थ है जिसका क्षरण नहीं हो। इस वृक्ष के –

(क) पत्तों का आकार सामान्य वट वृक्ष के पत्तों से बड़ा है।
(ख) सूखने पर भी पत्ते हरे रहते हैं।
(ग) पत झड़ में भी यह वृक्ष हराभरा रहता है।
(घ) औरंगजेब ने इस वृक्ष को कटवाया, जड़ों को जलवाया किन्तु यह पुनः फूट आया।

१७. **संगम** – श्रीराम ने स्वयं श्रीमुख से तीर्थराज प्रयाग (संगम) की प्रशंसा की है। यहां गंगा, यमुना तथा सरस्वती का संगम है।

१८. **यमुना घाट, सिमरी** – प्रयाग राज से यमुना जी के किनारे–किनारे चलकर श्रीराम ने सिमरी के पास यमुना पार की थी। यह स्थान सुजावन देवता के सामने पड़ता है।

१९. **सीता रसोई** – घूरपुर तथा जसरा बाजार से पूर्व दिशा में यमुनाजी के किनारे भगवान शिव के एक प्राचीन मंदिर के निकट ही अत्यन्त प्राचीन गुफा है। एक छोटी सी पहाड़ी पर बनी इस गुफा में पहाड़ी पर खोद कर चित्र बनाये गये हैं। स्थानीय लोग इसे सीता रसोई कहते हैं।

२०. **रिरिझयन** – यह शब्द ऋषियन का अपभ्रंश है। रामायण काल में यहां ऋषि

www.vadaprativada.in

12094

मंडल था। यहां पहुंचने के लिए शंकर गढ़, मऊ होते हुए कोटरा गांव तक पक्की सड़क है। श्रीराम इधर से ही गये थे।

२१. **सीता रसोई** – टकटई गांव से ३ कि०मी० तथा ऋषियन से ६ कि०मी० दूर एक पहाड़ी पर एक चिकनी शिला है इस शिला पर सीता मां ने चावल पसाये थे। गुफा के द्वार पर चित्रलिपि में कुछ लिखा है जो अभी तक पढ़ा नहीं जा सका।

२२. **सीता पहाड़ी** – गहरे जंगल में सीता रसोई से लगभग ४ कि०मी० दूर सीता पहाड़ी है। श्री सीता राम जी ने यहां विश्राम किया था। गुफा के द्वार पर चित्रलिपि को कहते सीता रसोई की तरह यहां भी रहस्य बनी हुई है।

२३. **मुरका** – मुरका का अर्थ है वापस मुड़ना। भरद्वाज ऋषि ने चार शिष्य श्रीराम को मार्ग बताने के लिए साथ भेजे थे श्रीराम ने वे चारों शिष्य यहां से वापस मुरका दिये। हनुमान जी की नृत्य मुद्रा में एकमात्र मूर्ति यहां देखी गयी है जो मानस में बताये एक वानर के स्वरूप से पूर्णतः मेल खाती है।

२४. **दशरथ कुण्ड, करका** – लोक मान्यता के अनुसार 'करका' पहुँचकर श्रीराम को दशरथ जी के स्वर्गवास का आभास हो गया था। अतः उन्होंने सीताजी तथा लक्ष्मण से बचकर दशरथ जी का श्राद्ध किया था।

२५. **कुमारद्वय** – इलाहाबाद–चित्रकूट मार्ग पर राम नगर नामक एक गांव के पास कुमारद्वय नामक विशाल तालाब है। स्थानीय भाषा में इसे कुंवर दो कहते हैं। दोनों भाइयों ने यहां स्नान कर शिव पूजा की थी।

२६. **वाल्मीकि आश्रम** – लालापुर गांव के पास एक पहाड़ की कठिन चढ़ाई के बाद चोटी पर महर्षि वाल्मीकि का एक प्राचीन आश्रम है। यहां श्रीराम की मुनी से भेंट हुई थी। लालापुर गांव के पास वाल्मीकि नामक नदी भी प्रवाहित होती है।

२७. **खोई गाँव** – मानस के अनुसार भरत जी को कामदगिरी के दर्शन दो कोस पहले हुए थे। केवल खोई गाँव ही है जहाँ से दो कोस दूर से कामदगिरी के दर्शन होते हैं। श्रीराम का अनुगमन करते हुए भरत जी यहीं से गये थे।

२८. **कामदगिरि** – भक्त कामदगिरि को श्रीराम का प्रत्यक्ष शरीर मानते हैं। श्रीराम यहां बहुत दिनों तक रहे थे। हजारों श्रद्धालु नित्यप्रति इसकी परिक्रमा करते हैं। कुछ तो लेट कर परिक्रमा करते हैं। चित्रकूट में श्रीराम वनवास से संबंधित बहुत से स्थल आज भी पाये जाते हैं। जैसे –श्रीराम–भरत मिलन मंदिर, रामघाट, सीता रसोई, रामशैया, मंदाकिनी नदी आदि।

२९. **माण्डव्य आश्रम** – इसका वर्तमान नाम मंडफा है जो माण्डव्य का अपभ्रंश है।

पहाड़ी का नाम भी मंडफा है। इस क्षेत्र में श्रीराम से अधिक मान्यता भरतजी की मानी जाती है।

३०. **भरतकूप** – भरतजी श्रीराम के राज्याभिषेक के लिए सभी तीर्थों का जल लाये थे। वह पवित्र जल अत्रि मुनी के परामर्श से भरतकूप में स्थापित किया था। भरतकूप कर्वी से १८ कि०मी० है।

३१. **स्फटिक शिला** – कामदगिरि से लगभग ४–५ कि०मी० दूर गहरे जंगल में मंदाकिनी की धारा में एक विशाल सफेद शिला है। यहीं इन्द्र पुत्र जयंत ने कौवे के रूप में सीता मां पर चंचु प्रहार किया था।

३२. **गुप्त गोदावरी** – भयंकर जंगल में प्रकृति की अनुपम देन है गुप्त गोदावरी, सीता मां यहां स्नान करती थी। यहीं मंयक नामक चोर ने उनके वस्त्राभूषण चुराये थे तथा लक्ष्मणजी ने उसे सजा दी थी।

३३. **टाठीघाट** – बूंदेलखंडी में टाठी का अर्थ है थाली अर्थात् गोल। यहां मां मन्दाकिनी गोल आकार लेती हैं इसलिए नाम टाठीघाट है। यहां जंगल में विचित्र तथा सिद्ध संतों के दर्शन होते हैं। चित्रकूट से अत्रि आश्रम के लिए मंदाकिनी के किनारे–किनारे एक पुराना मार्ग अब भी है।

३४. **अत्रि आश्रम** – यहां श्रीराम, मां सीता, अत्रि मुनि तथा मां अनसूया की अद्भुत भेंट हुई थी। मां अनसूया की तपस्या से मां गंगा मंदाकिनी के रूप में १०० धाराओं में यहां प्रकट हुई थी। आज भी यह दृश्य देखा जा सकता है।

३५. **अमरावती** – अत्रि आश्रम से ६–७ कि०मी० दूर जंगल में एक रमणीक स्थान अमरावती है। अमरावती श्रीराम के पूर्वज राजा अम्बरीश की तपस्थली है। श्रीराम ने यहां विश्राम किया था। यहीं पर विराध ने श्रीराम पर आक्रमण किया था।

३६. **विराध कुण्ड** – अमरावती से ३ कि०मी० दूर घनघोर जंगल में एक भयंकर कुण्ड है। इस कुण्ड में झांकने पर भी डर लगता है। यहां विराध दफनाया गया था।

३७. **पुष्करणी** – श्रीराम, लक्ष्मण का विराध से लम्बा संघर्ष चला था और विराध वध में दोनों के हथियार तथा वस्त्र भी खून से सन गए थे। टिकरिया तथा मारकुंडी के बीच एक विशाल पुष्करणी में उन्होंने अपने हथियार तथा वस्त्र धोये थे।

३८. **मार्कण्डेय आश्रम** – मारकुण्डी स्टेशन से एक कि०मी० दूर मार्कण्डेय आश्रम है। मारकुंडी मारकंडेय का अपभ्रंश है। यहां भगवान शिव का प्राचीन मंदिर है। माना जाता है कि पुष्करणी में स्नान के बाद श्रीराम ने यहां शिव पूजा की थी।

COMMISSIONER FOR OATHS ALLAHABAD

www.vadaprativada.in

12095

३६. **सिद्धा पहाड़** – यह सिद्धा पहाड़ ऋषियों की अस्थियों के ढेर से बना है। इसमें रंग–बिरंगी बजरी निकलती है।

४०. **सुतीक्ष्ण आश्रम** – सिद्धा पहाड़ से २ कि०मी० दूर सुतीक्ष्ण मुनि का आश्रम बताया जाता है। जैतवारा स्टेशन से एक पक्की सड़क यहां तक आती है। यहां श्रीराम, लक्ष्मण, सीताजी तथा सुतीक्ष्ण मुनि के विग्रह हैं।

४१. **शरभंग आश्रम** – शरभंग आश्रम में श्रीराम को इन्द्र के दर्शन हुए थे। यहीं श्रीराम का आतिथ्य कर शरभंग मुनि ने योगाग्नि में स्वयं को भस्म किया था। चितहरा स्टेशन से १३ कि०मी० दूर घनघोर जंगल में यह विशाल आश्रम है। यहां राम–लक्षमण कुण्ड, श्रीराम बाण से बना गर्म जल का स्रोत, अश्वमुखी देवी का मंदिर, सूर्य कुण्ड, दुध मनिया कुण्ड सभी श्रीराम कथा से जुड़े हैं।

४२. **सीता रसोई** – यहां तीनों ने भोजन तथा रात्रि विश्राम किया था। मंदिर के पास ही चट्टानों में सीता रसोई है। वनवासी बंधु यहां पूजा तथा सीता मां से मन्नत मांगने आते हैं। मंदिर के पास एक कूप को अमृत कुण्ड कहते हैं। रक्सेलवा राम सैलवा का अपभ्रंश है।

४३. **राम शैल, रक्सेलवा** – सीता रसोई से चार किलोमीटर दूर लेडहरा पर्वत का प्राचीन नाम रामशैल है। यहाँ श्रीराम के चरण चिन्ह पूजे जाते हैं। मार्ग की दृष्टि से आनन्द सागर, जैमुनि, रामशैल, बल चोना, सियावर तथा करसरा आदि एक सीधे मार्ग में आते हैं।

४४. **शिव मंदिर/देव पहाड़, अजयगढ़** – पन्ना जिले में अजयगढ़ नामक गांव से ८ कि०मी० दूर देव पहाड़ पर श्रीराम आये थे। यहां एक शिव मंदिर तथा बहुत सुन्दर आरामदेह गुफाएं बनी है। देवताओं ने श्रीराम के लिए गुफाएं तैयार की थी।

४५. **बृहस्पति कुण्ड – देव** गुरू बृहस्पति ने यहां यज्ञ किये तथा आश्रम की स्थापना की थी। बाद में आश्रम में ऋषियों से मिलने श्रीराम भी वनवास काल में यहां आये थे। पहाड़ी खेरा से दक्षिण दिशा में ६ कि०मी० दूर बृहस्पति कुण्ड हैं। यहां बाघिन नदी की घाटी की प्राकृतिक छटा मन मोह लेती है।

४६. **सुतीक्ष्ण आश्रम** – श्रीराम ने भुजा उठाकर राक्षसों के वध की प्रतीज्ञा की थी तभी हाथ उठाने के लिए उन्होंने सारंग धनुष धरती पर टिकाया था इसीलिए इस स्थान का नाम सारंगधर है। यहां एक अद्भुत वट वृक्ष है। इसके पत्ते बड़े होकर स्वतः ही दोने का आकार ले लेते हैं। साधकों के अनुसार पेड़ के नीचे ध्यान बहुत अच्छा लगता है।

४७. **अग्निजिव्हा आश्रम** – श्रीराम अगस्त्य आश्रम जाने से पूर्व उनके भाई के

(1211)(1463)-4128 {18}

आश्रम भी गय थ। यह आश्रम अगस्त्य क भाइ का माना जाता ह। यह स्थल पन्ना से लगभग १८ कि०मी०दूर देवेन्द्र नगर के पास बड़ेगांव में है।

४८. **अगस्त्य आश्रम** – पन्ना जिला में सलेहा से ६ कि०मी० दूर पटना गांव के पास पहाड़ पर सिद्ध बाबा आश्रम अगस्त्य आश्रम माना जाता हैं पटना से ४ कि०मी० पैदल कच्चा मार्ग है तथा यहां पहुंचने के लिए २ नदियां गलको तथा तीहरी पार करनी पड़ती हैं। नदियों पर पुल नहीं है।

४९. **शिव मंदिर मैहर** -- एक जनश्रुति के अनुसार मैहर के जंगल में एक प्राचीन शिव मंदिर था। यहां श्री राम ने पूजा की थी। एक प्राचीन मंदिर मैहर के निकट ही है।

५०. **राम घाट, पिपरिया** – नर्मदा नदी के किनारे पिपरिया के पास राम घाट है। लोकमान्यता के अनुसार श्रीराम ने यहाँ से नर्मदा नदी पर की थी।

५१. **श्रीराम मन्दिर, केलोघान घाट** – नर्मदाजी के किनारे उमरधा के निकट श्रीराम ने एक रात्रि विश्राम व स्नान किया था। निकट ही नर्मदा व दूधी नदी का पवित्र संगम है।

५२. **राम घाट, माछा** – लोक विश्वास के अनुसार नर्मदा जी के किनारे श्रीराम ने बिल्व पत्रों से भगवान शिव की पूजा की थी अतः बिल्वाग्रक तीर्थ है। पास ही कुब्जा नदी का पवित्र संगम है।

५३. **रामटेक** – टेक अर्थात् प्रतिज्ञा। श्रीराम ने यहां राक्षसों के वध की प्रतिज्ञा की थी। दूसरा अर्थ है टिकना। अर्थात् श्रीराम यहां कुछ काल के लिए टिके थे। दोनों अर्थों में श्रीराम का प्रवास सिद्ध होता है। पहले इस पर्वत का नाम रामगिरि था।

५४. **सुतीक्ष्ण आश्रम, सप्तशृंग** – सुतीक्ष्ण मुनि के कई आश्रम मिले हैं किन्तु लगता है कि श्रीराम की सुतीक्ष्ण मुनि से यहीं भेंट हुई थी। श्रीराम १० वर्ष दंण्डक वन में घूमकर पुनः इसी आश्रम में आये थे।

५५. **मार्कण्डेय आश्रम, दरबार** – सोनभद्र तथा महानदी के पवित्र संगम पर श्रीराम ने दशरथ जी का श्राद्ध किया था। अब भी सोनभद्र के किनारे प्राचीन बस्ती के अवशेष नदी में मिलते हैं।

५६. **राम मन्दिर, तालाबान्धवगढ़** – राष्ट्रीय उद्यान में एक पहाड़ी पर श्रीराम का प्राचीन मन्दिर स्थित है। यहाँ लक्ष्मण शैया, भगवान वराह, कच्छपावतार, मत्स्यावतार, हनुमान जी आदि अनेक मन्दिर है। श्रीराम दण्डकारण्य भ्रमण करते हुए यहाँ आये थे।

५७. **दशरथ घाट, विजौरी** – मानपुर से १४ किलोमीटर दूर जंगल में सोनभद्र

{19}

www.vadaprativada.in

COMMISSIONER FOR OATHS SITAMARHI

www.vadaprativada.in

12096

...नी पुत्रेष्टी यज्ञ की पवित्र स्थली है। यहां भी श्रीराम ने दशरथ जी का श्राद्ध किया था। वनवासी अब भी श्राद्ध करने यहाँ आते हैं।

५८. **सीतामढ़ी, हरचौका** – जनकपुर से २५ कि०मी० दूर उत्तर–पश्चिम दिशा में मबइ नदी के किनारे सीतामढ़ी है। यहाँ के मन्दिर अब ध्वस्त हो रहे हैं। सीता माँ ने यहाँ भोजन किया था।

५९. **सीतामढ़ी, राया** – एक सीधी पंक्ति में यह दूसरी सीतामढ़ी है। जनकपुर से १६ कि०मी० दूर पूर्व दिशा में राया नदी के किनारे पहाड़ी पर एक तल घर में भगवान शिव का प्राचीन विग्रह स्थापित है। वनवास काल में श्री सीता-राम जी ने यहाँ रात्रि विश्राम किया था।

६०. **सीतामढ़ी, छतोड़ा** – जनकपुर से ४० कि०मी० पूर्व दिशा में छतोड़ा के पास नेऊर नदी के किनारे श्री सीता रामजी ने भोजन व विश्राम किया था। अब भी वनवासी लोग सीता माँ से मन्नत माँगने आते हैं।

६१. **चन्दन मिट्टी/राम मन्दिर** – श्री राम लक्ष्मण ने सरगुजा में उदयपुर के पास मिट्टी से अपनी जटाएं ठीक की थी। यहां प्राचीन राम मंदिर तथा सीता गुफा है। कठिन चढ़ाई के बाद एक गुफा से बहुत चिकनी मिट्टी निकलती हैं। यही चन्दन मिट्टी कही जाती है।

६२. **विश्रामपुर** – अम्बिकापुर का प्राचीन नाम विश्रामपुर रहा है। माना जाता है कि श्री सीताराम जी यहाँ वर्षों रहे हैं। पूरे क्षेत्र में श्रीराम वनवास की अनेक लोक कथाएँ इस क्षेत्र से संबंधित मिलती है। तो भी कोई एक विशेष स्थान चिन्हित नहीं किया जा सका।

६३. **लक्ष्मण पंजा, कुनकुरी** – कुनकुरी से १८ कि०मी० दूर रिंगा घाट गाँव के पास लक्ष्मण जी ने वराह रूप में विचर रहे राक्षस का संहार किया था।

६४. **शिव मंदिर, बगीचा** – सीता मां ने वनवासियों को शीत ज्वर से बचाने के लिए तुलसी के पौधे लगाये थे। तब तुलसी का बगीचा लग गया और यह क्षेत्र बगीचा के नाम से प्रसिद्ध हो गया। बगीचा के पास पहाड़ी की तलहटी पर एक नाले के पास भगवान शिव का एक छोटा सा मंदिर है। श्री राम ने यहां शिव पूजा की थी।

६५. **राम रेखा धाम** – छोटा नागपुर के पास सिमडेगा से २०–२५ कि०मी० उत्तर पश्चिम के घने जंगलों में श्रीराम ने अपने बाण से कुछ रेखाएं खींची थी। यहां श्रीराम तथा सीता रसोई भी है। यह गुमला जिला में है।

६६. **राम मंदिर जसपुर** – सीता मां ने यहां वनवासी महिलाओं को बांस की टोकरी बनाना सिखाया था।

६७. **राम झरना** – रायगढ़ से २१ कि०मी० दूर भूपदेवपुर स्टेशन के पास जंगल में राम झरना है। तीनों ने यहां स्नान किया था। एक चमत्कार है कि झरने का पानी किसी भी मौसम मे घटता बढ़ता नहीं।

६८. **राम टेकड़ी** – रतनपुर शहर में पहाड़ी पर श्रीराम ने निवास किया था। पहाड़ी पर ऊंचे मंदिर में श्रीराम के पैर के अंगूठे से गंगाजी प्रवाहित हो रही है।

६९. **शिबरी** नारायण – मां शबरी शबर जाति की थी। यहां मां शबरी का जन्म स्थान है। शबर परिवार नारायण भक्त था। श्रीराम इन्हीं संतों से मिलने आये थे।

७०. **लक्ष्मणेश्वर मंदिर** – शिबरी नारायण से ४ कि०मी० दूर खरोद गांव में भगवान शिव के इस प्राचीन मंदिर की स्थापना लक्ष्मणजी ने की थी।

७१. **विश्राम वट** – शिबरी नारायण मंदिर से २ कि०मी० दूर महानदी के पार एक प्राचीन वट वृक्ष को विश्राम वट कहते हैं। तीनों ने यहां विश्राम किया था।

७२. **वाल्मीकि आश्रम** – महर्षि वाल्मीकि के अनेक आश्रम मिले हैं। यह आश्रम रायपुर जिला की महासमुन्द तहसील में तुरतुरिया नामक स्थान के पास है।

