

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

OOS NO. 5/ 1989

BHAGWAN SHRI RAM VIRAJAMAN  
AND OTHERS ..... PLAINTIFFS

VERSUS

RAJENDRA SINGH  
AND OTHERS ..... DEFENDANTS

STATEMENT OF O.P.W. 9

DR. T. P. VERMA

PART II

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**Dated:10.03.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 05.03.2003 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989).

(Cross examination on oath continued on behalf of Defendant No. 5 by Shri Mushtaq Ahmed Siddiqui, Advocate on continuation to cross-examination dated 05.03.2003).

During my statement dated 05.03.2003 under "Chandrawati Record" wherein Raja Chandradev is said to have offered prayers to the Vishnu Hari Temple is mentioned, the same was at Ayodhya itself as clearly referred to in the above mentioned record. Ayodhya is not mentioned therein as a city or sub-division. It has also not been mentioned as a place or Mohalla. I have not undertaken any research as to where Vishnu Hari Temple, as mentioned in "Chandrawati Record" was situated. The witness stated of himself that it was only after the "Ayodhya Record" was available that the location of the temple Hari Vishnu was confirmed. The witness stated, "I have not read "Ayodhya Mahatmya" but a mention of temple of Vishnu Hari should be there. I have read Mr. Hans Baker's book, but only those portions which have been used for writing history. It is true that Hans Baker has given references of "Ayodhya Mahatmya" in his book. Ayodhya Mahatmya is a chapter of Skand Puran. As far as I know many handwritten scripts of "Ayodhya Mahatmya" from



11<sup>th</sup>-12<sup>th</sup> centuries to 12<sup>th</sup>-15<sup>th</sup> century are available. I think there has been an idol of Lord Shri Rama in that Vishnu Hari Temple; where Chandradev had offered prayers.

The witness was shown the portion on page 53 and 54 document No. 120C-1/2 of the book "Ayodhya" by Hans Baker by the learned advocate cross-examining which read as "The other one is Vishnu Hari – Gupta Hari/ Chakra Hari Temple" and a question was asked whether there was a mention of Vishnu Hari Temple of Ayodhya in this portion, on looking at which the witness replied that he Vishnu Hari Temple mentioned by Hans Baker may not have been the Vishnu Hari Temple which Chandradev had offered prayers because it is stated that the above temple was situated on Chakra Tirth which is said to have been eroded by the stream of Saryu river. Besides, there is one more thing I have not read any where that temple of Chakra Hari is probably mentioned in some copy of "Ayodhya Mahatmya". So it could be a personal belief of Hans Baker that Vishnu Hari Temple was situated on Chakra Tirth. In my opinion the above part is not completely true. The witness was shown the portion of third para reading as "There are two more ancient - - noted above" on page 53 of document No. 120 C-1/2 by the learned corss-examining advocate and was asked if he agreed with that portion on looking at which the witness said that he was in agreement with it. The witness was shown the portion of first paragraph starting from the words "according to the as resension ....." and ending with the word "Ayodhya" on page 54 of document No. 120 C-1/2 of the same book, on looking at which he said that he was in agreement with that portion. The witness said, "I do not agree with the portion which starts from "The mahatyma" to "called Chakra Tirth" on the same page No. 54 because it is stated herein that Vishnu

Hari Temple was situated in Chakra Tirth near Saryu." The witness stated that he was in partial agreement with that part of the second paragraph starting from the words 'in inclusion' and ending with the word 'twelfth century' on page 54 of the document No. 120 C-1/2 of the same book.

Question : Please state the word or part of above mentioned paragraph with which you do not agree?

Answer : The above mentioned paragraph is a small part of a full sentence. The total context of the complete sentence should be taken into account. For that reason, keeping in mind the complete context of which the above mentioned phrase is only a part, I have to state that I am only partially in agreement with the views expressed above.

Out of the five temples which are mentioned after this phrase, I disagree with only the second one i.e. Vishnu Hari Temple which is said to be situated on Chakra Tirth and agree with the remaining four temples." Then he said that he was not in agreement with the idea that Vishnu Temple was situated at the birth place mentioned in fifth place because Vishnu Hari Temple must have been at this place only. The witness stated, "In my opinion only the four temples should have been mentioned. It may also be possible that there had been more than a dozen temples of Vishnu in Ayodhya in 12<sup>th</sup> century.