७३. **राम दिवाला** – प्राचीन ग्रंथों में वर्णित शोणित पुर, श्रीपुर, शिवपुर नामों की यात्रा करता हुआ अब सिरपुर के नाम से प्रसिद्ध हैं। यहां आठवीं सदी के बने पुरानी ईंटों के राम दिवाला तथा लक्ष्मण दिवाला हैं। श्रीराम वनवास काल में यहां आये थे।

७४. **बागेश्वर मंदिर** – रायपुर से ४६ कि०मी० पूर्व दिशा में आरंग में एक प्राचीन शिव मंदिर है। महानदी के किनारे स्थित इस मंदिर की स्थापना भगवान श्रीराम ने वनवास काल में की थी।

७५. **शिव मंदिर फिंगेश्वर** – यहां श्रीराम ने शिव मंदिर की स्थापना की थी।

७६. **सरगी नाला, फिंगेश्वर** – सरगी शृंगी का अपभ्रंश है। लोक मान्यता के अनुसार इस नाले में श्रीराम ने अपने हथियार धोये थे।

७७. **माण्डव्य आश्रम, फिंगेश्वर** – राजीम फिंगेश्वर मार्ग पर सरगी नाले के किनारे प्राचीन माण्डव्य आश्रम में श्रीराम ऋषि दर्शन के लिए आये थे।

७८. **कुलेश्वरनाथ तथा राजीव लोचन** – रायपुर के दक्षिण दिशा में ४५ कि०मी० राजीम नामक शहर में सीता मां द्वारा स्थापित भगवान कुलेश्वरनाथ का मंदिर है। श्रीराम ने भी यहां विष्णु पूजा की थी।

७९. **शृंगी आश्रम** – यहां श्रीराम शृंगी ऋषि आश्रम मे आये थे। सिहावा में एक प्राचीन मंदिर है। यहीं एक छोटे से कुण्ड से महानदी का उद्गम स्रोत है।

COMMISSIONER FOR OATHS ALLAHABAD

www.vadaprativada.in

12097

वाल्मीकि (तुरतुरिया) माण्डव्य (फिंगेश्वर) शृंगी (सिहावा) मुचकुंद (मैचका), शरभंग (दलदली), लोमश तथा शरभंग (डोंगरी) अंगीरा (घटुला), अगस्त्य (हर्दीभाटा/खारूगढ़) पुलस्त्य (दुधावा), पर्क/कंक (कांकेर डोगरी)। यदि नगरी/सिहावा को केन्द्र मानें तो ये सभी आश्रम २५ कि०मी० के घेरे में आते हैं।

८१. **वाल्मीकि आश्रम, सीता अभ्यारण्य** – सिहावा से दक्षिण दिशा में सीता नदी को चित्रोत्पला नदी कहते हैं। यहीं वाल्मीकि ऋषि का एक प्राचीन आश्रम है। वनवास काल में श्रीराम यहाँ आये थे।

८२. **रूद्रेश्वर, धमतरी** – धमतरी से ५ कि०मी० दूर दक्षिण दिशा में महानदी के किनारे भगवान शिव का प्राचीन मन्दिर है। महानदी के किनारे-किनारे जाते समय श्रीराम यहीं से गये थे।

८३. **राम-लक्ष्मण मन्दिर, विश्रामपुर** – धमतरी से १५ कि०मी० दूर दक्षिण दिशा में महानदी के किनारे श्रीराम लक्ष्मण का एक निर्माणधीन मंदिर है। श्रीराम, लक्ष्मण जी एक रात यहाँ ठहरे थे।

८४. **विष्णु मंदिर** – कांकेर से ११ कि०मी० दूर उत्तर दिशा में महानदी के किनारे रामपुर जुनवानी में राम-लक्ष्मण मंदिर है। किन्तु भीतर भगवान विष्णु की सुन्दर चतुर्भुजी मूर्ति है।

८५. **शिव मंदिर कांकेर** – यहां जोगी गुफा, रामनाथ मंदिर तथा गडिया मंदिर विशेष महत्व के हैं। यहां की जोगी गुफा में श्रीराम कंक ऋषि से मिलने आये थे। मण्डारीपारा में श्रीराम ने रामनाथ महादेव मंदिर की स्थापना की थी।

८६. **शिव मंदिर, कांकेर** – कांकेर में कंक ऋषि से मिलने के पश्चात् श्रीराम ने यहाँ शिव पूजा की थी।

८७. **केशकाल घाटी** – कांकेर से ९५-२० कि०मी० आगे दुर्गम घाटी के ऊपर जंगल में बहुत से विशाल शिवलिंग हैं तथा सरोवरों का निर्माण किया गया है। श्रीराम वनवास काल में यहां आये थे।

८८. **राकस हाड़ा** – श्रीराम ने यहाँ राक्षसों का भयंकर विनाश किया था। एक छोटी सी पहाड़ी पर राक्षसों की अस्थियां पत्थरों के रूप में अब भी मिलती है। उन्हें जलाने पर हड्डियों जैसी गन्ध आती है।

८९. **रक्षा डोंगरी** – राक्षसों से युद्ध में श्रीराम ने सीताजी तथा लक्ष्मणजी को सुरक्षा की दृष्टि से इन गुफाओं में भेज दिया था। नारायणपुर से ११ कि०मी० दूर श्रीराम द्वारा मारे गये राक्षसों की हड्डियों का ढेर है। राकस हाडा का

(गोपीनाथ चंद्राचार्य) {22}

अर्थ हैं-राक्षस की हड्डियां।

९०. **शिव मंदिर तोड़मा** -- तोड़मा के घोर जंगल में श्रीराम द्वारा स्थापित शिव मंदिर है। यह स्थान छोटे डोंगर से दक्षिण पूर्व दिशा में लगभग ३५ कि०मी० दूर है।

९१. **शिव मंदिर चित्रकोट** -- इन्द्रावती नदी के बहुत ही मनमोहक जल प्रपात के पास एक गुफा में सीताजी तथा रामजी ने लीला की थी। श्रीराम ने यहां शिवलिंग की स्थापना की थी।

९२. **शिव मंदिर, तीर्थ गढ़** – जगदलपुर से २५ कि०मी० दूर कांगेर नदी के किनारे श्री सीता राम जी की लीला तथा शिव पूजा की कथा प्रसिद्ध है।

९३. **कोटि महेश्वर** – कोटि महेश्वर का अपभ्रंश है कोटूमसर। जगदलपुर से ४० कि०मी० दूर दक्षिण दिशा में राष्ट्रीय उद्यान में एक अति सुन्दर गुफा है। यहाँ भगवान शिव के अनेकानेक लिंग प्रकृति ने निर्मित किये हैं। श्रीराम के वनवास काल में यहाँ आने की लोक कथा प्रचलित है।

९४. **शिव मन्दिर, मल्कानगिरी** – मल्कानगिरी माल्यवंत गिरी का अपभ्रंश है। उड़ीसा के आदिवासियों के अनुसार वास्तविक किष्किन्धा यहीं है। यहाँ श्रीराम ने भगवान शिव की पूजा की थी।

९५. **बालीमेला, मल्कानगिरी** – मल्कागिरी से २५ कि.मी. दक्षिण पूर्व में बाली मेला नामक पहाड़ी व बस्ती है। लोक विश्वास के अनुसार यहाँ श्रीराम ने बाली को मारा था।

९६. **अम्माकुंड मल्कागिरी** – बाली मेला और गोविन्द पल्ली मार्ग पर खोदरपुर नामक गांव से ४ कि.मी. दूर पहाड़ी पर प्राकृतिक कुण्ड है। यहाँ माँ स्नान करती थी। सीता माँ द्वारा पालित मछलियाँ आज भी यहाँ मिलती है।

९७. **सीताकुण्ड, मल्कानगिरी** – अम्मा कुण्ड से १५ कि.मी. आगे घाटी में सीता कुण्ड स्थित है। यहां सीता मां की तलवार 'ठकुराइन की तलवार' के नाम से आज भी पूजी जाती है। यहां की वनवासी महिलाएं आज भी सीता माँ का श्राप स्वीकारते हुए केश विहीन तथा निर्वस्त्र रहती हैं।

९८. **गुप्तेश्वर, रामगिरि** -- जगदलपुर से ५० कि.मी. पूर्व दिशा में घनघोर जंगल में भगवान शिव एक अंधेरी गुफा में शयन कर रहे हैं। उड़ीसा, मध्य प्रदेश तथा आन्ध्र प्रदेश के हजारों वनवासी दर्शनार्थ आते हैं। निकट ही रामगिरि पर्वत पर श्रीराम के आने का चिन्ह माना जाता है।

९९. **रामारम चिट्टमिट्टिन मंदिर** – श्रीराम ने यहां भू देवी (धरती मां) की पूजा की थी। पास ही एक पहाड़ी पर श्रीराम के पदचिन्ह बने हैं।

www.vadaprativada.in

COMMISSIONER FOR OATHS ALLAHABAD

www.vadaprativada.in

12098

१००. **शिव मंदिर इंजरम** – कोंटा नगर से ८ कि०मी० उत्तर में शबरी नदी के किनारे इंजरम गांव के पास कुछ वर्षों से एक शिव मंदिर भूमि से स्वतः उभर रहा है। यहां श्रीराम ने शिव पूजा की थी।

१०१. **पर्णकुटी** – भद्राचलम में ३५ कि०मी० पश्चिम दिशा में गोदावरी के किनारे पर्णकुटी है। श्रीराम ने यहां कुछ दिन निवास किया था।

१०२. **श्रीराम मन्दिर, इलेन्दुकुंटा** – श्रीराम ने जिमीकुंटा, मंडल में इलेन्दुकुंटा के फलों से दशरथ जी का श्राद्ध किया था। आज भी लोग नया कार्य आरम्भ करने तथा पूर्वजों का श्राद्ध करने यहां आते हैं।

१०३. **स्कन्द आश्रम, कंदा कुर्ति** – निजामाबाद से ३० कि.मी. दूर गोदावरी, माजरा तथा हल्दी होल के क्षेत्र संगम पर मां पार्वती का मन्दिर ही स्कन्द मन्दिर कहा जाता है। यहां श्रीराम वनवास से संबंधित सिन्दूर गांव के जमींदार की कथा प्रचलित है। यह गांव राष्ट्रीय स्वयंसेवक संघ के आदय सरसंघचालक डॉ० केशव राव, बलिराम हेडगेवार का पूर्व गांव रहा है।

१०४. **सीता मन्दिर, राले गांव** – राले गांव में सीता मन्दिर बना है। सीताजी के श्राप से इसी भी इस गांव में गेहूं पैदा नहीं होता। वनवास काल में श्री सीता रामजी से संबंधित कई कथाएं प्रचलित है।

१०५. **शरभंग आश्रम** – यवतमाल जिले में नांदेड़ की सीमा के निकट उनकेश्वर नामक स्थल पर शरभंग ऋषि का आश्रम है। यहां श्रीराम लक्ष्मण तथा सीताजी आये थे। श्रीराम ने ऋषि के कुष्ठ को शांत करने के लिए अग्निबाण से गर्म जल का स्रोत बनाया था जो आज भी निरन्तर बह रहा है।

१०६. **जमदग्नि आश्रम** – नांदेड़ जिले में माहुर नामक स्थान से ६ कि०मी० दूर पांच पर्वत शिखरों पर जमदग्नि, अनसूया, अत्रि, दत्तात्रेय आदि के ५ मंदिर है। पास ही सर्वतीर्थ, उपाझरा कुण्ड, अम्ब कुण्ड, मातृ तीर्थ, गणेश मंदिर तथा रेणुका मंदिर है।

१०७. **पंचाप्सर** – श्रीराम को पंचाप्सर सरोवर में संगीत की ध्वनि सुनायी दी थी। यहां मण्डकर्णी ऋषि ५ अप्सराओं के साथ जल में रहते थे। बुलढाणा जिले में लोणार में स्थित यह विश्व का अद्‌भुत स्थल है सीता नहानी, राम (गया) कुण्ड, पांच अप्सराओं के मंदिर सभी की कहानी श्रीराम वनवास से जुड़ी है।

१०८. **रामेश्वर-सिंदखेड राजा** – बुलढाणा जिले के सिंदखेड राजा में एक अत्यन्त प्राचीन शिव मंदिर है। इसकी स्थापना श्रीराम ने की थी। पास ही जंगल में सीता नहानी है।

(दण्डकारण्य-खंड) पा.चे

१०९. **रामतीर्थ** – एक लोक कथा के अनुसार श्रीराम ने जालना में दशरथ जी का श्राद्ध किया था। पुराण प्रसिद्ध कुण्डलिनी नदी के किनारे रामतीर्थ नाम से शमशान-घाट है।

११०. **शम्भू महादेव, नागरतास, नेर** – जालना जिले में शेवली के निकट श्रीराम ने किसानों को हल चलाना सिखाया था तथा शिव पूजा की थी। आज भी यहां के किसान शिव मंदिर में पूजा करते हैं तथा हल व लीक की पूजा की जाती है।

१११. **रामस गांव, अम्बड़** – अम्बड़ तहसील के रामस गांव में श्रीराम द्वारा स्थापित रामेश्वर लिंग सीता मां द्वारा स्थापित सिद्धेश्वर लिंग तथा लक्ष्मण जी द्वारा स्थापित लक्ष्मणेश्वर मंदिर गोदावरी नदी के तट पर हैं। लोक मान्यता के अनुसार यहां श्रीराम ने दशरथ जी का श्राद्ध किया था।

११२. **सीता नहानी, अम्बड़** – अम्बड़ के निकट ही पहाड़ी पर सीता नहानी मानी जाती है। परतंत्रता के काल में यहां ध्वस्त श्रीराम मंदिर के अवशेष अब भी कहीं कहीं मिलते हैं। पूरे क्षेत्र में पानी का अभाव है केवल सीता नहानी पहाड़ी पर ही विपुल मात्रा में पानी मिलता है।

११३. **शनेश्वर मन्दिर, राक्षस भुवन** – लोक मान्यता के अनुसार यहां श्रीराम पर शनि की साढ़ेसाती लगी थी। उन्होंने शनि की यहां पूजा की थी। आज भी शनि को शांत करने के लिए दूर दूर से लोग गोदावरी के किनारे शनि पूजा के लिए आते हैं।

११४. **अगस्त्य आश्रम** – अंकई किला की पहाड़ी की चोटी पर एक विशाल गुफा में अगस्त्यजी तथा श्रीराम, लक्ष्मण, जानकी का मंदिर है। पास ही ६ तालाब हैं, जिनमें शीतल स्वच्छ जल सदा भरा रहता है। श्रीराम के वनवास काल में यहां आने की लोक कथा प्रचलित है।

११५. **अगस्त्येश्वर आश्रम, पिंपलनेर** – नासिक से १६ कि.मी. उत्तर दिशा में एक अति प्राचीन अगस्त्येश्वर आश्रम माना जाता है। अब यहां पिंपलेश्वर महादेव के नाम से एक मंदिर निर्माणाधीन है। प्राचीन मंदिर ध्वस्त हो चुका है। संभवतः यहीं श्रीराम व अगस्त्य मुनि की भेंट हुई थी।

११६. **पंचवटी** – गोदावरी के किनारे पांच वट वृक्षों का स्थान है। लोक विश्वास के अनुसार यहीं से रावण ने सीता मां का अपहरण किया था।

११७. **जनस्थान** – पंचवटी से ८-१० कि.मी. दूर गोदावरी तथा कपिला नदी के संगम पर श्री लक्ष्मण जी ने शूर्पणखां की नाक काटी थी। नासिका कर्तन स्थल होने के कारण ही शहर का नाम नासिक है।

www.vadaprativada.in

COMMISSIONER FOR OATHS ALLAHABAD

www.vadaprativada.in

12099

११८. **सीता सरोवर, नासिक** – पंचवटी से ४ कि.मी. उत्तर दिशा में दो सरोवर श्रीराम व सीता मां के नाम पर हैं। दोनों इन सरोवरों में स्नान करते थे। १९५५ के आपात् काल से पूर्व तक यहां विशाल मेले लगते रहे हैं।

११९. **रामसेज पर्वत, नासिक** – नासिक से १६ कि.मी. दूर गुजरात मार्ग पर एक पहाड़ी पर श्री सीता रामजी के विश्राम स्थल की मान्यता है। यहां सीता रामजी के नाम पर दो कुण्ड भी हैं। आश्चर्यजनक बात यह है कि इस क्षेत्र में कांटे नहीं है।

१२०. **कुशावृत तीर्थ, त्र्यम्बकेश्वर** – नासिक से २८ कि.मी. पश्चिम दिशा में त्र्यंबकेश्वर के उद्गम स्थल के पास श्रीराम ने कुशों से दशरथ जी का श्राद्ध किया था। इसलिए इस क्षेत्र का नाम कुशावृत तीर्थ है

१२१. **रामकुण्ड, त्र्यम्बकेश्वर** – गोदावरी के उद्गम स्थल ब्रह्मगिरि से कुछ आगे जाकर माँ गोदावरी पुनः लुप्त हो गई थी। लोकमान्यता के अनुसार यहां श्रीराम ने बाण द्वारा पुनः माँ गोदावरी को प्रकट किया था

१२२. **रामेश्वर, कायगांव** – गोदावरी के किनारे गंगापुर तालुका में श्रीराम द्वारा स्थापित भगवान शिव का रामेश्वर मंदिर है। लोकमान्यता के अनुसार श्रीराम के बाण से मृत मारीच का धड़ (काय) यहां गिरा था

१२३. **घटेश्वर, प्रवरा संगम** – मारीच को मारने के पश्चात श्रीराम ने गोदावरी तथा प्रवरा के पवित्र संगम पर घट स्थापित कर शिव पूजा की थी।

१२४. **सिद्धेश्वर, प्रवरा संगम** – लोक विश्वास के अनुसार मारीच श्रीराम से डरकर छुप गया था। शिव कृपा से श्रीराम को मारीच को ढूंढने में सिद्धता प्राप्त हुई थी। इसलिए यहां **सिद्धेश्वर मंदिर** की स्थापना हुई।

१२५. **मुक्तेश्वर** – श्रीराम ने मारीच वध के पश्चात यहां मारीच को संसार रूपी मदसागर से मुक्ति प्रदान की थी।

१२६. **रामेश्वर, टोक गांव** – एक लोक कथा के अनुसार जब श्रीराम ने मारीच को बाण मारा तो उसके टुकड़े–टुकड़े हो गये। उसका धड़ काय गांव में गिरा और सिर टोक गांव में गिरा। मराठी में टोक अर्थात् मुण्डी। यहां भी श्रीराम द्वारा स्थापित शिव मंदिर है।

१२७. **मृगव्याधेश्वर, नांदूर मध्यमेश्वर** – लोक मान्यता के अनुसार यहां मारीच को बाण लगा था और उसके टुकड़े-टुकड़े हो गये थे। यह स्थल नेफाड़ से १० कि.मी. पूर्व दिशा में है।

१२८. **बाणेश्वर** – नेफाड़ से १० कि.मी. पूर्व दिशा में गोदावरी के किनारे बाणेश्वरमंदिर है। लोक कथा के अनुसार यहां खड़े होकर श्रीराम ने मारीच को मारा? था।

(26)

१२९. **ठाण** – इस क्षेत्र में ठाण नाम के कई गांव है। लोक मान्यता के अनुसार इन स्थानों पर खड़े होकर श्रीराम ने मारीच पर निशाना साधा था किन्तु तीर नहीं चलाया था। ठाण का अर्थ है खडे होना।

१३०. **रामेश्वर, पाटौदा** – पंचवटी प्रवास के दौरान श्रीराम आस–पास के क्षेत्रों में भ्रमण करते रहे थे। तभी उन्होंने पाटौदा गांव में रामेश्वर लिंग की स्थापना की थी। यहां स्थापित शिव लिंग में आज भी सर्वदा पानी रहता है। स्थानीय लोग इसे औषधि के रूप में प्रयोग करते हैं।

१३१. **सर्वतीर्थ** – सीताजी का हरण कर ले जा रहे रावण का जटायु से युद्ध हुआ था। श्रीराम ने उनका अग्नि संस्कार किया तथा जलांजलि दी। नासिक से ५८ कि०मी० घोटी के पास ताकेद गांव में सर्वतीर्थ वही पवित्र स्थल है।

१३२. **वालुकेश्वर मन्दिर** – श्रीराम सीतान्वेषण करते हुए मुंबई में समुद्र तट तक आये थे। यहां उन्होंने बालु के शिवलिंग की स्थापना की थी तथा बाण से मीठे जल का स्रोत बनाया। वहीं आज वालुकेश्वर मंदिर है तथा मीठे जल का स्रोत अजस्र प्रवाहित हो रहा है।

१३३. **राम दरिया** – राम दरिया राम द्वार का अपभ्रंश है। यहां पहाड की दो चोटियां इस प्रकार निकट हैं कि द्वार जैसा लगता है। माना जाता है कि श्रीराम इसी मार्ग से मुंबई से पूना की ओर गये थे।

१३४. **रामकुण्ड, भूम** – भूम से १३ कि.मी. दूर रामकुण्ड नामक गांव है। माना जाता है कि यहां श्रीराम ने स्नान किया था। संभवतः यहां श्रीराम दो बार आये हैं।

१३५. **कुन्थलगिरि** – दण्डकारण्य में घूमते हुए श्रीराम ने यहां जैन मुनि देशभूषण तथा मुनि कुलभूषण की एक राक्षस से रक्षा की थी तभी उन्होंने यहां एक जिनालय की स्थापना की थी।

१३६. **येड़ेश्वरी, एरमला** – सती मां ने श्रीराम की परीक्षा लेते समय काफी लम्बी दूरी तक उनके आगे–आगे यात्रा की थी तभी श्रीराम ने सती मां को 'येडई मां' कहकर पुकारा था। एरमला में इसी नाम से उनका मंदिर है। यहां श्रीराम और सती मां की भेंट हुई थी।

१३७. **रामलिंग येडसी** – श्रीराम किसी भी स्थिति में भगवान शिव की पूजा अवश्य करते थे। उस्मानाबाद जिले में येडसी के निकट घने जंगल में उन्होंने शिवलिंग की स्थापना की थी। इसीलिए इस मंदिर का नाम रामलिंग है।

१३८. **श्रीराम वरदायिनी** – तुलजापुर में सती मां ने श्रीराम की परीक्षा लेने के बाद श्रीराम को सीतान्वेषण में सफल होने का वरदान दिया तभी नाम श्रीरामवरदायिनी हुआ है।

www.vadaprativada.in

www.vadaprativada.in

COMMISSIONER FOR OATHS
HIGH COURT, ALLAHABAD

12100

१३६. **घाटशिला मंदिर** – मां सती ने श्रीराम को एक शिला पर अपने वास्तविक स्वरूप के दर्शन दिये तथा दक्षिण दिशा में सीतान्वेषण का संकेत किया। जिस शिला पर उन्होंने श्रीराम को दर्शन दिये वह आज घाटशिला मंदिर के रूप में प्रसिद्ध है।

१४०. **राम तीर्थ, नलदुर्ग** – नलदुर्ग से ३ कि.मी. दूर नदी के किनारे एक पहाड़ी पर श्रीराम लक्ष्मण जी तथा सीता जी के खेत बताए जाते है। इन्हें डोह कहते हैं। श्रीराम के सान्निध्य का इस स्थल को दो बार सौभाग्य प्राप्त हुआ है।

१४१. **रामलिंग, आलमेल** – सती मां द्वारा परीक्षा लेने के बाद उनके संकेत पर श्रीराम दक्षिण दिशा में सिंडगी के उत्तर की ओर ३० कि.मी. आये थे और उन्होंने यहां भगवान शिव की पूजा की थी। इसलिए मंदिर का नाम रामलिंग है।

१४२. **रामेश्वर** – अथणी तालुका में रामतीर्थ गांव में रामजी से पूजा करवाने शिव सपरिवार यहां आये थे। श्रीराम के आग्रह पर शिवजी ने शिवलिंग का अलंकरण, नाम रामेश्वर, गर्भगृह से जलाभिषेक तथा केतकी के फूलों से पूजा स्वीकार की। आज भी यहां ये चारों परम्पराएं है।

१४३. **शिव मंदिर, जमखण्डी** – अथणी से ४० कि०मी० दक्षिण दिशा में जमखण्डी में भगवान शिव का प्राचीन मंदिर है। श्रीराम ने यहां शिव पूजा की थी।

१४४. **अयोमुखी गुफा** – रामदुर्ग से १६ कि०मी० दूर एक पहाड़ी पर राक्षसी की गुफा है। उसने भोग विलास की कामना से लक्ष्मणजी को पकड़ लिया तथा लक्ष्मणजी ने उनके नाक, कान काट डाले थे।

१४५. **कबंध आश्रम – करड़ी गुड्ड** (रीछों का पहाड़) नामक गांव के पास पहाड़ी पर एक टेढ़े-मेढ़े पत्थर की मूर्ति रखी है। यह मूर्ति वाल्मीकि रामायण में वर्णित कबंध के शरीर से मेल खाती है स्थानीय लोग इसको राक्षस का मंदिर कहते हैं, जिसका श्रीराम ने संहार किया था।

१४६. **शबरी आश्रम** – रामदुर्ग से १४ कि०मी० उत्तर में गुन्नगा गांव के पास सुरेबान है। शबरी बन का ही अपभ्रंश है। आश्रम के आस-पास बेरी बन है। बेर अब भी मीठे होते हैं। यहां शबरी मां की पूजा वन शंकरी, आदे शक्ति तथा शाकम्भरी देवी के रूप में की जाती है।

१४७. **पम्पासर** – पहले बहुत बड़ा रहा है। सरोवर के किनारे मंदिरों की कतार है। यहां श्रीराम सीतान्वेषण करते हुए आये थे।

१४८. **हनुमान हल्ली** – कन्नड़ में हल्ली का अर्थ है गांव। यहां हनुमानजी तथा श्रीराम का मिलन हुआ था। पास ही एक पर्वत पर हनुमानजी की मां अंजना

देवी का मंदिर है।

१४९. **ऋष्यमूक पर्वत** – सुग्रीव तथा श्रीराम, लक्ष्मण का मिलन हम्पी में ऋष्यमूक पर्वत पर हुआ था। तब सुग्रीव बाली के भय से यहीं रहते थे। यहां पहाड़ी में एक कंदरा को सुग्रीव गुफा कहा जाता है।

१५०. **गन्दमादन पहाड़ी** – हरण के समय सीताजी ने पांच वानरों को देखकर अपने वस्त्र में कुछ आभूषण बांध कर फैंक दिये थे। गन्दमादन की तलहटी तथा तुंगभद्रा का किनारा वही स्थल है।

१५१. **चक्रतीर्थ** – तुंगभद्रा नदी यहां धनुषाकार घुमाव लेती है। इसे चक्रतीर्थ कहा जाता है। नदी के एक ओर बाली-सुग्रीव का युद्ध हुआ था तथा दूसरे किनारे पर वृक्षों की ओट में श्रीराम धनुष बाण लेकर खड़े हुए थे।

१५२. **किष्किंधा** – अनागोन्डी गांव ही प्राचीन किष्किंधा है। यहाँ वाल्मीकि रामायण में वर्णित दृश्य मिलते हैं। अन्य महत्वपूर्ण स्थलों में यहां बाली का भंडार, अंजनी पर्वत, वीरूपाक्ष मंदिर, कोदण्डराम मंदिर, मतंग पहाड़ी दर्शनीय है।

१५३. **प्रस्रवण शिखर** – श्रीराम ने वर्षा के चार महीने प्रस्रवण चोटी पर बिताये थे तथा वहीं सीताजी का पता पा कर लंका के लिए प्रस्थान किया था। हम्पी से ४ कि०मी० दूर माल्यवंत पर्वत की चोटी का नाम प्रस्रवण चोटी है। यहां एकमात्र विग्रह मिला है जहाँ श्रीराम ने धनुष धारण नहीं कर रखा।

१५४. **स्फटिक शिला** – हनुमानजी ने श्रीराम को यहां सीता मां की खोज की सूचना दी थी। यहां वानरों की सभा हुई थी। अब भी यह राम कचेहरी के नाम से प्रसिद्ध है।

१५५. कर **सिद्धेश्वर मन्दिर** – होसदुर्ग से २५ कि०मी० दूर रामगिरी नामक एक पहाड़ी है। श्रीराम ने लंका जाते समय भगवान शिव की पूजा की थी। इसलिए पहाड़ी का नाम रामगिरी तथा मंदिर का नाम रामेश्वर है।

१५६. **हाल रामेश्वर** – चित्रदुर्ग जिले में होसदुर्ग से ११ कि०मी० दूर जंगल में हाल रामेश्वर में श्रीराम ने शिव पूजा की थी। श्रीराम के ईश्वर अर्थात् रामेश्वर नाम था।

१५७. **शिव मंदिर, गुड्दनेल्ली केरे** – लंका जाते समय श्रीराम आये थे। यहां उन्होंने दशरथजी का श्राद्ध किया था।

१५८. **शिव मन्दिर मनकत्तूर** – एक लोक कथा के अनुसार स्थानीय प्रभाव से यहां लक्ष्मणजी का मन राम भक्ति से हट गया था। राम देवर गुड्डा (राम देव पहाड़ी) के निकट जंगल में भगवान शिव का मंदिर है।

१५९. **शिव मंदिर, बाणावर** – कन्नड़ शब्द बाण+होरा का अर्थ है–बाण नहीं उठा

www.vadaprativada.in

1210

सकता। लक्ष्मण जी ने श्रीराम के धनुषबाण लेकर चलने से मना कर दिया था। यहां भगवान शिव ने दोनों को स्थानीय प्रभाव बता कर शांत किया।

१६०. **रामेश्वर, रामनाथपुर** – श्रीराम ने किष्किंधा के बाद कावेरी नदी के साथ–साथ सेना सहित लम्बी यात्रा की थी। तभी उन्होंने यहां शिवलिंग की स्थापना की थी। इस स्थान को श्रीराम के दो बार सान्निध्य का सौभाग्य प्राप्त हुआ है।

१६१. **लक्ष्मणेश्वर, रामनाथपुर** – यह मंदिर कावेरी नदी पार करके है। यात्रा में श्रीराम और लक्ष्मणजी अलग-अलग चल रहे थे। शिव पूजा का समय हुआ तो रामजी ने नदी पार नहीं की थी इसलिए लक्ष्मण जी ने कावेरी नदी के पार यहां शिव पूजा की तथा लक्ष्मणेश्वर मंदिर की स्थापना की।

१६२. **कोदण्ड राम मंदिर, चुनचुन कट्टे** – कृष्ण राज नगर के निकट कावेरी नदी के किनारे चुन्चा-चुन्ची नामक राक्षस दम्पति को श्रीराम ने उचित शिक्षा देकर सात्विक बनाया था तथा उनसे ऋषियों की रक्षा की थी।

१६३. **धनुषकोटि** – वानर सेना ने मेलकोटे नामक स्थान पर उत्पात किया था। नगर से ३ कि०मी० दूर जंगल में एक पहाड़ी पर श्रीराम के बाण द्वारा बनाया गया जल स्रोत आज भी है।

१६४. **गावी रायन बेट्टा** – लंका पर चढ़ाई करते समय श्रीराम ने गावी दैत्य का वध किया था। फिर उन्होंने शिव पूजा की तथा राजा दशरथजी का श्राद्ध किया था। सत्यगाला से ३ कि०मी० दूर प्रेत पर्वत पर भगवान शिव मंदिर पर आज भी स्थानीय लोग अपने पूर्वजों का श्राद्ध करने आते हैं।

१६५. **श्रीराम मंदिर** – रामपाद गांव के निकट एक पहाड़ पर भगवान श्रीराम का सुन्दर मंदिर बना है।

१६६. **अयोध्या पट्टनम, सेलम** – लोक कथा के अनुसार श्रीराम जब लंका से अयोध्या वापिस जा रहे थे तो स्थानीय नागरिकों ने यहां उनका पट्टाभिषेक किया था। किन्तु यह तर्कसंगत नहीं लगता। विद्वानों की राय में श्रीराम लंका अभियान में ही यहां से गये थे।

१६७. **त्रिचुरापल्ली** – इस का मूल नाम त्रिशिरापल्ली है। यह रावण के भाई त्रिशिरा ने बसाई थी। श्रीराम की सेना इधर से ही रामेश्वरम गयी थी।

१६८. **हनुमान मंदिर, कपि स्थल** – एक लोक कथा के अनुसार हनुमानजी ने तंजावूर जिले के पापनाशम तालुका से छलांग लगायी थी। यहां अन्य कुछ नहीं मिला किन्तु यह स्थान मार्ग में आता है।

१६९. **शिव मंदिर पाप नाशम्** – यह रामलिंग (शिव मंदिर) रामेश्वरम की तरह ही बनाया गया है। यहां कुल १०८ शिवलिंग स्थापित किये गये हैं। खर-दूषण तथा

त्रिशिरा की ब्रह्म हत्या से छुटकारे के लिए श्रीराम ने यहां शिव पूजा की थी।

१७०. **कोदण्ड राम मंदिर, वडुवूर** – जब श्रीराम कावेरी की शाखा के किनारे चलते हुए यहां पहुंचे तो ऋषियों ने उन्हें वहीं रहने को कहा। श्रीराम ने उन्हें अपना एक विग्रह देकर ऋषियों से आगे जाने की अनुमति प्राप्त की और लंका की ओर चले गये।

१७१. **शिव मंदिर, गया करई** – लोक मान्यता के अनुसार त्रिचारूर से ३ कि.मी. दूर श्रीराम ने दशरथ जी का श्राद्ध किया था। आज भी स्थानीय लोग अपने पूर्वजों का श्राद्ध करने यहां आते हैं।

१७२. **रामस्वामी मंदिर, गया करई** – गया करई में श्रीराम वनवास से संबंधित यह दूसरा महत्वपूर्ण स्थल मिला है। लंका अभियान में श्रीराम इधर से ही गये थे।

१७३. **वीर कोदण्ड राम मंदिर, तिलेविलागम** – लोक मान्यता के अनुसार असंख्य सेना के नायक श्रीराम जब इस स्थल से चले जा रहे थे तो रावण के प्रति उनके मन में गहरा आक्रोश था और वे वीर रूप में सैनिकों को दिखायी दे रहे थे। मंदिर में स्थापित विग्रह में श्रीराम की नसें भी स्पष्ट दिखायी देती हैं।

१७४. **रामपाद, कोडी करई** – एक लोक कथा के अनुसार श्रीराम ने कोड़ी करई से पुल बनाना आरम्भ किया था किन्तु कारणवश फिर स्थान बदलना पड़ा। वेदारण्य से ७ कि०मी० दूर समुद्र के किनारे जंगल में श्रीराम के चरण चिह्न बनाये गये हैं।

१७५. **कल्याण राम मन्दिर** – तमिल में कल्याण का अर्थ है विवाह। एक कथा के अनुसार मिमिसाइल में यहां के ऋषियों ने श्रीराम से मांग की थी कि वे विवाह का दृश्य देखना चाहते थे। इस मंदिर में श्रीसीतारामजी के विवाह के दृश्य हैं।

१७६. **शिव मंदिर, मुत्तुकुडा** – मीमिसाइल से ८–१० कि०मी० दक्षिण में श्रीराम ने शिवपूजा की थी।

१७७. **शिव मंदिर तीरतांड धाणम** – मुत्तुकुडा से १० कि०मी० दक्षिण दिशा में तीरताण्ड धाणम में ऋषि अगस्त्य के आदेश पर श्रीराम ने शिव पूजा की थी। मंदिर में श्रीराम, लक्ष्मण, राजा सेतुपति, ऋषि अगस्त्य तथा भगवान शिव की बहुत सुन्दर चित्रावली है। एक कि०मी० दूर रामपद बने हैं।

१७८. **तापनाशन विनायक मंदिर** – धूप–गर्मी–तपन से त्रस्त श्रीराम लक्ष्मणजी ने यहां स्नान कर गणेशजी की पूजा की थी। तब गणेशजी ने उन्हें युद्ध में विजयी होने का आशीर्वाद दिया था।

१७९. **नवग्रह तालाब** – तीरताण्डधाणम से १५ कि०मी० दूर देवी पट्टनम स्थान पर श्रीराम ने शनिदेव को शांत करने के लिए यहां नवग्रह की पूजा की थी। यहां

www.vadaprativada.in

12102

श्रीराम ने विष्णु के चक्र की पूजा की थी तो उन्हें आशीर्वाद मिला कि वानर सेना को सुनामी लहरें परेशान नहीं करेंगी।

१८०. **दर्भशयनम्** – समुद्र तट पर पहुंच कर श्रीराम समुद्र से रास्ता लेने के लिए तीन दिन तक तपस्यारत पृथ्वी पर लेटे रहे। यहीं श्रीराम ने शिवलिंग की स्थापना की थी। इसे आदि रामेश्वर माना जाता है। यहीं समुद्र ने प्रकट होकर श्रीराम को पुल बनाने की युक्ति बतायी थी।

१८१. **छेदुकरई, सेतु के अवशेष** – छेदु सेतु का अपभ्रंश है तथा तमिल शब्द करई का अर्थ है कोना। यहां पुल की आधार शिला रखी गयी थी। छेदुकरई से समुद्र में २ कि०मी० भीतर तक जायें तो सेतु के अवशेष देखे जा सकते हैं। ये सेतु के स्तंभ हो सकते हैं। समुद्र में १०-११ फुट गहरे हैं।

१८२. **विलुंडी तीर्थ** – सेना के लिए शुद्ध मीठे जल हेतु श्रीराम ने बाण मार कर यहां जल स्रोत बनाया था। तंगचिमडम से लगभग १० कि०मी० दूर समुद्र में स्थित इस कुएं से मीठा पानी निकलता है। वैशाख तथा अषाढ में यहां पानी विशेष रूप से मीठा होता है।

१८३. **कोदण्ड राम मंदिर** – कोदण्ड का अर्थ है धनुष। समुद्र में एक प्राचीन मंदिर में श्रीराम, लक्ष्मण, हनुमान, सुग्रीव, जामवंत तथा विभीषणजी के बहुत सुन्दर विग्रह हैं। यहीं विभीषणजी श्रीराम की शरण में आये थे तथा यहीं उनका राज्याभिषेक लक्ष्मणजी ने किया था।

१८४. **गन्दमादन पर्वत** – समुद्र के किनारे एक छोटी पहाड़ी को गन्दमादन कहते हैं। पहाड़ी पर श्रीराम के चरण चिन्ह बने हैं। यहां खड़े होकर श्रीराम ने समुद्र का सुन्दर दृश्य देखा था। इसलिए इसे रामझरोखा कहा जाता है।

१८५. **अग्नि तीर्थ** – अग्नितीर्थ मुख्य तीर्थ स्थल है। यहां स्नान कर मुख्य मंदिर के दर्शन किये जाते हैं। श्रीराम ने यहां स्नान किया था।

१८६. **रामेश्वर मंदिर** – यह मंदिर भगवान शिव के १२ ज्योर्तिलिंगों में से एक हैं। श्रीराम ने इसकी स्थापना की थी। मंदिर विश्व के भव्यतम तथा विशालतम मंदिरों में से एक है। मंदिर परिसर में बने २२ कुण्डों में सभी के जल का स्वाद भिन्न-भिन्न है।

१८७. **जटातीर्थ** – रामेश्वरम मंदिर से धनुषकोटि के मार्ग में जटातीर्थ हैं। यहां श्रीराम ने अपनी जटाएं धोयीं थीं। यहां स्नान करने से संतान की प्राप्ति होती है।

१८८. **एकांत राम मंदिर** – जंगल में एकान्त स्थान पर एक उपेक्षित सा मंदिर हैं। लंका जाने से पूर्व श्रीराम ने युद्ध नीति पर पहले स्वयं तथा बाद में मंत्रियों के

साथ मन्त्रणा की थी।

१८९. **धनुषकोटि** – श्रीराम ने विभीषण के अनुरोध पर धनुष की नोक से पुल तोड दिया था। वह स्थान आज भी धनुषकोटि के नाम से प्रसिद्ध है।

१९०. **भादर्शा** – नन्दी ग्राम के पास भादर्शा नामक एक बाजार है। भादर्शा का अर्थ है–भये दर्शन। अयोध्यावासियों को श्रीराम के पुष्पक विमान के दर्शन हुए थे।