Question : As per your above statement it appears that there had never been any Vishnu Temple at the disputed site but it was only Vishnu Hari Temple?

Answer : It would be incorrect to suggest that there was no Vishnu temple at the disputed site. In fact the specific name of the Vaishnav temple located at the disputed site was Vishnu Hari Temple. There was no other Vishnu Hari temple excepting the above one in Ayodhya.

The witness was shown the book "History versus Causatory" document No. 260 C-12 by the learned advocate cross-examining and was asked whether "Evidence of Ram Janambhoomi Mandir – 1990-91" written at the bottom on the book's cover page was true.

(The learned lawyer of plaintiffs Ajay Kumar Pandey objected to this question and said that witness was only being harassed by such question and the valuable time of the Honourable court was being wasted. Thereafter such irrelevant questions should not be allowed to be asked).

On looking at this book the witness replied that he had never read that book earlier but whatever was mentioned therein could be true.

Having looked at the title written above the 'contents' after the preface on the first page "Evidence of Ram Janambhoomi Mandir presented to the Government of India on December 23, 1990 by the Vishwa Hindu Parishad" the witness said that this was actually written there and it must be true. This book mentions the evidence presented by Vishwa Hindu Parishad during the negotiations in 1990 when Shri Chandra Shekhar was the Prime Minister of India. The witness accepted this evidence. The witness was shown the fourth paragraph of page No. 11 of document No. 260 C-1/2 of the same book and was asked if

the five temples situated at Ayodhya in twelfth century were mentioned serially on looking at which the witness stated that the same was true. Looking at the paragraph the witness stated that "Vishnu Hari at the Chakra Tirth Ghat" was mentioned at serial No. three and "Vishnu (Ram) temple on the Janambhoomi" was mentioned at serial No. 5. The witness replied in affirmative. Then Volunteer: that the book belonged to the period prior to the retrieval of rock inscription in Ayodhya in December 1992 and that is why this is written on the basis of above pages presented by Hans Baker".

The witness was shown page 137 of document No. 289 C-1/159 of his book OOS-5-3 by the learned advocate cross-examining and was asked whether the tolerance mentioned in the same was found in all Indians or only in some special group.

On looking at the same the witness stated that tolerance was found in almost every section of society in India but here based on records and other evidence he had tried to explain that the Hindus had shown their tolerance towards Muslim religion.

Question : What do you mean by 'Hindu' in the present context?

Answer : Hindu is not only the name of the follower of a particular religion but it is the collective name of those who follows various kinds of prayer-systems including Jain, Buddhist, Shaiv, Smart and Vaishnav etc. This cannot be regarded as only the translation of English word 'religion'. Hindu is the name of a system of life.

Question : Do you mean to say that Shaiv and Vaishnav used to fight with each other and were not tolerant towards each other but they all were tolerant towards Muslims?

Answer : It is be wrong to say that Shaiv and Vaishnav always used to fight with each other. The fact is that they lived in perfect harmony but sometimes they are conflict in some situation. As far as the Muslim community and religion is concerned there too conflicts were seen. But in certain situations, the people in Hindu community did express their good-will towards Muslims sometimes in the form of charity and something by giving shelter to them. We also have some information that many Muslim – rulers had also given charity or donations to Hindus, Hindu-Muths and temples on many occasions.

Question : Is it a historical fact – various scholars saying that the Hindu society has had a tradition of ascetism along with planned violence?

(The learned advocate of plaintiffs Shri Ajay Kumar Pandey objected that the said question was not relating with any point of suit and was being asked only to harass the witness and to waste the time of court. Therefore these irrelevant questions should not be allowed to be asked).

(In reply to the above, the learned advocate cross-examining stated that the witness was himself a complainant and a erudite writer. The book written by him has been filed in this suit and he had given wrong interpretation in this context in his book. Therefore this question was appropriate).

Answer : It is quite possible that some historian must have come out with the conclusion only after the basis of his researches, but as a historian I am not in favour of it.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

10.03.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on 11.03.2003 . Witness to be present.

Sd/-

(Narendra Prasad)

Commissioner

10.3.2003

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**Dated: 11.03.2003**

**O.P.W.9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 05.03.2003 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989).

(Cross examination on oath on behalf of Defendant No. 5 initiated by Shri Mushtaq Ahmed Siddiqui, Advocate in continuation to cross-examination dated 10.03.2003).