१९१. **हनुमान भरत मिलन मंदिर, नन्दीग्राम** – नन्दी ग्राम में भरत जी तपस्या करते हुए श्रीराम के वापिस अयोध्या आने की प्रतीक्षा कर रहे थे। इसी समय श्रीराम ने हनुमान जी को अपने समाचार देकर भरत जी से मिलने भेजा था। इस स्थल पर हनुमान जी व भरत जी की भावुक भेंट हुई थी।

१९२. **भरतकुण्ड** – नन्दीग्राम में भरतजी ने १४ वर्ष तक रहकर श्रीराम के चरण पादुकाओं का आश्रय लेकर अयोध्याजी का राज्य किया था। अयोध्याजी से लगभग १० कि.मी. दूर यहीं श्रीराम तथा भरतजी का भावुक मिलन हुआ था।

१९३. **जटाकुंड** – श्रीराम ने पहले शत्रुघ्न, भरत तथा लक्ष्मण की जटाएं साफ करवायीं तथा फिर अपनी जटाएं साफ करवायी तथा शोभा यात्रा के साथ अयोध्याजी में प्रवेश किया। अयोध्याजी के पास ही यह जटाकुण्ड स्थित है।

१९४. **सीता कुण्ड, बीकापुर** – रावण वध के कारण श्रीराम व सीता जी पर ब्रह्म हत्या का पाप लगा हुआ था। श्रीराम ने सीता जी के ब्रह्महत्या के छुटकारे के लिए यहां एक बड़ा यज्ञ किया था तथा ब्राह्मणों को अमित दान दिया था।

१९५. **धो पाप कुण्ड, लम्भुवा** – श्रीराम ने ब्रह्महत्या से छुटकारे के लिए कई स्थानों पर यज्ञ व दान किये थे। गोदावरी नदी के तट पर वशिष्ठ जी की आज्ञा से श्रीराम ने बड़ा यज्ञ तथा दान किया था तथा पूरे परिवार ने गोदावरी मां में स्नान किया था।

१९६. **मकरी कुण्ड, बिजवापुर** – इस स्थल पर श्रीराम स्वयं नहीं गये थे। यहां लक्ष्मण मूर्च्छा के बाद संजीवनी बूटी लेने जाते समय हनुमान जी को कालनेमी राक्षस ने कपट रूप में रोकने का असफल प्रयास किया था। यहां हनुमान जी ने मकरी का उद्धार किया था तथा कालनेमी का वध किया था।

टिप्पणी : नये स्रोत तथा नये जिलों के गठन के कारण जिलों के नये नामों में कुछ अन्तर हो सकता है। पाठक कृपया यथायोग्य संशोधन की सूचना भेजें।

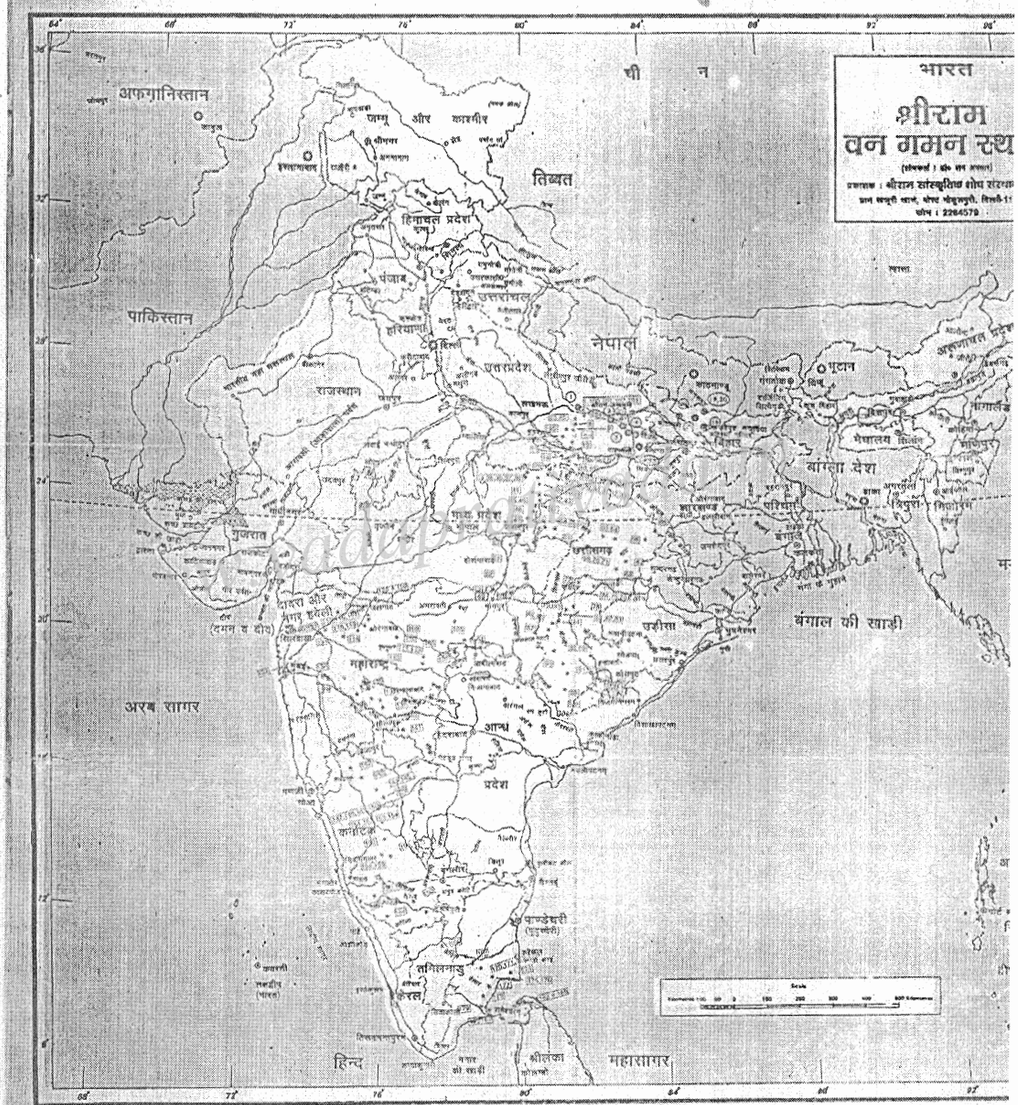
नदियां – श्रीराम के वनवास मार्ग स्थल निर्धारण में नदियों का बहुत महत्वपूर्ण योगदान है उस काल में मार्ग तथा ऋषियों के आश्रम नदियों के किनारे-किनारे

www.vadaprativada.in

12103

सूची (5)

Rejected



श्रीराम वन गमन स्थल यात्रा

मार्ग क्यों नहीं?

मानचित्र में केवल स्थल दिखाए हैं; मार्ग नहीं दिखाया गया। अयोध्याजी से रामेश्वरम आकर तथा रामेश्वर तक का मार्ग अभी भी लिखाया जा सकता है। किन्तु अभी शोध मार्ग पूर्ण नहीं हुआ है। संघर्षरत अभी और स्थल मिलेंगे।

वाल्मीकि रामायण के ये श्लोक भी विचारणीय हैं --

तत्पश्चात्त्वरत अवतों के द्वारा श्रीराम संदेश भी भारी-भारी से उन सभी तपस्वी मुनियों के आश्रमों में गये, जिनमें वहां वे पहले भी रह चुके थे। उन्होंने पास भी "
दुबारा जा कर रहे"

इस प्रकार मुनियों के आश्रमों पर रहते और अनुकूलता पा कर आनन्द का अनुभव करते हुए सभी १० वर्ष बीत गये।

यह तो भला भलता है कि श्रीराम बनवास काल में यहां आये किन्तु क्रम का तथा यहां पहुंचने-आने मार्ग अभी अनुसंधान हेतु खुला है।

दण्डक वन-- वाल्मीकि रामायण के अनुसार अत्रि आश्रम से शर भंग कर श्रीराम ने सीधे दण्डक वन में प्रवेश किया; सरभंग से भी दण्डक वन में शुरू होता है। किन्तु प्रवेश से विहार, उड़ीसा, आंध्र प्रदेश की तरफ़ी दीपा तथा महाराष्ट्र सभी दण्डक वन के भाग कहे हैं। तुलसीदास वन की श्रीमार्ग अभी अन्तिम नहीं कही जा सकती।

एक ही ऋषि के कई--कई आश्रम पाये जाना--

रोमांचक: धर्म प्रचार, यात्रायात तथा शस्त्रास्त्रों से सुरक्षा को लिए एक ही ऋषि के कई आश्रम पाये गये। (शिष्यों ने भी गुरु की याद एवं आसान बनाए होंगे तथा शिष्यों/अनुयायी भिन्न भिन्न स्थानों पर बसे होंगे।) जिसने श्रीराम गये थे। आधुनिक काल में भी एक ही संस्थान के कई-कई आश्रम देखने में आते हैं। यह भी ऋषि के प्रचारिक आश्रमों पर संकेत करती है।

संकट -- हमारा शोध मार्ग अभी सर्वेक्षण का एक ही दृष्टिकोण है। संकटों के दौरान की यात्रा एवं अनुकूल अनेक संकटों से घेरे है। हमारे विचार से रावण की संख्या भी कोई मार्ग होगा है।

अनुरोध -- श्रीराम से सीता माताएं की थी। (रामायण में कहीं, एक स्थान पर, भी [illegible] सीता माता (2) सिंहासन [illegible] होने के पश्चात् तीनों माता। (चतुर्थ रानी पर शोध कार्य किया है। आशा है कि [illegible] जानकारी प्रकाशित करेंगे।

आभार -- पुरातत्व वाल्मीकि रामायण, महाभारत, पुराण एवं अन्य धार्मिक ग्रन्थों की वास्तविक [illegible] के अधिकारियों का तथा मान समूहों [illegible] हरियाणा, [illegible] पुस्तकालयों, लोक साहित्य, विज्ञानियों, इतिहासकारों, प्रशासनों तथा व्यक्तियों से सहयोग [illegible] पत्रकार--[illegible] का वैशिष्ट्यपूर्ण सहयोग [illegible] में सदर्भ प्राप्त कर संकलित मार्गों का अनुसरण करते हुए, मार्गों में आने वाले [illegible] पुरातत्व, [illegible] इकाई ने प्रचलित [illegible] अवशेष, पुराण, कथा, किंवदन्ति इत्यादि का विशेष [illegible] से अध्ययन, विश्लेषण, विवेचन करते हुए सन् १९९ वर्षों में की गई। [illegible] में किये है उनका विवरण इस मानचित्र में किया गया है।

www.vadaprativada.in

12104

(सूची-6)
श्रीराम सांस्कृतिक शोध संस्थान न्यास के सौजन्य से

राम जी की जनकपुर यात्रा मार्ग

(गहरें विश्वामित्र जी के साथ)

ग्राम	स्थान	जिला
अहल्या जी	अयोध्या जी	फैजाबाद
मुनी आश्रम	सोनभद्र	फैजाबाद
शैल मंदिर	महाराज गंज	आजमगढ़
[illegible]	जौनपुर रोड	आजमगढ़
[illegible]	गंज	गंज
[illegible]	गंज	गंज
[illegible]	सिंगरौर गंज	मिर्जापुर
[illegible]	कैथरा	मिर्जापुर
सुआसन व गो मे	सुआसन	बक्सर
भरौली व सीमाना	भरौली	बक्सर
बक्सर	बक्सर	बक्सर
सिमरांव	बक्सर	बक्सर
डोमरी गंज	बक्सर	बक्सर
[illegible]	बक्सर	बक्सर
सीता आश्रम	आहलौली	बक्सर
रामेश्वर मंदिर	रामौली	बैशाली
अंधेरी	अंधेरी	दरभंगा
जनकपुर	जनकपुर	जनकपुर (नेपाल)
मनुषा	मनुषा	नेपाल
सीता नदी	सीता नदी	सीता नदी
सीता कुण्ड	बैलोकर	पूर्वी चम्पारण
लक्ष्मण लक्ष्मी वन	फैजाबाद, बस्ती, गोरखपुर	

श्रीराम वनगमन स्थल

(१४ वर्ष की वनवास यात्रा)

श्री राम जन्मभूमि	अयोध्या	फैजाबाद
सरयू घट	गौरा घाट (सरयू)	फैजाबाद
तुलसी सरिया	गौरा घाट	सीतामढ़ी
श्रीराम मंदिर	राजहीड	सीतामढ़ी
पूर्ण कुण्ड	रामपुर भगत	फैजाबाद
मेदसुरी नदी	आमोल सतर	सुलतानपुर
कौसी नदी	सुलतानपुर	सुलतानपुर
[illegible]	प्रतापगढ़ घाट	प्रतापगढ़
गंगोली/बेली	कोहना गंज	प्रयागराज
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

12105

सत्यं (7)

फोन

ॐ

अखिल भारतीय षड्दर्शन अखाड़ा परिषद्

प्रधान कार्यालय :-श्री निरंजनी अखाड़ा पंचायती, दारागंज, प्रयागराज

दिनांक 22.1.1

क्रमांक .....

Rajakul Mishra
advocate Court dated 26-5-10

26.5.10
O.S.D. (R.S.S.)

सेवा में,

श्रीमान सचिव

विश्व हिन्दू परिषद

दिल्ली प्रदेश के नीचे लिखे

प्रयागराज।

महोदय।

अ.भा.ष.द. परिषद की दिनांक २२ जनवरी

बैठक में निम्न प्रकार प्रस्ताव सर्वसम्मति से पारित व पार

"

श्रीमहन्त गोपालदासजी ने परिषद को बताया कि राम

के विषयमें अखबारों में रोजाना गलत बातें व वाद विवाद

खबरें प्रकाशित होरही हैं। यह निर्विवाद तथ्य है कि राम जन्मभू

स्थान निर्मोही अखाड़े का है। अब अचानक विश्व हिन्दू प

पत्र पेम्पलेट आदि व अखबारों में खबरें प्रकाशित होरही व

रहा है तथा विश्व हिन्दू परिषद महात्माओं के नाम पर हमारे

स्थलों पर काबिज होने की चेष्टा कर रही है जिससे हमा

का बहुत भारी अनिष्ट व अहित होने जारहा है क्यों

अतः विश्व हिन्दू परिषदको (पार्टी नम्बर १ खुला पत्र लि

भेजा जावे कि वे हमारे षड्दर्शन अखाड़ा परिषद से

नागी संन्यासी, वैष्णव, उदासीन व निर्मल आदि

सम्बन्धित स्थानोंके विषय में किसी अखाड़ा सम्बन्धि

अखाड़ा परिषद से सलाह (विचार विमर्श) ल

ASSISTANT REGISTRAR
HIGH COURT ALLAHABAD

www.vadaprativada.in

12106

सूची 7.

Regd.

अखिल भारतीय षट्दर्शन अखाड़ा परिषद्

प्रधान कार्यालय :-श्री निरंजनी अखाड़ा पंचायती, दारागंज, प्रयागराज

पत्रांक .....

दिनांक .....

कोई प्रस्ताव पास न करे (जो परिषद् द्वारा प्रस्तावित
आदि क्रम का हो) अन्यथा उसके विरुद्ध
कानूनी कार्यवाही करने को बाध्य होना पड़ेगा।"

अतः आपसे निवेदन है कि इस विषय में
तत्काल उचित कार्यवाही करते हुए सूचना देवें।

अखिल भारतीय षट्दर्शन [illegible] धन्यवाद सहित -

[illegible]

महामंत्री

अध्यक्ष

[illegible]

[illegible]

[illegible]

बोधायनाध्यान

पंडित लालि (सियाराम) वकील

लहेरियासराय (दरभंगा)

संरक्षक तथा और प्रकाशक—
श्रीपंडित लाल (सियाराम)
श्री बोधायनसर सेवक यंत्र।

आश्विन शुक्ल १५ सं० २०१८
प्रथमबार—३०००
मूल्य भगवान बोधायन की सेवा का प्रेम।

श्रद्ध—
श्री सत्यनारायणजी
अभिनव विधापति (ध्रुव)
लहेरियासराय।

www.vadaprativada.in

(श्रीअयोध्यापुरी)

श्रीचित्रकूट से प्रस्थित हो मार्ग के पुण्यपुंज जनों को कृतार्थ करते हुए कुछ दिन में आप श्री अयोध्या पुरी पहुचे तथा श्री सरयूस्नान व पुरी को परिक्रमा कर सरयूतट निर्मली बोर्ड पर वटवृक्ष के नीचे निवास किया। अपराह्न काल में श्रीअयोध्यावासी मुनि महात्मा विद्वत्समुदाय एवं नानादिग्देशान्तरों से चरित्र शिक्षणार्थ आये हुए जन समूह के बीच में उपदेशामृत की वर्षा होने लगी, जिससे :—

"एतद्देशप्रसूतस्य सकाशादग्रजन्मनः। स्वं स्वं चरित्रंशिक्षेरन्पृथिव्यां सर्वमानवाः।" यह मनु वचन चरितार्थ होता था और आगन्तुक जन अपनी यात्रा को सहस्रगुणी सफलता अनुभव करते थे।

श्री अयोध्यापुरी में भगवान बोधायन श्रीपुरुषोत्तमाचार्य जी, योग्य अधिकारियों के समक्ष, वेद वेदान्तादि में वर्णित उपासनाओं का उपदेश करते हुए *"इतिहास पुराणाभ्यां वेद समुपबृंहयेत्"* के अनुसार इतिहासभूत वेदोपबृंहण श्रीमद्वाल्मीकीय रामायण का व्याख्यान किया करते थे, जिसमें :—

"प्रत्यक्षं ब्रह्मणो रूपं प्रादुश्च प्रत्यगात्मनः।
प्राप्युपायं फलंप्राप्तेः तथा प्राप्तिविरोधि च॥
वदन्ति सकलावेदाः सेतिहासपुराणकाः॥"

इस वचन से प्रतिपादित अर्थ पंचक ज्ञान, पूर्ण रूप में प्राप्त होता था।

भगवान बोधायन का श्रीमद्वाल्मीकीयरामायण के निगूढ रहस्यों का प्रकाशन श्रीवैष्णवसम्प्रदाय में इस प्रकार प्रसिद्ध है:—

सर्वावतारी श्रीराम में बालकांड से जगज्जननकारणत्व, अयोध्याकांड से स्थिति कारणत्व, अरण्यकाण्ड से मोक्षप्रदायत्व, किष्किन्धाकाण्ड से हेयप्रत्यनीक अनन्त कल्याणगुणगणाकरत्व, सुन्दरकाण्ड से सर्वेश्वरत्व, युद्धकाण्ड से सर्ववेदान्तवेद्यत्व और उत्तरकाण्ड से परमतत्त्वत्व आदि प्रधान प्रतिपाद्य विषयों का प्रतिपादन है।

भगवान बोधायन श्रीपुरुषोत्तमाचार्यजी वेदावतार श्रीमद्वाल्मीकीय रामायण के निम्नलिखित अष्टादश विषयों का उपदेश लिखितः अपने शिष्यों को किया करते थे, जिसका आस्वादन कालक्षेप रूप में अद्यावधि श्रीवैष्णव संप्रदाय में अविच्छिन्न रूप से होता आ रहा है।

१ श्रीरामही वेदान्तवेद्य परतत्त्व हैं।
२ श्रीराम की प्राप्ति का मुख्य उपाय एक मात्र शरणागति है।
३ श्रीराम की प्राप्ति पूर्वक उनका कैंकर्य ही जीवों को प्राप्त करने योग्य वस्तु है।
४ पुरस्कार के सहकार से प्रपत्ति ही उसकी प्राप्ति कराने में समर्थ होती है।
५ भगवान श्रीराम के चरित्रों से माता पिता गुरु भ्राता मित्र शत्रु आदि के साथ व्यवहार के आदर्श का प्रतिपादन होता है।
६ "सीतायाश्चरितं महत्" इस उक्ति से जगदम्बासीता के पुरुषकारत्व, शरणागत रक्षकत्व, पतिव्रताकर्तव्य वात्सल्यादि दिव्य गुणों की पूर्णता का प्रतिपादन हुआ है।

www.vadapratividya.in
12108

www.vedicpravachan.in

से १६२४ ई० में, बोधायन गृह्य सूत्र का संकलन श्री निवासाचार्य मैसूर १६०४ में। बोधायन शुल्ब सूत्र का संकलन और अनुवाद G. Thibout, "पंडित" की भोल्लुम ६ में किया है।

श्री सोमदत्त विरचित 'कथासरित्सागर' एवं श्री क्षेमेंद्र रचित 'बृहत्कथा मंजरी' के भगवान बोधायन की माताजी की उक्ति के निम्न श्लोकों से भी आपका और व्याकरण सूत्रों के रचयिता महर्षि पाणिनि का सम्बन्ध और समकाल प्रकट है।

शङ्करस्वामि नामासूद् ब्राह्मणो वेद-पारगः।
वर्षोपवर्षौ तस्यैमौ तनयावतनुत्विषः॥
लब्धप्राप्य विद्यामतुलां विश्रुतो लोके पूजितः।
कनीयानुपवर्षोऽस्य ममर्द महाघनः।
पाणिनिर्नाम वर्षस्य शिष्यः पूर्वं जडाश्रयः।
तपसा शङ्करं प्राप्य नवं व्याकरणं वसी॥

(भगवान बोधायन के ग्रन्थ)

मीमांसा दर्शन के भाष्यकारों ने जिस विस्तीर्ण वृत्ति ग्रन्थ का उल्लेख किया है वह इस समय प्राप्त नहीं हो रहा है। उसके अतिरिक्त आपके और कितने ग्रन्थरत्न लुप्त हैं यह भी नहीं कहा जा सकता, क्योंकि भगवान बोधायन ने कौन कौन से ग्रन्थों का निर्माण किया, इसका कहीं उल्लेख नहीं मिल रहा है। परन्तु बोधायनश्रौतसूत्र, बोधायनगृह्यसूत्र और बोधायनस्मृति यह तीन ग्रन्थ प्राप्त हैं एवं कुछ अन्य ग्रंथों का पता पाकिस्तान के विभाजन के पूर्व के लाहौर के प्रसिद्ध पुस्तकविक्रेता मेहरचन्द लक्ष्मणदास के संस्कृत पुस्तकालय के सन् १६३३ ई० के सूचीपत्र से लगता है जिनकी

तालिका नीचे दी जा रही है अतः यह निश्चित है कि इतने ग्रन्थ तो प्रकाशित हो ही चुके हैं।

१२३ बोधायन धर्मसूत्र (श्रीगोविन्द स्वामी प्रणीत संस्कृत विवरण सहित) मू० ८) रु०

१२४ बोधायन धर्मशास्त्रम् (टिप्पणी तथा शब्द सूची सहित) मू० १४) रु०

१६५ बोधायन गृह्यसूत्र (मूल सुन्दरवर मदरास) मू० २॥) रु०

166 The Ritual Sutra of Bodhayan Edited text in roman characters by Dr. W. Caland Forein Rs. 2/

बोधायन पितृमेध सूत्र, संस्कृतमूल नोट और शब्दानुक्रमणिका सहित (यूरोप) मू० ११) रु०।

बोधायन वृत्ति (वैशेषिक पर, विद्यावी प्रेस मिश्र सन् १६०० ई०) मू० २६) रु०।

बोधायन वृत्ति (वैशेषिक, हार्वर्ट प्रेस बरलिन जर्मनी सन् १६०१) मू० १८) रु०।

बोधायन वृत्ति (महर्षि भरद्वाज प्रणीत वैज्ञानिक ग्रन्थ अंशुबोधनी पर, हार्वर्ट प्रेस बरलिन (जर्मनी) सन् १६०१ ई०) मू० ७५) रु०।

आपके ग्रंथों की महानता से ही श्रीवर स्वामी श्री शंकराचार्य श्रीरामानुजाचार्य आदि सभी भाष्यकारों ने नामोल्लेख से पूर्व भगवान कहकर अपार श्रद्धा प्रकट की है एवं पाश्चात्य विद्वानों ने अपार धनराशि व्यय कर ग्रन्थ प्रकाशित किये हैं।

12109

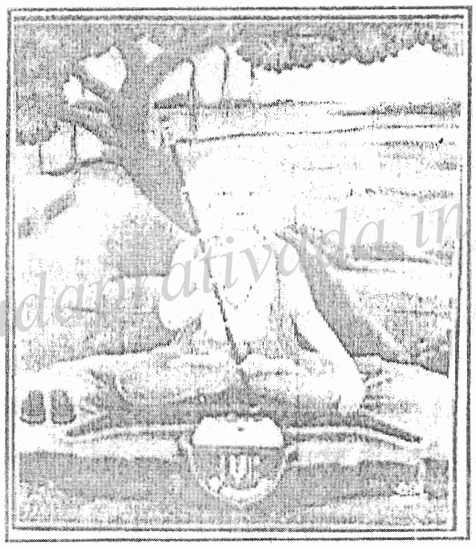
12110

सूची (9)

शरीर नगर एवं पंचभूत, मन और बुद्धि के गुण आदि का सम्यक् ज्ञान गुरु
किया सम्राट् परीक्षित् को श्रीमद्भागवत महापुराण स्कन्द २ अध्याय १ से
१२ अध्याय ५ तक सुनाकर परीक्षित् के साथ-साथ समस्त मानव मात्र के क
का मार्ग प्रशस्त किया, यह तो बहुत विख्यात है। पद्म, स्कन्द, वायु, नारद,
ब्रह्माण्ड और हरिवंश आदि महापुराण एवं पुराणों में श्रीशुकाचार्यजी से सम्ब
अनेक सन्दर्भ हैं जिन्हें स्थानाभाव के कारण नहीं दिया जा रहा है।

॥ ९-भगवान् श्रीपुरुषोत्तमाचार्यजी बोधायन ॥

ले. जानकीदास श्रीवैष्णव श्रीरामवल्लभाशरणाश्रम, जयपुर



आविर्भाव-पौषकृष्ण द्वादशी ५६९ विक्रमपूर्व स्थल-मिथिला-बोधाय
पिता-श्रीशंकरदत्तजी माता-श्रीचारुमतिजी गुरु-श्रीशुकदेवाचार्यजी गोत्र-व
प्रवर-वशिष्ठ शक्ति, पराशर वेद-शुक्लयजुर्वेद शाखा-माध्यन्दिनीय-वाजसनेय
दक्षिण शिखा-दक्षिण देवता-विष्णु इष्ट-श्रीसीतारामजी। ब्राह्मण-मैथिल तिरोध
पौषकृष्ण द्वादशी विक्रमपूर्व-३२०-२४९ वर्ष उमर

कृति-१-वेदरहस्यम् २-पुरुषोत्तमप्रपति ३-श्रीबोधायनगीता-श्रीराम
रहस्यम ४ सप्तकाण्डार्थसप्तकम् ५ श्रीगायत्री रामायणम् ६-श्रीरामायणसार

(१७५।५-चं5।चा५)

www.vadaprativada.in

12111

Rejected vide order dated 26.5.2010

26.5.2010

D.R. (R.J.B.-S.M.)

www.vadaprativada.in

www.vadaprativada.in

12112

www.vadaprativada.in

प्रकाशक :
राजस्थानी ग्रन्थागार
प्रकाशक व पुस्तक विक्रेता
सोजती गेट के बाहर
जोधपुर (राज.)
फोन : कार्यालय : 22933
निवास : 33567

© दिनेश चन्द्र भूधरा
ओंकार नारायण सिंह

प्रथम संस्करण 1993

मूल्य : एक सौ पचास रुपये मात्र

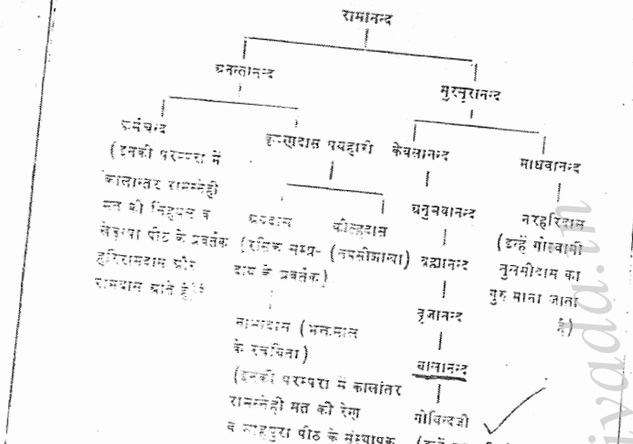
मुद्रक :
भारत प्रिन्टर्स
जोधपुर

RAJASTHAN KI BHAKTI-PARAMPARA TATHA SANSKRITI
Dr. Dinesh Chandra Bhupra
Om Narain Singh
1993 Rs. 150.00
RAJASTHANI GRANTHAGAR, JODHPUR

www.vadaprativada.in

1213

रामानन्द का राजस्थान से सम्बद्ध शिष्य-प्रशिष्य परम्परा निम्नांकित तालिका द्वारा प्रदर्शित की जा सकती है—



सन्दर्भ :

1. ओझा : मध्यकालीन राजस्थान में धार्मिक आन्दोलन, पृ० 94 और 107
2. देवे, कृष्णवल्लभ : सन्त कवि दादू, पृ० 28
   इनका इतना महत्व है कि इसे 'उत्तर तोताद्रि' भी कहते हैं। —
   उद्धृत—शुक्ल, रामचन्द्र : हिन्दी साहित्य का इतिहास, पृ० 111
4. सन्त कवि दादू : पृ० 25
5. मध्यकालीन राजस्थान में धार्मिक आन्दोलन, पृ० 198
6. सन्त कवि दादू : पृ० 29
7. वही
8. मध्यकालीन राजस्थान में धार्मिक आन्दोलन, पृ० 217-218
9. वही

परिशिष्ट 'क'

मध्यकालीन राजस्थान में वैष्णव भक्ति-परम्परा

यद्यपि राजस्थान में रामानन्द की परम्परा के विकास के पूर्व ही जाभोजी और जसनाथजी ने वैष्णव मत के प्रचार-प्रसार हेतु पृष्ठभूमि एवं समकालीन नाथ-पंथियों के विकृत परिलक्षित तथा क्रिया-कलापों के विरोध में वातावरण का निर्माण कर दिया था।[1] तथापि परवर्ती काल में उदार वैष्णव-प्रवृत्ति की भक्ति धारा द्वारा सिंचित कर समस्त राजस्थान को सहलहित करने का श्रेय रामानन्द-परम्परा के शिष्यों और अनुयायियों को ही है।[2]

इन शिष्यों में अनन्तानन्द का सागर साखा तथा मारवाड़ संत नाभादेव को सिद्धान्त प्रदान करना सुविख्यात है। राजस्थान के प्रसिद्ध वैष्णव भक्त कृष्णदास पयहारी (1502-27 ई०) जिन्होंने गलता (जयपुर) की नाथ-पन्थी गद्दी को अधिकृत कर वैष्णव-जनों की सर्वप्रथम और सर्व-प्रधान गद्दी स्थापित की थी,[3] इन्हीं अनन्तानन्द के शिष्य थे। इसी काल में आमेर-नरेश पृथ्वीराज और महारानी बालाबाई इनके शिष्य बने। पयहारीजी के शिष्य अग्रदास ने आमेर नरेश मानसिंह को भारत के अनेक मन्दिरों के पुनरुद्धार हेतु अभिप्रेरित किया था। फलतः वृन्दावन के अनेक मन्दिर एवं घाट, पटना का वैकुण्ठपुर (गुरु गोविन्दसिंह की जन्म स्थली) तथा जगन्नाथ धाम की प्रतिष्ठा की गई। भक्तमाल के सुप्रसिद्ध रचयिता नाभादास इन्हीं अग्रदास के शिष्य थे। पयहारीजी के दूसरे शिष्य कील्हदास ने राम-भक्ति के साथ योगाभ्यास को भी प्रश्रय देते हुए रामानन्द की वैरागी-परम्परा में योग-साधना का समावेश कर 'तपसी शाखा' का प्रवर्तन किया।[4]

रामानन्द के सबसे छोटे शिष्य सुरसुरानन्द रामानन्द की राजस्थान यात्रा के समय से ही राजस्थान से सम्बन्धित रहे।

इनकी परम्परा में केवलानन्द और माधवानन्द हुए। केवलानन्द की परम्परा में अनुभवानन्द, ब्रह्मानन्द, दृगानन्द, बालानन्द और गोविन्दजी हुए[5] जिन्होंने ब्रज-भूमि से भगवान श्रीकृष्ण के विभिन्न श्री-विग्रह राजस्थान के माचेड़ी, कामरोली, कोटा और जयपुर लाकर प्रतिष्ठित करने की महत्वपूर्ण भूमिका पूरा की। माधवानन्द की परम्परा में नरहरिदास हुए, जिन्हें गोस्वामी तुलसीदास का गुरु माना जाता है। इनका 'अवध' (मारवाड़) में गुरुद्वारा के नाम से प्रसिद्ध स्थान है।[6]

www.vadaprativada.in

12114

Rejected
dated 26.5.2010
O.S.D. (M.J.B.)

श्रीराम जन्मभूमि
का—
रक्त रंजित इतिहास

लेखक—
पं० श्रीरामगोपाल पाण्डेय "शारद"
(साहित्यरत्न)

प्रकाशक—
श्रीकमलेश कुमारी
कलानिकेतन
श्री अयोध्या जी

१६ वाँ संस्करण | सम्वत् २०१८ | मूल्य १) एक रुपया

(Encroachment)

Page No. 16/34 to 16/38 Not Exhibited/Rejected Vide Court's order dt. 26.5.10
B.O.C.
8/6/10

जन्म भूमि

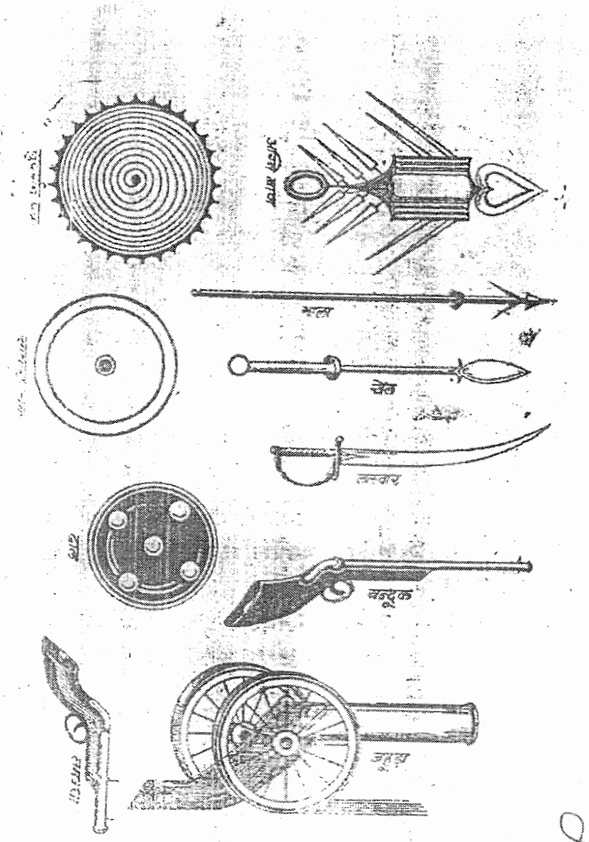
आज से नौ लाख वर्ष पूर्व त्रेता युग के चतुर्थ चरण में साक्षात् परब्रह्म देवाधिदेव मर्य्यादा पुरुषोत्तम श्रीरामचन्द्रजी इसी पावनी भूमि में अवतरित हुए थे। इसी स्थल पर उन्होंने अपना बालचरित्र किया था। इसी स्थल की पवित्र रज में लोट पोट कर वेदान्त वेद्य वेदान्त सिद्धान्त श्रीराघवेन्द्र ने भगवान् भूत भावन भोलानाथ और भक्तराज श्रीकाकभुशुण्डिजी को अपनी शिशु लीला से आनन्द विभोर किया था, कहना नहीं होगा कि उस समय आनन्द कन्द का यह जन्म स्थल सुवर्ण मणिमाणिक मुक्ता खचित एक बड़े विशाल राजमहल के रूप में था। आदि कवि श्री महर्षि वाल्मीकि जी अपनी रामायण में जन्मभूमि के राज प्रसाद का चित्र अपनी तूलिकामयी लेखनी से खींचते हुए लिखते हैं कि :—

प्रासादैरत्नविकृतैः पर्वतैरुपशोभिताम्।
कूटागारैश्च सम्पूर्णामिन्द्रस्येवामरावतीम् ॥ १५ ॥
चित्रा मष्ट पदाकारां वरनारी गणैर्युताम्।
सर्व रत्न समाकीर्णां विमान गृह शोभिताम् ॥१६॥
विमान मिव सिद्धानां तपसाधिगतं दिवि।
सुनिवेशित वेश्मानां नरोत्तम समावृताम् ॥ १८ ॥

श्रीमद्वाल्मीकीय रामायण बालकाण्ड।

www.vadaprativada.in

12115



श्रीतवाक्

श्री रामजन्मभूमि का रक्तरंजित इतिहास भगवान श्रीराम के पावन स्मारक स्थल की प्रतिष्ठा रक्षा के उद्योग का विवरण है। इसमें रामानुरागी जनों के रक्तरंजित संघर्ष और विजय-पराजय की अनेक अज्ञातविद कथाओं, विवरणों तथा हस्तलेखों का कलन है। इसके लिए मुगलकालीन फारसी ग्रन्थों की ऐतिहासिक जीवनियों, आधुनिकतम शोधों, गजेटियरों आदि से सामग्री का चयन किया गया है। श्रुतियों और निश्चित इतिहास की तुलना के द्वारा रामानुरागी जनों की निरन्तर क्रान्ति-साधना का गौरवपूर्ण निदर्शन प्रस्तुत कर विद्वान लेखक ने उनकी अदम्य रुचि का विश्वासदायक निरूपण किया है।

इस पुस्तक में श्री रामजन्मभूमि के युगकाल व्यापी आंदोलन-संघर्ष की झांकियां हैं। इसकी पंक्तियों में पाठक की विजीविषा को उत्तेजित करने की शक्ति है।

रचना और रचयिता दोनों अतुलित हैं महान हैं। दोनों जन्मभूमि के साथ अमर हैं। हम उनके आभारी हैं।

इन्द्रबली आदर्श औद्योगिक उ० मा० विद्यालय, गोसाईं गंज, फैजाबाद
फाल्गुनी पूर्णिमा, २०१८ वि०

सत्यनारायण द्विवेदी
"श्रीश"

www.vadaprativada.in

12116

वहां तक वर्णित है कि जब रावण ने महाराज अनरण्य पर विजय प्राप्त की थी तो उस पर अपनी प्रशस्ति खुदवा दी थी। महाराज अनरण्य ने जब उन स्तम्भों को निर्माण कराया था तब अपनी प्रशस्ति खुदवाई थी एवं जब भगवान श्रीराम लंका विजय कर उन स्तम्भों को ले आये तो उस पर अपनी प्रशस्ति खुदवाई तथा श्रीपवन नन्दन के ही कथनानुसार वे स्तम्भ लंका से लाये गये थे। अतः प्रत्येक स्तम्भों पर हनुमानजी की मूर्ति भी खुदवा दी थी। जो अद्यावधि पर्यन्त किसी २ स्तम्भों पर मौजूद है। लोमश रामायण में लिखा है कि—

❀ श्लोक ❀

चतुराशीतिस्तुते स्तम्भाः कृष्ण पाषाण सुन्दराः।
स्थापिता अनरण्येन विश्वकर्म विनर्मिताः॥ ३०८॥
ढानुत्पाट्यामास रावणो राक्षसेश्वरः।
ससैन्यो विजयी भूत्वा नीत्वा लंकापुरी ययौ॥ ३०९॥

(लोमश रामायणे बालकाण्डे)

आगे चलकर फिर लोमश रामायण में कहा है कि—

लंका विजय सम्प्राप्तो रामो दशरथात्मजः।
विभिषण वदनो भूत्वा हनुमन्त मुवाचह॥
प्रतीकारो मया प्राप्तः सीता हरण कर्मणि।
राक्षस्य वधं कृत्वा लंकां दत्वा विभीषणे॥

तस्यापमान सम्भार प्रतीकारः कथं भवेत्॥

इस पर श्रीहनुमान जी ने कहा—

चतुरशीतिर्वैस्तम्भाः कृष्ण पाषाणनिर्मितः।
अनरण्यवधं कृत्वा रावणेन हृताः पुरा।
रम्य स्वर्णमयीं लंकां शुद्ध स्वर्ण परीक्षणे।
स्थापयित्वा सभा मध्ये रावणो राक्षसाधिपः॥