The witness was shown document No. 289 C-1/131 page 109 of his book exhibit No. OOS-5-3 by the learned advocate cross-examining and a question was asked as to what did he mean from the words 'Samani Empire' appearing in the fourth line from the bottom in the first column on this page, on looking at which the witness stated that Ayub-ibn-Nayat Al Safar had set up a very big empire during the end of the 9<sup>th</sup> century which was named as 'Samani Empire'. The witness said, "At the moment I cannot tell a Hindi or English equivalent for the word 'Samani'. Yet another word 'Yamini' appears at the bottom of first para of the first column and I cannot tell a Hindi or English equivalent for this word also. Hindi writers have used the word 'Samani' in their books but I do not remember the names of writers of history books in Hindi who have used the word Samani in their books". The witness was shown para 2 of second column of the same document No. 289 C-1/131 on looking at which the witness stated that the word 'atiranjit' used above meant 'exaggerated'. The books of Muslim historians could be

termed as courtly history. Quite often they would indulge in exaggerated eulogy of their rulers which ignoring is objective assessment. It is correct that the scholars have gone through the records and based on their letters have determined the dates i.e. it is only after going through the various records that one can precisely make out the shapes of the letters. Prior to Brahmi script, Indus Valley civilization was prevailing in India but it could not be read satisfactorily. The script has yet to be named and is simply called by the name of Saindhav lipi or Indus script. Pali is only a language and not a script. Pali language is also written in Devnagri script. Pali language has been in use in India since the Buddha period only. Pali language prevailed even before Brahmi script. The witness stated, "I am not aware the script in which Pali language was written before the emergence of Brahmi script". Later on he added that no one was aware of this fact. No inscriptions belonging to Buddha period had been found. No one is aware about the script in which Pali language was written before Brahmi script came into being.

The witness stated, "I am not aware whether there has been much hostility in between the followers of Vaishnava School and Jain School. I have heard a little about Jain Bhikshas but not much".

Question : How much do you know about demolition of Jain temples and construction of Shaiva temples thereon by Shaivas?

(On this question Shri Ajay Kumar Pandey the learned advocate of plaintiffs raised an objection saying that the question was neither related with any issue involved in the suit nor was at all relevant to the suit the question was being asked only to create differences amongst Hindus and



waste the time of the court and was being asked to confuse, perplex and harass the witness and therefore permission to ask such question should not be given).

Answer : I am not aware whether the Shaivas had converted Jain temples into Shaiva temples.

Question : Did the Vaishnavas or Brahmins demolish the Jain temples and converted them into Vaishnav temples?

(On this question Shri Ajay Kumar Pandey the learned advocate of plaintiffs again raised an objection saying that the question was neither related with any issue involved in the suit nor was relevant. By putting this question, efforts were being made to create animosity amongst Hindus and condemn a particular community and as such permission to ask such question should not be allowed).

Answer : I am not at all aware whether Vaishnavs and Brahmins had demolished Jain temples and converted them in their temples.

Question : Do you have any knowledge about the fact that Buddhist topes were demolished by followers of other schools?

(On this question again Shri Ajay Kumar Pandey learned advocate of plaintiffs raised an objection saying that this question was quite irrelevant to the suit and therefore permission to ask such question should not be given).

Answer : I have no knowledge of the fact that followers of other schools had demolished Buddhist topes but

I have certainly read it that Ashok had got eight original topes built on metallic – remains dug and had got them distributed in various parts of the country for getting 84000 topes established there from.

There has been a historian by the name of Kalhad in Kashmir and I possess some knowledge about him. He is known amongst ancient historians. He has written a book, entitled 'Rajtarangini' but I have not fully gone through it. I am aware of Mihirbhoj ruler of Kannauj and not of any other ruler by the name of Mihir.

Question : Do you know about 'Shudras' (belonging to the lowest division of early Indo-Aryan society) within the arrangement of society in classes?

(On this question Shri Ajay Kumar Pandey, learned advocate of plaintiffs raised an objection saying that no issue relating to classification of society was framed in the suit nor any such dispute was there and hence permission to put in such irrelevant question should not be given).

Answer : I am aware of shudras within the prevalent system of classification of society.

Question : Is it a fact that under the system shudras were not allowed to go to ghats, fetch water from the wells, enter into the temples, their houses were build separately and were regarded as untouchables?