भावार्थ—काले पाषाण के देव शिल्पी विश्वकर्मा द्वारा निर्मित सुन्दर खम्भे महाराज अनरण्य ने जो दर्बार में स्थापित किये थे उन्हें उखाड़ कर ससैन्य विजयश्री से संयुक्त राक्षसेन्द्र रावण लंका को लेकर चला गया।

लंका पर विजय प्राप्त कर लेने के पश्चात् दशरथनन्दन श्रीराघवेन्द्र ने विषण्य वदन होकर श्रीहनुमानजी से कहा कि हनुमान, सीताहरण रूपी कर्म का प्रतिकार मैंने प्राप्त कर लिया अर्थात् रावण का वध कर सुवर्ण मण्डित लंका पुरी मैंने विभीषण को प्रदान करदी किन्तु रावण के द्वारा हमारे पूर्वज महात्मा अनरण्य महाराज का जो घोर अपमान हुआ है उसका प्रतिकार किस भांति होगा? इस पर श्रीहनुमान जी ने उत्तर दिया कि महात्मा अनरण्य का वध कर डालने के पश्चात् लंकेश रावण ने उनके दर्बार में स्थित देव शिल्पी विश्वकर्मा द्वारा विनिर्मित कसौटी के कृष्ण पाषाण के ८४ खम्भे उखाड़

www.vadaprativada.in

12117

मस्तक उठाये मुस्कुराती रही और इसकी ओर बुरी आंख उठाकर देखने का भी किसी विधर्मी को साहस नहीं हुआ।

* बाबर का आक्रमण *

हम ऊपर लिख चुके हैं कि जन्मभूमि पर हूण, बौद्ध, शक और मुसलमानों के अनेक आक्रमण हुए। उन्होंने जी भरकर इसे लूटा किन्तु मन्दिर को तोड़ कर मूर्ति को नष्ट-भ्रष्ट कर डालने का साहस किसी का भी नहीं हुआ। और जन्मभूमि उसी प्रकार सुरक्षित रही। ईसवी सन् की चौदहवीं शताब्दी में भारत पर मुगलों का अधिकार हो गया। सम्राट बाबर दिल्ली के राज सिंहासन पर बैठा। उस समय जन्मभूमि पर महात्मा श्यामानन्द जी महाराज थे। जन्मभूमि इन्हीं के अधिकार में थी। ये उच्च कोटि के पहुँचे हुए सिद्ध महात्मा थे। इनकी सिद्धाई की धाक उस समय चारों ओर फैली हुई थी। इनके हृदय में ऊँच नीच का भेद-भाव नहीं था। उनके समय में ख्वाजा कजल अब्बास मूसा आशिकान यहां आये और महात्मा श्री श्यामानन्द जी महाराज के साधक शिष्य हो गये। उनके सत्संग से ख्वाजा साहब को श्रीजन्मभूमि का प्रभाव विदित हुआ और जन्मभूमि पर ख्वाजा साहब की महान श्रद्धा हो गई। एक दिन ख्वाजा साहब ने

हो जाया करते थे और वहीं से तैय्यारी के साथ सदलबल हरिद्वार के लिए प्रस्थान करते थे। वस्तुतः इसी सैनिक संगठन को मजबूत एवं शक्ति शाली बनाने के लिए एतदर्थ कुम्भ की स्थापना की गई थी।

श्रीरामजन्मभूमि के रक्तरंजित इतिहास के १४ वें पृष्ट पर हमने स्वामी श्यामानन्द की चर्चा की है जिनके अधिकार में तत्कालीन श्रीरामजन्मभूमि थी जिन्हों ने ख्वाजा कजल अब्बास मूसा आशिकान कलन्दर साहब तथा मीर मौलवी जलाल शाह को अपना साधक शिष्य बनाया था श्रीरामजन्मभूमि की बरबादी के बाद बाबा श्यामानन्द जी अपने साधक शिष्यों की करतूतों पर पछताते हुए मुख्य श्रीविग्रह को श्री-सरयूजी में पधराकर और दिव्य श्रीविग्रह अपने साथ लेकर दूसरा सरह चले गए। कुछ समय के पश्चात उनके शिष्य श्री-गोविन्दासजी अयोध्या आए आप बड़े सिद्ध महात्मा थे आपने अपनी सिद्धाई की धाक तत्कालीन मुगल शासनके उच्चाधिकारियों पर भी जमाई तथा इसी आधार पर गुमारगढ़ीका निर्माण किया जिसका विवरण पी० कारनेगी द्वारा लिखित इतिहास में भी मिलता है श्रीमहात्मा गोविन्ददासजी ने हुमायूँ के राज्य शासन में बैरागी पुरा की माफी प्राप्त की समर्थ गुरुरामदास के शिष्य श्रीस्वामी वैष्णवदासजी के चिमटाधारी जिस सिरोह ने औरंगजेबी सेनाओं का सामना शहादत गंज जालपा तथा रुदौली में किया था बाबा गोविन्ददासजी के शिष्यों की भी एक बड़ी जबरदस्त सेना उसके साथ थी एक प्रकार से बाबा वैष्णवदासजी के बाबा गोविन्ददासजी

www.vadaprativada.in

12118

हो रहा है। अब हम गुप्तार गढ़ी तथा निर्मोही अखाड़ा जो कि अयोध्या में श्री रामघाट पर स्थित है उसकी गुरुपरम्परा का विवरण नीचे देते है।

गुप्तारगढ़ी की परम्परा—

महान्त श्री गोविन्द दास जी
महान्त श्री अयोध्या दास जी
महान्त श्री गोपाल दास जी
महान्त श्री जयराम दास जी
महान्द श्री रतन दास जी
महान्त श्री अनन्तराम दास जी
महान्त श्री मंगलदास जी
महान्त श्री जगन्नाथ दास जी
महान्त श्री कौशिल्यादास जी—इनके गुरु भाई श्रीमाखनदास जी इनसे अलग होकर अयोध्या चले गये और वहां रामघाट पर निर्मोही अखाड़े की ओर से एक मठ की स्थापना की जो निर्मोही अखाड़े के ही नाम से प्रसिद्ध है।
महान्त श्री सरयू दास जी
महान्त श्री सनातन दास जी (वर्तमान महान्त)

निर्मोही अखाड़े की गुरुपरम्परा—

महान्त श्री माखन दास जी
महान्त श्री तुलसी दास जी
महान्त श्री बलदेव दास जी
महान्त श्री रघुवर दास जी

(12118-4BRH2)

महान्त श्री नरोत्तम दास जी—सन् १६१२ के हिन्दू मुस्लिम दंगेमें ये दिल्ली जाकर बादशाह कोले आये तथा अयोध्या की सम्पूर्ण स्थितिका अध्ययन करा-कर उनके द्वारा पंचकोशी परि-क्रमा की हद के भीतर पशु हत्या बन्द कराई।
महान्त श्री रामचरण दास जी
महान्त श्री रघुनाथ दास जी (वर्तमान महान्त)

इस प्रकार निर्मोही अखाड़े का समस्त इतिहास श्री-राम जन्मभूमि के इतिहास से सम्बद्ध है और इसके साधुओं ने बड़े बड़े बलिदान किए हैं ये साधू सदैव शस्त्र सज रखा करते थे और ढाल तलवार, शेल, भाला, तमंचा, बन्दूक, प्राश, अग्निबाण, चक्रबाण, जटूड़ा आदि युद्ध में प्रयोग किए जाने वाले इनके प्रमुख एवं अकाट्य अस्त्रथे जिनकी भयानकमार से शत्रु के दांतिये उखड़ जाते थे। ये अब शस्त्र निर्मोही अखाड़े में अभी भी देखे जा सकते हैं। इस पुस्तक में हम इन अस्त्रों का एक ब्लाक चित्र भी प्रस्तुत कर रहे हैं। हिन्दू जाति की रक्षा तथा जन्मभूमि की रक्षा में निर्मोही अखाड़े का सर्वोत्तम एवं एक विशिष्टतम स्थान है। अब हम निर्मोही अखाड़े की ओर से जो वादपत्र दीवानी अदालत में १७ दिसम्बर सन् १८५६ को प्रस्तुत किया गया है उसकी प्रतिलिपि नीचे देते हैं।

न्यायालय श्रीमान् सिविल जज महोदय फैजाबाद
वाद पत्र अनुसार आदेश ७ नियम १ जाब्ता दीवानी
१—निर्मोही अखाड़ा स्थित मोहल्ला रामघाट शहर अयोध्या द्वारा महन्थ रघुनाथ दास चेला महन्थ धर्मदास, महन्थ

www.vadaprativada.in

12119

Shri Ramanand Math

and

Charan Paduka

श्रीमठ और चरणपादुका

द्वितीय संस्करण

२००० प्रति

Published
By
Yogiraj Govats R. S. D. Ayurvedach

श्री रामानन्द सम्प्रदाय की गुरु परम्परा

१—श्री रामानन्दाचार्य जी
२—,, अनन्तानन्दाचार्य जी
३—,, सुखानन्दाचार्य जी
४—,, नरहरियानन्दाचार्य जी
५—,, योगानन्दाचार्य जी
६—,, पद्मावत्याचार्य जी
७—,, सुरसुरानन्दाचार्य जी
८—,, पुरुषोत्तमाचार्य जी
९—,, ज्ञानानन्दाचार्य जी
१०—,, गंगाधराचार्य जी
११—,, सदानन्दाचार्य जी
१२—,, रामेश्वराचार्य जी
१३—,, द्वारकानन्दाचार्य जी
१४—,, देवानन्दाचार्य जी
१५—,, श्यामानन्दाचार्य जी
१६—,, श्रुतानन्दाचार्य जी
१७—,, चिदानन्दाचार्य जी
१८—,, पूर्णानन्दाचार्य जी
१९—,, शिवानन्दाचार्य जी
२०—,, हर्षानन्दाचार्य जी
२१—,, राघवानन्दाचार्य जी
२२—श्री १०८ जगद्गुरु श्रीमद् भाष्यकार, वर्तमान श्री रामानन्दाचार्य जी महाराज

उत्तेजना

देश और धर्म की भेंट बन जायेंगे।
जग में जीवन सफल अपना कर जायेंगे ॥ देश०
है यही हमको उपदेश आचार्य का।
हिन्दुओं के लिये प्राण दे जायेंगे ॥ देश०
यह जमाना हमारा हमें कह रहा।
अपने सिद्धान्त को दृढ़ बना जायेंगे ॥ देश०
क्रान्ति का यह समर है मेरे बन्धुओं।
जागृति विश्व को हम भी दिखलायेंगे ॥ देश०
भावना है प्रबल "वत्स" यह ही सदा।
सत्य ही की ध्वजा फेर फहरायेंगे ॥ देश०

—योगीराज गोवत्स

श्रीमते भगवते भाष्यकाराय श्री रामानन्दाचार्य्यायनमः

प्रस्तावना

संसार के किसी धर्म या समाज की उन्नति और अवनति ही ग्रन्थ रचना का कारण है। श्री रामानन्द सम्प्रदाय का जिस प्रकार अभ्युत्थान और साम्राज्य हुआ उस इतिहास को प्रायः लोग भूल से गये। इस सम्प्रदाय का मूल श्री मठ मुसलमान बादशाहों द्वारा विनाश हुआ केवल एक स्मारकरूप प्राचीन आचार्य चरण पादुका बची रही इस विषय को भी लोग नहीं जानते। अतः इस छोटे से ग्रंथ में यही सब वर्णन होगा। इसके द्वारा लोग अपना भ्रम दूर करें।

—योगी राज

www.vadaprativada.in

12120

भगवान् श्रीरामानन्द

भगवान् श्री रामानन्द का जीवन काल भारत इतिहास के अन्दर एक बहुत बड़ा महत्व रखता है। वह समय समस्त हिन्दू प्रजा के लिए एक महान् संकट का था। एक ओर कबीरपन्थ और कर्ताभजा पंथ का दूसरा ओर यवन जाति के घोर अत्याचारों से धर्म का विध्वंस होता, वैसे भयंकर अवसर में एक ऐसे महान् प्रतिभाशाली पुरुष की आवश्यकता थी जो कठिन परिस्थितियों में वैदिक धर्म की रक्षा करता।

परिवर्तन शील जगत में सदा परिवर्तन हुआ करता है। भगवान् बुद्ध ने अहिंसा बाद का प्रजा को पाठ पढ़ाया। भगवान शंकर ने अद्वैत ब्रह्मोपासना का मार्ग बताया। इतर आचार्यों ने भक्ति विषयक ग्रन्थों को लिखा परन्तु प्रकृति उत्तरोत्तर क्रमानुसार परिवर्तन करती रही। सात्विक प्रकाश अंधकार में विलीन होता रहा शीघ्र ही एक ओजस्वी मूर्ति की आवश्यकता हुई। भगवान् श्रीराम ने स्वयम् श्रीरामानन्दाचार्य के रूप में अवतार लिया। "रामानन्दः स्वयम् हरिः" अगस्त संहिता।

(भगवान् श्री राघवानन्दाचार्य जी)

इस प्रसंग में सब से पहले मैं उन अंग्रेज सज्जनों को हृदय से धन्यवाद देता हूँ जिन्होंने अपने अतुल परिश्रम से इस विषय इतिहासों में हमारे श्री सम्प्रदाय के लिये बहुत कुछ लिखा है। आज हम उन प्रमाणों को पढ़कर बहुत बड़े भ्रम को मिटा सकते हैं। वे लोग हमारे

परम पूज्य श्री १ श्री राघवानन्दाचार्य जी के बारे में लिखते हैं - "श्री स्वामी राघवानन्दाचार्य जी भगवान रामानन्दाचार्य के हृदय पर उनका बहुत बड़ा प्रभाव था। उन्हीं के आग्रह करने पर भगवान श्री रामानन्द जी उन्हीं के शिष्य बने।"

श्रीमठ पञ्च गंगा काशी

भारत का इतिहास हमें बताता है कि भगवान् श्री रामानन्द ने अपने आजन्म ब्रह्मचर्य के साथ उसी श्री मठ में बैठकर इस विश्वव्यापक श्री सम्प्रदाय का पुनरोद्धार किया था। दुनिया के लोग आज जिस विशाल श्री रामानन्द सम्प्रदाय को देखते हैं इसका सम्बन्ध उसी श्री मठ से है। वह श्री मठ आज हम अभागों की आँखों से अदृश्य है। हम अनुभव नहीं कर सकते कि हमारा वह वन्दनीय धाम कैसा होगा। जहाँ भगवान् श्रीरामानन्द के पादारविन्द पड़े थे, जहाँ समस्त भारत के राजा प्रजा सिर झुकाने आया करते थे। उस मठ के बिना आज हमारा विशाल सम्प्रदाय अनाथ सा हो रहा है। हम यह अभिमान पूर्वक कह सकते हैं कि यदि हमारा वह श्रीमठ आज होता तो दुनिया का कोई भी समाज हमारे सामने कुछ भी कहने को सिर नहीं उठा सकता था। दुराचारी यवन बादशाहों ने हमारा वह पूज्य धाम नष्ट कर दिया।

नीचे लिखे उदाहरण देखिये—

Benares Hindu University Library.
Religion section book No. 230/17/1

Essays and lecture chiefly on the religion of the Hindus Vol. I by H. H. Wilson. M. A. F. R. S. pages 48. 1862.

The residence of Ramanand was at Benares at the Panch Ganga Ghat where a math or monestory of his followers is said to have existed, but to have been destroyed by some of the Musalman princes. At present there is a merely stone platform in the vicinity bearing the supposed impression of his feet. But there are many maths of his followers of celebrity at Benares, whose Panchayat or council is the chief authority amongst the Ramavats in upper India.

Pages 55. The twelve chief desciples of Ramanand are named as follows :—

1. Anantnand Asanand 2. Kabir, 3. Raidas, 4. Pipa 5. Sursaranand, 6. Sukhanand, 7. Bhavanand, 8 Dhanna 9. Sena, 10. Mahanand, 11. Parmanand.

प्रसिद्ध योरोप के लेखक का नाम तथा किताब का नाम नीचे लिखा जाता है। यह किताब जिसका विवरण यहाँ दिया जाता है बनारस की हिन्दू यूनिवर्सिटी में उपस्थित है।

www.vadaprativada.in

12121

रेलिजन लेक्शन बुक नं० २३०।१७।१

एमेस एण्ड लेक्चर चीफ ली रेलिजन आफ दि हिन्दूज बाई० एच०, एच० विल्सन० एम० ए०, एफ० आर० एस०, पेजेज ४८; सन् १८६२।

लेखक श्री विल्सन साहब अपने प्रसिद्ध इतिहास में लिखते हैं कि श्री सम्प्रदाय के आचार्य श्री स्वामी रामानन्दाचार्य जी के रहने का स्थान पंच गङ्गा घाट काशी में था। वहीं उनके अनुयायियों का एक मठ (या मनास्टरी) था अर्थात् समस्त भारत के रामानन्दीय रामी पासकों का पूजनीय केन्द्र (मूल आदि गद्दी) था। कहा जाता है कि वह विशाल मठ मुसलमान बादशाहों ने विनाश कर दिया। आगे लेखक लिखते हैं कि अब हाल में वहाँ ठीक नये मठ के समीप एक पत्थर का चबूतरा है और उसके ऊपर यह विश्वास किया हुआ है कि श्री रामानन्दाचार्य जी के चरण चिन्ह बने हुए हैं। वहाँ काशी में उनके यशस्वी शिष्यों के और भी बहुत से मठ बने हुए हैं। उनकी वहाँ एक बहुत बड़ी कौंसल या पंचायत है जो कि समस्त इण्डिया (भारत) के अन्दर समस्त "रामवत्त" सम्प्रदाय (श्रीरामानन्द सम्प्रदाय) के बीच में शक्तिशाली मानी जाती है।

५९ पेज पर लिखते हैं कि श्री रामानन्दाचार्य जी के प्रसिद्ध द्वादश शिष्य थे।

श्री अनन्तानन्द जी,

सुखानन्द जी, कबीर जी, रविदास जी, पीपा जी, सुरसुरानन्द जी, पुरवानन्द जी, भावानन्द जी, पद्मावत, पेक्षावत, सुखानन्द जी, परमानन्द जी।

इस प्रमाण के सामने दुनिया का कोई भी व्यक्ति यह नहीं कह सकता कि भगवान् श्री रामानन्द ने अपना कोई भी स्मारक धाम अपने अनुयायियों के लिए नहीं बनाया था।

दूसरा प्रमाण।

Benares Hindu University, Library.
Religion section book no. 230/16.

Modern Hinduism by W. J. Wilkince published–1887, Pages 62.

Here in this extract the writer writes about shri Ramanandracharya.

"He (Shri Ramanandacharya) lived chiefly at Benares at the Panchgangaghat where it is believed his math continued until it was destroyed by the Mussalmans. At present there is a stone platform which is said to retain the impression of his feet.

There are said to be twelve chief desciplesof Ramanandis Pipa, Kabir etc."

बनारस हिन्दू यूनिवर्सिटी लाइब्रेरी की पुस्तक।

किताब का नाम रेलिजन लेक्चर बुक नम्बर २३०।१६

मॉडर्न हिन्दूइज्म बाई डब्ल्यू० जे० विल्किन्स, पब्लिश्ड १८८७ ई०

इस ग्रंथ के अन्दर लेखक श्री रामानन्दाचार्य जी के बारे में लिखते हैं, "श्री स्वामी जी प्रधान रूप से पंच गङ्गा घाट काशी में निवास करते थे। यह विश्वासपूर्वक कहा जाता है कि वहाँ एक उनका एक बड़ा भारी मुसलमान बादशाहों ने तुड़वा डाला। अब हाल में वहाँ एक पत्थर का प्लेटफार्म है जिसके ऊपर उनके चरण चिन्ह अंकित किये हुये हैं।

वहाँ पर कहा जाता है कि उनके प्रधान द्वादश शिष्य थे। श्री पीपाजी, श्री कबीर जी इत्यादि।

तीसरा प्रमाण

3. Library Babu Shive Prashad Gupta. Nagawa Benares.

Book No 915179/6807

The Holy city (Benares)

By

Rajani Ranjan Sen B. A., B. L. Pleader and Law Lecturer Chitrgange College, published, 1912 pages 224 last paragraph.

www.vadaprativada.in

12122

सूची

16/42

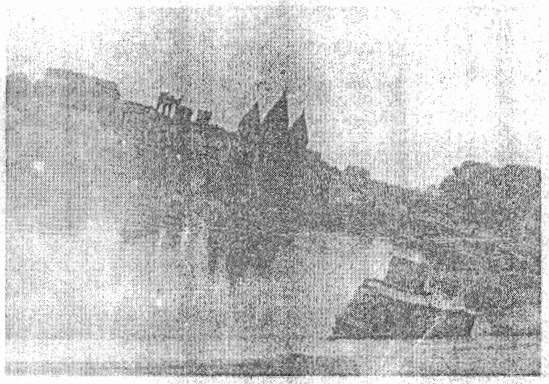
ऐतिहासिक धरोहर है 'गणेश बाग'

कमलेन्द्र कृष्ण पाण्डेय

वैभव की प्रदर्शना बटोरने के लिए मराठा शासनकाल में राजा विनायक राव पेशवा ने लगभग 1804 ईसवी में जनपद चित्रकूट मुख्यालय से दो किमी की दूरी पर 'गणेश बाग' का निर्माण कराया था। एक वर्ग किमी में बने इस ऐतिहासिक धरोहर का अस्तित्व देखरेख के अभाव में खत्म होता जा रहा है।

राजा विनायक राव पेशवा ने अपनी महारानी को सुख सुविधाओं से युक्त पूर्ण ऐश्वर्य मुहैया कराने के लिए ही खजुराहों की शैली पर इस मिनी खजुराहों 'गणेश बाग' का निर्माण कराया था, जिसकी दीवारें 'भारतीय स्थापत्य कला के तहत बनाई गई थीं। पंचमुख गुम्बद की शक्ल देखकर इसकी बैमबड़ की जगजाहिर किया गया। जिस पर आर्य शैली (नागर शैली) में प्रेमाशक्त को चारुरूप में उकेरा गया। इससे यह धरोहर भारतीय वास्तुकला की सुन्दरतम कृति बन पड़ी। प्रेमाशक्त के अलावा इसकी भित्ति (दीवार) में असंख्य देवी- देवताओं की प्रतिमाएं आकर्षण बढ़ाने का काम कर रही हैं।

गणेश बाग को नजदीक से देखने पर सबसे पहले जगत (आधार) पर आना पड़ता है। इस पर [illegible] पर टिका हुआ है। इसके बाद अद्धा कक्ष और महामंडप (गर्भगृह) बना है। इस पर [illegible] विद्यमान है। पूरी धरोहर ही उतार- चढ़ाव की शक्ल लिए है। तीनों मंडप के ऊपर तोरणद्वार से प्रवेश करना पड़ता है। जिसके अब अवशेष बचे हैं। ऊंच जगत पर अर्द्धमंडप, अर्द्धमंडप के दोनों ओर



राजा विनायक राव पेशवा ने अपनी महारानी को सुख सुविधाओं से युक्त पूर्ण ऐश्वर्य मुहैया कराने के लिए ही खजुराहों की शैली पर इस मिनी खजुराहों 'गणेश बाग' का निर्माण कराया था। इसकी दीवारें 'भारतीय स्थापत्य कला के तहत बनाई गयी थीं।

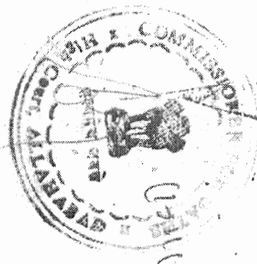
[illegible] इसके ऊपर तीन एक ही तरह के आयताकार गर्भगृह हैं। इस पर कोई मूर्ति नहीं है। [illegible] और अष्टकोणीय प्रस्तर स्तंभों पर ज्यामितीय ढंग से सुरुचि प्रेमाशक्त प्रतिमाएं [illegible]। [illegible] रहस्य से भरी किंवदंतियों को बयान करती हैं।

राजा राम पांडेय

www.vadapativada.in

www.vadaprativada.in

12124



وَاٰخَرُوْنَ مُرْجَوْنَ لِاَمْرِ اللّٰهِ اِمَّا يُعَذِّبُهُمْ وَاِمَّا يَتُوْبُ عَلَيْهِمْ ؕ وَاللّٰهُ عَلِيْمٌ حَكِيْمٌ ﴿۱۰۶﴾

It is likely that Allah will turn to them (with) compassion. Surely, Allah is Most Forgiving, Ever Merciful. Take a portion of their wealth as alms, that thou mayest purify them thereby and provide for their uplift and welfare; and pray for them, thy prayer is indeed a source of tranquillity for them. Allah is All-Hearing, All-Knowing. Know they not that it is Allah Who accepts repentance from His servants and takes alms, and that it is Allah Who is Oft-Returning with compassion and is Ever Merciful. Tell them: Carry on. Allah will surely watch your conduct and also His Messenger and the believers; and you shall be brought back to Him Who knows the unseen and the seen; then He will tell you what you used to do. There are others awaiting Allah's decree. He may punish them or He may turn to them with compassion. Allah is All-Knowing, Wise. (101—106)

وَالَّذِيْنَ اتَّخَذُوْا مَسْجِدًا ضِرَارًا وَّكُفْرًا وَّتَفْرِيْقًا بَيْنَ الْمُؤْمِنِيْنَ وَاِرْصَادًا لِّمَنْ حَارَبَ اللّٰهَ وَرَسُوْلَهٗ مِنْ قَبْلُ ؕ وَلَيَحْلِفُنَّ اِنْ اَرَدْنَاۤ اِلَّا الْحُسْنٰى ؕ وَاللّٰهُ يَشْهَدُ اِنَّهُمْ لَكٰذِبُوْنَ ﴿۱۰۷﴾

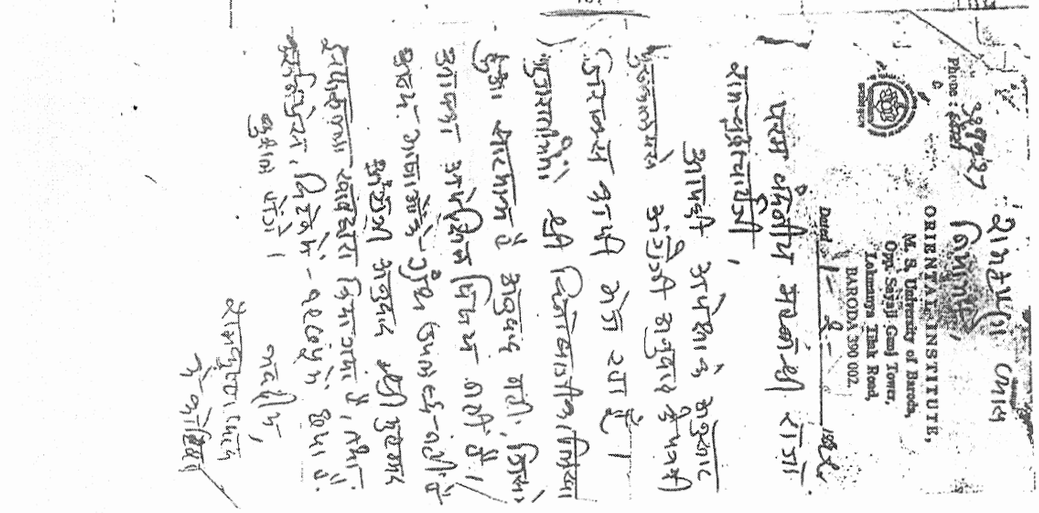
Then there are those who built a mosque designing injury to the cause of Allah and support for disbelief and division among the believers, and as an ambush for him who had fought against Allah and His Messenger. They will surely swear: We intended nothing but good; but Allah bears witness that they certainly are liars.

لَا تَقُمْ فِيْهِ اَبَدًا ؕ لَمَسْجِدٌ اُسِّسَ عَلَى التَّقْوٰى مِنْ اَوَّلِ يَوْمٍ اَحَقُّ اَنْ تَقُوْمَ فِيْهِ ؕ فِيْهِ رِجَالٌ يُّحِبُّوْنَ اَنْ يَّتَطَهَّرُوْا ؕ وَاللّٰهُ يُحِبُّ الْمُطَّهِّرِيْنَ ﴿۱۰۸﴾

Never stand therein to lead Prayer. A mosque that was founded upon piety from the very first day is surely more worthy that thou shouldst stand therein to lead Prayer. In it are men who love to be purified and Allah loves those who purify themselves.

اَفَمَنْ اَسَّسَ بُنْيَانَهٗ عَلٰى تَقْوٰى مِنَ اللّٰهِ وَرِضْوَانٍ خَيْرٌ اَمْ مَّنْ اَسَّسَ بُنْيَانَهٗ عَلٰى شَفَا جُرُفٍ هَارٍ فَانْهَارَ بِهٖ فِيْ نَارِ جَهَنَّمَ ؕ وَاللّٰهُ لَا يَهْدِي الْقَوْمَ

Is he who lays the foundation of his structure on fear of Allah and His pleasure better off, or he who lays the foundation of his structure on the brink of a tottering hollow bank which tumbles down with it into the fire



www.vadaprativada.in

12125

और तुम्हारे आस-पास के देहातियों में से कुछ मुनाफ़िक़ (कपटी) हैं, और ख़ास मदीने में रहनेवालों में से भी हैं, जो निफ़ाक़ (कपट) पर अड़े बैठे हैं, (ऐ पैग़म्बर!) तुम इनको नहीं जानते, हम इनको जानते हैं। हम इनको दोहरी मार देंगे, फिर (वे) बड़े अज़ाब की ओर लौटाये जायेंगे। (१०१) और कुछ लोग हैं जिन्होंने अपने अपराधों को मान लिया है (और उन्होंने) कुछ काम भले और कुछ बुरे (मिले-जुले) किये थे, आश्चर्य नहीं कि अल्लाह उनकी तौबः क़बूल करे। बेशक अल्लाह बड़ा क्षमा करनेवाला बेहद मेहरबान है। (१०२) (ऐ पैग़म्बर! यह लोग अपने माल की ज़कात दें तो) इनके माल में से ज़कात ले लिया करो क्योंकि उस (ज़कात के क़बूल करने) से तुम इनको पाक करते हो, और उनके लिए दुआए ख़ैर करो क्योंकि तुम्हारी दुआ इनके लिए सान्त्वना है, और अल्लाह सब सुनता जानता है। (१०३) क्या इन लोगों को इसकी ख़बर नहीं कि अल्लाह अपने बन्दों की तौबः आप क़बूल करता है और (वही) ज़कात लेता है और यह कि अल्लाह ही बड़ा तौबः क़बूल करनेवाला बेहद मेहरबान है। (१०४) और (ऐ पैग़म्बर! इनको) समझा दो कि तुम (अपनी जगह) अमल करते रहो, तो अभी तो अल्लाह, पैग़म्बर और ईमानवाले तुम्हारे कामों को देखेंगे। और ज़रूर (मरे पीछे) तुम उसकी तरफ़, जो ज़ाहिर और छिपे को जानता है, लौटाये जाओगे, फिर जो कुछ तुम (दुनिया में) करते रहे हो वह तुमको सब बता देगा। (१०५) और कुछ और लोग हैं जिनका काम अल्लाह के हुक्म पर ठहरा हुआ (निर्भर) है, वह चाहे उनको सज़ा देवे चाहे उनकी तौबः क़बूल करे, अल्लाह सब जाननेवाला और बड़ा हिकमतवाला है। (१०६) और जिन्होंने इस मतलब से एक मस्जिद§ बना खड़ी की कि (ईमानवालों को) नुक़सान पहुँचायें और (अल्लाह के साथ) कुफ़्र करें, और ईमानवालों में फूट डालें और उन लोगों को, उस शख़्स के लिए† घात बात बताने की, (साज़िश की) जगह बनायें जो अल्लाह और उसके पैग़म्बर के साथ पहले लड़ चुके हैं और (जब उनसे पूछा जायगा तो) सौगन्धें खाने लगेंगे कि हमने तो भलाई (के सिवाय और किसी तरह का बुरा) इरादा नहीं चाहा था। और अल्लाह गवाही देता है कि ये झूठे हैं। (१०७) सो (ऐ पैग़म्बर!) तुम उस (मस्जिद) में कभी खड़े (भी) न होना। हाँ वह मस्जिद जिसकी नींव पहले दिन से ही परहेज़गारी पर रखी गई है, वह इस लायक़ है कि तुम उसमें खड़े हो। क्योंकि उसमें ऐसे लोग हैं जो पाक रहना पसंद करते हैं, और अल्लाह पवित्रता से रहनेवालों को पसंद करता है। (१०८) भला जो आदमी अल्लाह के डर से और उसकी ख़ुशी पर अपनी इमारत की नींव रखे वह उत्तम है, या वह जो (कुफ़्र और निफ़ाक़ की) बह जाने वाली खाई के किनारे अपनी नींव रखे, फिर वह (इमारत) उसको दोज़ख़ की आग में ले गिरे? और अल्लाह ज़ालिम लोगों को रास्ता नहीं दिखाता। (१०९)

‡ पाने दुनिया में मार पर मार देंगे, फिर आख़िरत में अज़ाब में झोंके जायेंगे। † आयत १०२–१०३ में बयान उन अच्छे मुसलमानों का है जो तबूक के जेहाद के समय मुनाफ़िक़ों की देखादेखी जेहाद से जी चुराकर घर बैठ रहे थे। लेकिन बाद को बहुत लज्जित होकर मस्जिद में अपना-पीपा छोड़ अपने को बाँध दिया व मर जाने का इरादा किया जब तक उन्हें माफ़ी न मिल जाय। आख़िर रसूलुल्लाह स० ने इस आयत पर उनके बन्धन खोल कर माफ़ किया और सदैव छोड़कर उनसे छुटकारा की। जो ये माफ़ी पाने के बाद देने को बेचैन थे। §कुछ मुनाफ़िक़ों ने मुसलमानों में फूट डालने व उनको नुक़सान पहुँचाने के विचार से मुसलमानों की मौजूदा दो मस्जिदों—एक मस्जिदे क़ुबा व एक और के अलावा एक मस्जिद नई बनवाई ‡[पेज ३४७पर] ‖ यह अबू आमिर वही ईसाई संन्यासी अबू आमिर था जो मुसलमानों व इस्लाम का बड़ा दुश्मन §§[पेज ३४७पर]

[पेज ३४६ से] ‡ यानि कि उसमें मुसलमानों के विरुद्ध षड्यन्त्रों से बैठकर साज़िश करे। इस मस्जिद का नाम ही मस्जिदे ज़िरार, यानी ज़रर (नुक़सान) पहुँचानेवाली थी। रसूल स० को हुक्म हुआ कि ये मुनाफ़िक़ चाहे जितनी सफ़ाई बेक़सूरगी की दें उनकी मस्जिद में पैर न रखना। बाद में रसूल स० ने इस निफ़ाक़ पर क़ायम मस्जिद को गिरवा दिया। [पेज ३४६ से] §§ था। उसने रोम के सम्राट से मिलकर हमला कराने व तमाम मुसलिम [illegible] को कोशिश की। इसी रोम की चढ़ाई की ख़बर पाकर नबी स० ने तबूक पर आकर डेरेबन्दी की थी। अबू आमिर का भी इस मुनाफ़िक़ किरदार में बड़ा पार्ट था।

§ बेतअल्लुक़ रहना माने रोज़ः रखना या हिजरत करना या दुनियावी मज़ों में लिप्त न होना है। ‖ ने नमीज़ (फ़ज़ीहत) के ख़िलाफ़ कभी आचरण न करना। † देखिये आयत ४७ सूरः मर्यम और आयत ८१—८२ सूरे मुनाफ़िक़ून।

www.vadaprativada.in

12126

सूची-15

www.vadapativada.in

www.vadapativada.in

सच्चों (16)

Re- mm XL 124

॥ जयतु श्री रामजन्मभूमिः ॥

परिशिष्ट (सूची) पूजन-सामग्री आदि जो पुजारी श्री रामेश्वर शरण जी चरण शरण को पुजारी श्री रामजन्म भूमि निर्मोही अखाड़ा अयोध्या को पूजा हेतु दिया गया।

क्रम संख्या	नाम विवरण सामान	संख्या अदद	क्रम संख्या	नाम विवरण सामान	सं अ
१	मुकुट सोने का	१	२१	घुंघरू चांदी का	४
२	कुंडल सोने का (चार जोड़ी)	८	२२	लौंग "	२
३	माला (८६ दाना)	१	२३	तलवार "	१
४	माला (५४ दाने का)	१	२४	ढाल "	१
५	माला (छोटे ३५ दाने का)	१	२५	पांवला (एक जोड़ी)	१
६	माला (१५ दाने का)	१	२६	पैंजनी "	१
७	माला (४५ छोटे दाने का)	१	२७	कुर्सी " (छोटी)	१
८	सुगंधित (चार दाना)	१	२८	चिड़िया "	१
९	कलश (छोटा)	१	२९	गाय (छोटी)	१
१०	सिक्का सोना (गोल टका)	१	३०	हाथी "	१
११	सिक्का " (छोटे टका)	१	३१	छत्र "	१
१२	सिंहासन सिंहासन जिसमें चारों मूर्ति विराजमान हैं	१	३२	दर्पण (अठकोना काला)	१
१३	मुकुट चांदी का	१२	३३	थाली "	१
१४	कुंडल (पांच जोड़ी)	१०	३४	लोटा "	१
१५	तिलक "	१०	३५	गिलास (एक पैर छोटा)	१
१६	धनुषबाण (छोटा)	१	३६	डिब्बा "	१
१७	धनुषबाण (बड़ा)	१	३७	चौकी चन्दन " (छोटी)	१
१८	चटुआ "	२	३८	इत्र-डिब्बी " " ( )	१
१९	झुनझुना	५	३९	फिरकी नचौनी काली चांदी का	१
			४०	दो टुकड़ चांदी के नारियल निशान	२
			४१	पारसन सामग्री चांदी सप्तपुट नारियल आदि	१
			४२	निशान चांदी (आरती के साथ नजोना काला)	१
			४३	पंखा निशान	१
			४४	चांदी का सिंहासन जिसपर चौकी मूर्ति विराजमान रहती है और पूजन होता है जिसका नं. १३ ऊपर लिखा है	१
			४५	श्री राम लला जी का चांदी का मन्दिर है।	१

उक्त सामग्री पूजा योग्य है। उक्त सामान जो पुजारी जी को दिया गया।

पुजारी सिमरावन शरण

(Illegible)

www.vadaprativada.in

12128

कारबार अनुभाग
विधि साहित्य प्रकाशन
विधि न्याय और कम्पनी कार्य मंत्रालय

तारीख 30.