(On this question Shri Ajay Kumar Pandey learned advocate of plaintiffs raised an objection saying that this

question was totally irrelevant and was being asked only to create animosity and class-conflict and efforts were being made to blemish the Hindus. Therefore permission to ask such question should not be given).

Answer : According to the old Indian system of classification the society was classified in four classes viz. Brahmin – Kshatriya – Vaishya and Shudras. The shudras have been all the rights except to read Vedas and only 'Shavapach' and 'Chandals' have been ordained to live outside the village. All the four classes of society have been asked to live as per their roles.

Question : Your above reply appears to be based on some theory. Can you say so based on your personal experience or study in India?

(On this question Shri Ajay Kumar Pandey learned advocate of plaintiffs raised an objection saying that such question were being asked in an ill-tempered manner having no bearing at all on the facts of the case nor any issue has been framed on this matter. Such question were being asked only to waste the time of the court and that permission to ask such question should not be given).

Answer : Under the classification of society in India a very large population falls under the category of 'Shudras'. However, amongst the 'shudras' only a few castes are regarded as untouchables and there are quite a number of castes amongst them, who are not regarded as untouchables. The untouchables are also treated as a part of the society and their services were invariably

utilized in a number of social and ritual activities. For example during our childhood people belonging to the so called 'chamar' (cobbler) caste used to contribute in various ways during auspicious occasions. Persons belonging to the Dhobi (washer-man) community used to offer clothes, vermilion etc. on the occasion of marriages of brides. On the other hand the upper caste people used to help these so called 'shudra' people in their various ritual and social ceremonies to the possible extent. However in so far as customs of eating were concerned, every class followed its own rules. Even amongst the upper class people, customs of eating were not unrestricted.

Mahatma Gandhi had launched movement of upliftment of the untouchables during the third decade of 20<sup>th</sup> century in India because such a movement was necessary for eradication of a number of evils prevalent in the society and it had the desired impact on the society.

Question : Do you not find any noticeable disparity amongst the Hindu society which needs to be removed?

(On this question Shri Ajay Kumar Pandey, learned advocate of the plaintiffs raised an objection saying that it was a legal question and not at all connected with the present suit. Permission to ask such irrelevant question should not be given).

Answer : Untouchability is a grave evil in Hindu society and that is why law was framed to eradicate the same.

Question : According to law untouchability has been made a punishable offence – do you feel that such a provision was necessary?

(On this question Shri Ajay Kumar Pandey, learned advocate of the plaintiffs raised an objection saying that it was a legal question and not at all connected with the present suit. Permission to ask such irrelevant questions should not be given).

Answer : Untouchability is a grave evil in Hindu society and that is why law was framed to eradicate the same.

Question : In response to the questions put before you today in this connection, you have tried to affirm that there is no evil in the Hindu society but now you are accepting this fact. Do you not find a contradiction in between the two stands?

(On this question also Shri Ajay Kumar Pandey, learned advocate of the plaintiffs raised an objection saying that efforts were being made to confuse the witness and waste the time of the court by placing before him questions that were beyond the scope of the suit, irrelevant. Hence permission to ask such question should not be given).

Answer : I have never stated that there is no evil in Hindu society nor have tried to conceal such facts. Even now I accept and have already accepted that Hindu society is fraught with a number of evils which need to be reformed.

The witness continued, "I have not gone through any such material revealing that Hindus in Ayodhya had demolished Hindu temples. I have also not read anywhere that Shaivas and Vaishnavas had demolished Jain temples in Ayodhya. I have also not come across anywhere that the Buddhist topes in Ayodhya had been demolished by Shaivas and Vaishnavas. I am a student of ancient history and possess just a scanty knowledge of medieval history, may be some truth with regard to demolition of Buddhist topes by Vaishnavas and Shaivas. In case something like this had happened in medieval age, I cannot say anything".

Question : When and from which source did you come to know of the rock inscription said to have been retrieved on 6<sup>th</sup> December 1992 in Ayodhya?

Answer : The fact that a huge rock inscription had been found in Ayodhya on 6<sup>th</sup> December 1992 was conveyed to me at some time of telephone by Shri Swaraj Prakash Gupta. However, I do not remember the week and date.

The attention of the witness was drawn to the word 'Nirman' appearing in the last line of 21<sup>st</sup> sloka in the second column of document No. 289 C-1/198 at page 176 of his book exhibit No. OOS-5-3 and the following question was asked.