गेट पास

श्री/मैं० Q.J.I.211 (धारक) को निम्नलिखि प्रकाशन भारत संस्थान भवन से बाहर ले जाने के लिए प्राधिकृत किया जाता है।

पैकेट/पुस्तकें
वाउचर/प्रयोजन Bill No. 9256 dt 29.7.3

गेट कीपर
भारतीय विधि संस्थान भवन।

सहायक प्रकाशक
विधि साहित्य प्रकाशन
विधि और न्याय मंत्रालय

www.vadaprativada.in

मुस्लिम विधि

हफीजुर रहमान
बी० एच० डी० (सिलवानिया)
भूतपूर्व डीन तथा सीनियर प्रोफेसर, विधि संकाय और
भूतपूर्व विभागाध्यक्ष, विधि-विभाग, अलीगढ़ मुस्लिम यूनिवर्सिटी,
अलीगढ़

विधि साहित्य प्रकाशन
(विधायी विभाग)
विधि और न्याय मंत्रालय
भारत सरकार

www.vadaprativada.in

12126

इस्लाम पूर्व अरब और अरब प्रथा

पैगम्बर मुहम्मद साहब द्वारा इस्लाम का प्रचार ईसा काल की छठी शताब्दी में उस समय हुआ जब कि धार्मिक शिथिलता, नैतिक पतन, अनियमित वासनाओं एवं अनियन्त्रित कामनाओं ने सामाजिक जीवन दूषित कर दिया था। यह एक ऐसा समय था जिसमें लोग विभिन्न देवी-देवताओं जैसे सूर्य, चन्द्रमा, नदी, अग्नि आदि की पूजा करते थे। प्रायः सभी लोग मूर्ति पूजक थे। पैगम्बर साहब के आगमन के पूर्व केवल उनकी जन्मभूमि अरब ही नहीं अपितु अन्य अनेक देश भी बुराई एवं अनैतिकता में डूबे हुए थे।

अरब निवासी असभ्य और जंगली थे। सामाजिक विषमता, पतित स्त्री समाज, बहुपत्नीत्व, शराब खोरी, जुआ-बाजी, बालहत्या तथा रक्त पिपासा जैसी बुराइयां उनमें प्रचलित थीं। समाज दो वर्गों में विभाजित था। एक तो नगर में रहने वाले लोग जो किसी तरह व्यवस्थित जीवन व्यतीत करते थे तथा दूसरे वे लोग जो घुमक्कड़ थे।

प्रायः सम्पूर्ण अरब समाज छिन्न-भिन्न था तथा पतन की ओर बढ़ रहा था। सरकार का कोई व्यवस्थित रूप नहीं था और न ही न्याय प्रशासन की कोई संतोषप्रद व्यवस्था थी। लोग सरल जीवन व्यतीत करते थे तथा अपेक्षाकृत निर्धन थे। उनकी सम्पत्ति तथा अर्थ-व्यवस्था भेड़ों, ऊंटों, अश्वों, पालतू पशुओं एवं दासों तक ही सीमित थी। पानी और चरागाह की खोज में ये लोग रेतीले मरुस्थल में घूमा करते थे तथा असहाय काफिलों और पड़ोसियों को लूटकर सम्पत्ति प्राप्त करते थे।

अरब के लोग अनेक जातियों, वंशों तथा परिवारों में विभक्त थे। प्रत्येक जाति और वंश की अपनी परम्पराएं तथा नैतिक संहिताएं थीं। साधारणतया विभिन्न जातियों और वंशों के बीच युद्ध एवं तनाव की स्थिति बनी ही रहती थी। प्रत्येक जाति अपने अस्तित्व को अछूता रखने का हर सम्भव प्रयास करती थी तथा दूसरी जातियों को अपने से हीन समझती थी। वे हठी एवं मूर्ख थे तथा सम्पत्ति के उपार्जन में दया करना नहीं जानते थे।

जाति अरब समाज की मुख्य इकाई थी। प्रत्येक जाति अपना मुखिया चुनती थी। चुनाव सामान्यतः कुलीनता, बुद्धि एवं साहस के आधार पर होता था। मुखिया का प्रधान कार्य अपनी जाति के कार्य एवं व्यवहारों में जाति का प्रतिनिधित्व करना होता था। अपने आचरण एवं पारिवारिक श्रेष्ठता के बल पर ही मुखिया अपने अधिकारों का प्रयोग करता था। उसके आदेशों एवं निर्देशों के परिवर्तन का कोई निर्धारित ढंग नहीं था।

अपराध सामान्यतः किसी एक व्यक्ति द्वारा किया गया नहीं माना जाता था। किसी झगड़े का निपटारा करने के लिए प्रायः शपथ का प्रयोग किया जाता था तथा उसको बहुत महत्व दिया जाता था। किसी झगड़े या दावे की स्थिति में वादी को साक्ष्य पेश करके अपने कथन को प्रमाणित करना पड़ता था। यदि वादी साक्ष्य प्रस्तुत नहीं कर पाता था और यदि प्रतिवादी वादी का बयान स्वीकार न करके उसके दावे का विरोध करता था तो प्रतिवादी को निर्धारित रूप में शपथ लेनी

1

१६वां और १८वां 20 जून, 622 ई० को अपने एकमात्र साथी अबु बकर के साथ उन्होंने मदीना की यात्रा की। यही यात्रा मानव इतिहास में एक नए युग के प्रारम्भ का बिन्दु बनी जिसे हिजरी युग[2] कहा जाता है।

मदीना पहुंचकर मुहम्मद ने अपने अनुयायियों को सुगठित किया और 2 मार्च, 624 ई० को बद्र के सुप्रसिद्ध संग्राम में मक्कावासियों को पराजित किया। इसके बाद कुछ वर्षों में ही पैगम्बर मुहम्मद अरब निवासियों के लौकिक एवं पारलौकिक कार्यों के सर्वोत्कृष्ट स्वामी हो गए। उनकी अधिकारिता में लौकिक एवं धार्मिक सभी कार्य आते थे क्योंकि लोग उन्हें पृथ्वी पर अल्लाह की इच्छाओं का एकमात्र व्याख्याकार मानते थे।

पैगम्बर मुहम्मद की मृत्यु 12वीं रबी-उल-अव्वल ग्यारहवीं हिजरी तदनुसार 7 जून, 632 ई० को हुई।[3] किन्तु आने वाली पीढ़ियों के पथ-प्रदर्शक के रूप में उनके कथन कुरान एवं सुन्ना के रूप में प्राप्त हुए। अरब में प्रचलित प्रथाओं एवं इस्लाम के पूर्व अरब समाज की शोचनीय स्थिति में हुए सुधारों में इसका निर्विवाद प्रमाण मिलता है कि पैगम्बर मुहम्मद द्वारा उपदेशित नए ईमान और नई विचारधारा द्वारा हुए सुधार कितने दूरदर्शी, विकसित एवं मान्य थे। मुहम्मद ने सर्वप्रथम ऐसे राष्ट्र का सृजन किया जो जाति, वर्ग, वर्ण, देश अथवा भाषा के भेदभाव से परे था। संघर्षरत वर्ग और कुल संयुक्त हो गए। उनका वैयक्तिक जीवन शुद्ध हो गया और व्यावहारिक जीवन एक नए स्तर पर उठ गया। अरबों की भ्रष्ट प्रथाओं के स्थान पर एक सुगठित एवं सनातनता के सिद्धान्त पर आधारित विधि व्यवस्था का निर्माण हुआ।

खलीफात

खलीफात 'खलीफा' शब्द से बना है जिसका अर्थ 'उत्तराधिकारी' होता है। इस प्रकार खलीफा शब्द द्वारा पैगम्बर के ऐहिक एवं नैतिक उत्तराधिकारियों को सम्बोधित किया जाता है। मुहम्मद ने स्वयं किसी को भी इस्लाम की अध्यक्षता करने के लिए अपना उत्तराधिकारी नियुक्त नहीं किया था। उनकी मृत्यु के उपरान्त उसी दिन मुहम्मद के साथियों ने अबु बकर को प्रथम खलीफा अर्थात् उत्तराधिकारी चुन लिया था। अगले दिन इन साथियों ने अबु बकर के पक्ष में शपथ ली। यही चुनाव आगे चलकर मुसलमानों को शिया और सुन्नी दो वर्गों में बांटने का कारण बना। लोगों में यह विवाद उठ खड़ा हुआ था कि खलीफा को चुनाव के जरिए चुना जाए या खून के रिश्ते से माना जाए। एक वर्ग, जो बाद में शियत अली (या संक्षिप्त समूह) कहलाया, मुहम्मद के चचेरे भाई और दामाद, अली को मुहम्मद का उत्तराधिकारी मानता था क्योंकि अली, मुहम्मद के सगे सम्बन्धी थे और अन्य मामलों में भी मुहम्मद से उनकी घनिष्ठता थी। इसी वर्ग ने अबु बकर के चुनाव का विरोध और खण्डन किया।

---

1. 'इस्लाम' शब्द का, जो कि पैगम्बर मुहम्मद ने अपने द्वारा चलाए गए धर्मांध वर्ग के लिए अपनाया था, अर्थ है 'स्वयं को खुदा को समर्पित करना'.
2. यह मुसलमान सम्वत् के प्रथम वर्ष का प्रारम्भ इंगित करता है जिसके लिए अरबी भाषा में ए० एच० अक्षरों का उपयोग किया जाता है.
3. जून मास की निश्चित तारीख के बारे में मतभेद है.

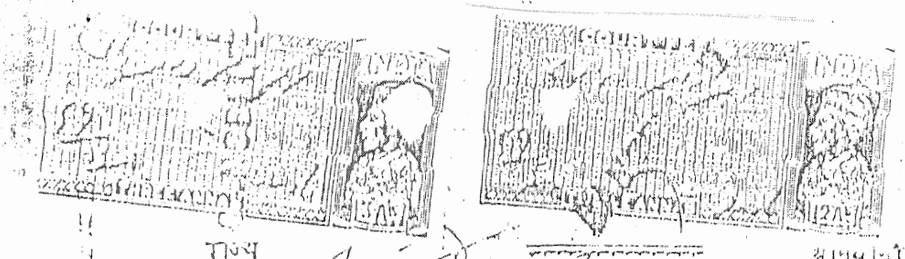
www.vadaprativada.in

12130

www.vadaprativada.in

न्यायालय श्रीमान राजेश मालवीय एडीजे फैजाबाद

Ex A 16



राज्य

अभियोगी

22/12/2020

अयोध्या दास तथा अन्य

विपक्षी

अभियोग धारा १४५ दण्ड विधि संहिता के अ
विरुद्ध कब्जा श्री अयोध्या दास की ओर से
पेशी दिनांक २६ - १२ - २०२०

धारा १.यह कि मुकदमा : नोटिस : की धारा १४५ दण्ड विधि संहिता
अधिनियम प्रवृत्ति हुआ है, वह अवैध तथा अनुचित है.

धारा २.यह कि धारा १ कार्यवाही मुकदमा : नोटिस : किसी व्यक्ति विशेष
नाम न होने के कारण अवैध अनियमित तथा अमान्य है.

धारा ३.यह कि मुकदमा दिनांक २६ - १२ - ४६ के प्रवृत्त होने के पूर्व तथा
पश्चात सम्बन्धित जन्म भूमि तथा एतत सम्बन्धी भूमि या भवन के
शान्ति भंग की आशंका अथवा भय न था और न है ऐसी अवस्था
धारा १४५ दण्ड विधि संहिता के अनुसार कार्यवाही अपेक्षित रहा.

धारा ४.यह कि सम्बन्धित जन्म भूमि तथा एतत सम्बन्धी भवन व भूमि पर
१.६३४९० से वैष्णव मतानुयायी हिन्दू मात्र को सेवाधिकार पूजा
उत्तरदायी तथा अन्य सहकारी पुजारियों द्वारा अबाधित निरन्
अनुराग रूप से चला आता है.अन्य किसी व्यक्ति विशेष अथवा स
विशेष का सेवाधिकार उस अवधि के पश्चात कभी नहीं रहा है
सम्प्रति है.

धारा५.यह कि जो जो व्यक्ति विशेष अथवा सम्प्रदाय विशेष अथवा व
कथन करते प्रतीत हों उनका अभियोग में पक्षा लाया जाना अवश्य है.यह
था.किन्तु ऐसा न होने के कारण समस्त कार्यवाही अवैध
योग्य है.

धारा६.यह कि यह सर्वविदित विषय है.कि विवादास्पद भूमि के
व भवन किसीकी अमलदारी में सम्मिलित है.और उसपर उनका नियंत्रण
अधिकार आदि नहीं है.

www.vadaprativada.in

12132

अनुसूची-1

Exh 16

पारा ७.यह कि सम्वत २००६ विक्रमी के पूर्व से विवादास्पद मन्दिर पर मुसल
रूपी पौधा मुगल उपनिवेशी मुसलमानों द्वारा साम्राज्यवादी एवं
जनता की सहायता से विशेषतया वैष्णव सम्प्रदाय के हिन्दू पात्र की सह
से सम्पादन होता है.

पारा८.यह कि सम्वत १९३५वि० से यथापूर्व कोई मुसलमान विवादास्पद भूमि पे
नयी बात जारी और न कभी कोई मुसलमान इस अवधि के भीतर वहा
के भीतर ईश्वर प्रतीत किया है.

पारा९.यह कि कतिपय कोइ पूज्य तथा सत्तासम्पन्नकारी मुसलमानों के दुष्प्रेरणा से कु
राजकीय कर्मचारीगण ने मुसलमानों को मन्दिर में प्रवेश करने के निमित्त
कराने का प्रयत्न किया, और मन्दिर स्थित मूर्ति को पीछे हटवाने की चेष्टा
की और सफल रहें .कारण कि स्थापित जनमतोदय के न्यायालयों में वाद
होगया, और निषेधाज्ञा भी प्रदत्त होगई

पारा१०.यह कि उपरोक्त क्रमानुसार समस्त कार्यवाही धारा १४५ द०फ० स्थाप
अनुसार जो कीगयी है.वह अवैधा अनुचित व अवैध है.और विरुद्ध इस
मानिए मुकदमा उपरोक्तायें का मोगाधिकार पूर्ववत स्थापित रहना चाहिए

प्रार्थी :

बाबा अभयरामदास

द्वारा

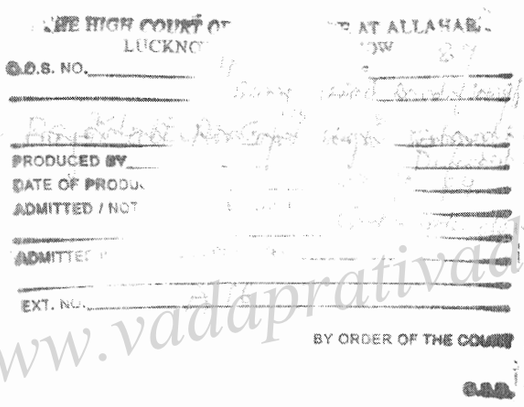
वकील

दिनांक २६ दिसम्बर सन १९५०ई

VRUB COPY
Section Oudh
Copying Department
High Court, Lucknow Bench
LUCKNOW

www.vadaprativada.in

12133



www.vadaprativada.in

www.vadaprativada.in

12134

RAM JANMA BHOOMI-BABRI MASJID DISPUTE AND THE DEMOLITION EPISODE

Justice K. N. Mishra

www.vadaprativada.in

www.vadaprativada.in

12135

First Edition : 1999

Published By :
Justice K. N. Mishra
8/5 Vikrmaditya Marg,
Lucknow 226 001
Ph.: 225668

Price Rs. 190.00

Printed By
Prachi Printers & Packagers
C-793, Indira Nagar,
Lucknow 226 016.
Ph.: 381770

© Reserve with author

www.vadaprativada.in

Ranjeet Lal Verma
Advocate, Civil Court
FAIZABAD

DEDICATED

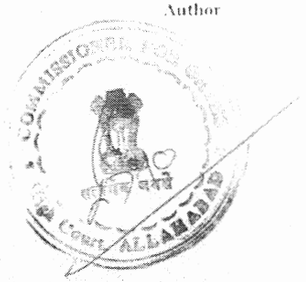
TO THE MEMORY OF MY FATHER
Late. Pt. JAI NARAIN MISHRA

&

TO THE MEMORY OF MY MOTHER
whose inspiration has always worked with me

6th December, 1999

Justice K. N. Mishra
(Ex. Judge, Allahabad High Court)
Author



www.vadaprativada.in

12136

which was somehow forged during the said freedom struggle.

v) BRITISH GOVERNMENT'S FIRST ACTION AFTER ANNEXATION OF AVADH - THE PARTITION OF JANMA ASTHAN MOSQUE:

The first action which the British Government had unilaterally taken on the assumption of administration of Awadh was to construct a railing inside the courtyard of the disputed mosque, which virtually resulted in partitioning it in two portions, namely, the outer courtyard and the other, inner courtyard, which contained the structure of the disputed 'Janmasthan Masjid' as it was then called. Though the Government had claimed to take such step to completely resolve the dispute so as to prevent recurrence of communal clashes between Hindus and Muslims, but in fact, it could not achieve the objective.

After constructing the said partition railing in the year 1858, the Government required Hindus to worship in the outer courtyard at the platform, known as 'Ram Chabutra', and ever since then, they have been regularly performing Puja-Sewa of the Deity Bhagwan Ram Lala virajman in wooden temple at the said 'Ram Chabutra' in the outer courtyard of the disputed mosque at 'Janma Asthan'. The British Government, by permitting Hindus to worship in the outer courtyard of 'Janmasthan Masjid' had thus, accepted the religious right of Hindus to worship at the sacred birth place of LORD RAMA, whereat Mir Baqi the commender of Babar's army, had got the disputed structure constructed after demolishing the then existing Ram temple and other religious structures on the orders of Emperor Babar.

The above said action of British Government in permitting Idol worshipping in the outer courtyard of the disputed mosque does not appear to have been opposed by Muslims, which is evident from the fact that the Hindus have been regularly worshipping the Deity and other Holy spots 'SITA RASOI', the 'CHARANS', and the 'CHATTHI ASTHAL', with all religious rituals in the said outer courtyard without any led or hindrance.

After the construction of said railing the disputed mosque became inaccessible, except passing through the outer courtyard, which was exclusively in the possession of Hindus Bairagis and Priests, living over there, and they are said to have never permitted Muslims to have access to the inner courtyard, and those who had ever ventured to enter the mosque were ill-treated, abused and driven away. Such things are said to have happened ever since the construction of the said railing. The disputed structure was thus, not brought in use, which even otherwise could not be used as a mosque because of idol worshipping being done regularly within its precincts and as per tenets of Islam prayers offered at such a place are not acceptable to ALLAH, the God Almighty.

vi). EPISODE OF 1934:

After 1855 no major incidents of bloody skirmishes between the Hindus and Muslims are said to have taken place during post-mutiny period till 1934. But in that year suddenly a great rupture again took place between members of two communities when during communal riots sparked due to cow slaughter some Muslims had ventured to forcibly drive out Bairagis and Sadhus from the disputed RJB-BM. They were, however, repulsed and in the ensuing fight that

www.vadaprativada.in

12137

structure, which was got repaired by the British Government The Hindus had, however, even after the said episode, are said to have not permitted Muslims to enter the mosque for offering prayers over there, and those who had ever gone there were abused and threatened. These facts are substantially corroborated by one of the reports submitted by the Waqf Inspector Mr. Mohammad Ibrahim to the Secretary, U.P., Sunni Central board of Waqfs on 10th December 1949, wherein, among other things, he had mentioned that:

"In Faizabad City came to know that on account of fear from Hindus and Sikhs, no one goes to Masjid for offering Namaz at the 'Azaan' (call for offering prayers). And, if any traveller happens to come to stay in Masjid during night, and then Hindus and Sikhs tease him a lot. In the outer courtyard of Masjid, there is a temple of Hindus where a large number of Hindus are residing and if any Muslim goes to Masjid, then he is abused and threatened. I visited the spot and made enquiries and found that the above facts are absolutely correct, and the people have gone to the extent of saying that there is grave apprehension of imminent danger to the Masjid itself".

The above historical events of pre/post mutiny period indicate that the Britishers while consolidating their territorial acquisitions were faced with a challenging situation in resolving the dispute pertaining Janmasthan Masjid because it could in all likelihood spark similar conflict in other places in the ceded territory in respect of such other mosques which were similarly constructed in the past by Muslim invaders demolishing temples and desecrating religious places of worship of Hindus. The

(1511(1)-2512

the last king of Awadh Wajid Ali Shah was deposed and ceremoniously shifted to reside at Garden Reach in suburb of Calcutta (Matiya Burj). Although he was graciously allowed to retain title of king but on his death occurring on September 21, 1887 the kingship of Awadh dynasty ceased absolutely as per terms of the treaty.

After assuming sovereignty and complete control over the state of Awadh the British Government had handled the situation with full determination to resolve the age long dispute pertaining to Janmasthan Masjid in the manner aforesaid which it could find to be appropriate and lawful in the given situation. The British Government had recognised and safeguarded the lawful religious right of Hindus for the performance of worship puja at 'Ram Janmasthan' being their most sacred place of worship and pilgrimage. The British government by said action had no doubt largely succeeded in bringing under control the deteriorating law and order situation, but the Hindus were found not satisfied with the stance taken by the government in not permitting them to build gorgeous temple at 'Ram Janmasthan' instead of putting up a wooden temple thereat. They had, therefore, relentlessly pursued their demand for it and on many occasions there had been violent skirmishes between Hindus and Muslims relating to it.

In 1885 Mahant Raghuber Das had sought permission from the collector, Faizabad for constructing temple at 'Ram Chbutra' in said outer courtyard but permission was not granted. Thereupon Mahant Raghuber Das had filed Civil Suit No61/290 of 1885 in the court of sub-judge, Faizabad seeking permission to construct temple at said place, whereat puja-worship of the deity was regularly

www.vadaprativada.in