Question : Which Sanskrit word appears for the Hindi word 'Nirman' quoted in the original text in document No. 289 C-1/196 page 174 of this very book?

On looking at above document Nos. 289 C-1/198 and 289C-1/196 the witness replied as hereunder :

Answer : The word 'kritam' has been used twice in the second line of the second column of document No. 289 C-1/196 and the second 'kritam' has been used for the word ' Nirman' in Hindi. The first 'Kritam' will have to be seen in the union with earlier word which reads like ' purvey rapey kritam'. By separating the coalescence it would read like ' purvai api akritam ' i.e. something alike of which could not have been constructed earlier.

' Kritam' is a Sanskrit word which stands for doing and constructing. There may still be more of meanings of this word, but I am not aware of them at the moment. In my view the maps appearing in my book exhibit OOS-5-3 are correct. On looking at maps appearing on document No. 289 C-1/201, 202, 203 of his book, the witness stated that the above maps were correct. On looking at document No. 289 C-1/201 of his book, the witness stated that three Saryu rivers were visible in the map and it appeared at the three were old beds of Saryu. This only reveals that the direction of the flow of Saryu river has been changing with the time. Saryu No. 1, Saryu No. 2 and Saryu No. 3 indicated in the map are not indicative of any chronological order but the numbers have been given from left to right as per the convenience of the one who made the maps. In other words there had never been three Saryu rivers and it was only one Saryu which kept changing the direction of its flow from one place to the other. At present Ghagra river is the main Saryu river and Ghagra river is written on document No. 289 C-1/201 and it is the river which is regarded as Saryu now a days. I cannot tell as to which one of the four Saryus would have been present during the time of Valmiki but it is however certain that even during,

that time Ayodhya would have been located at the ban of Saryu.

Question : Do you mean to say that during the Valmiki age original Saryu river would have existed at the place where Saryu is appearing in the map i.e. it would have existed at any of the four streams?

(On this question Shri Ajay Kumr Pandey, learned advocate of plaintiffs raised an objection saying that the question was hypothetical and permission to ask such a question should not be given).

Answer : As I have already stated Saryu streams Nos. 1, 2 and 3 would have existed at different times and all the three streams have now joined the modern Saryu or Ghagra which then reaches Ayodhya. Hence there can be no dispute with regard to the fact that Ayodhya was located at the ban of Saryu.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

11.03.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on 12.03.2003 .Witness to be present.

Sd/-

(Narendra Prasad)

Commissioner

11.03.2003



**Dated:13.03.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 05.03.2003 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989).

(Cross examination on oath on behalf of Defendant No. 5 by Shri Mushtaq Ahmed Siddiqui, Advocate in continuation dated 11.03.2003).

There has been some improvement in the social evils prevailing in the Hindu Society but the situation still requires a lot to be done.

Question : Was there or is there still a custom to tie a bell to shudras so that whenever they walk, people come to know of their coming?

(On this question Shri Ajay Kumar Pandey learned advocate of plaintiffs raised an objection saying that the question is totally against law and irrelevant and is being asked only to create differences and disturbances within the society. Permission to ask such illegal and anti-social question should not be given).

(In response to the objection the learned advocate cross-examining stated that the witness who was himself a plaintiff had written such things in his book to create disturbance amongst the society. He has tried to show

Muslims as different from Hindus and in view of this asking such question was very important in the present suit).

Answer : I do not have any knowledge of any such custom.

During the last 3-4 days, I have not read anything in any newspaper about such a custom still prevailing in Tamil Nadu.

While determining the dates of record, the study of letters of the script is mainly relied upon. However, most of the records carry dates with them but in case where the date is not included, it is mostly script that is relied upon. The structure of the language is not of much use in this context. Scripts undergo change in accordance with the area and time. Which particular script was prevalent during which period is something which could be ascertained by deciphering undisputed records.

The witness was shown document Nos. 254 C-1/13 and 254 C-1/16 by the learned advocate cross-examining looking at which the witness stated that he had provided the samples of letters in the documents which were lifted from the records retrieved from Ayodhya. On looking at document No. 254 C-1/13 the witness told that the letter 'Na' (with nasal sign) has been shown in its first column and the use of this letter was prevalent in the 12<sup>th</sup> century. Three more 'Na' have been shown in the same line carrying the letter 'Na' and all of them were prevalent during the 12<sup>th</sup> century. Volunteer: that besides 'Na' the three more 'Na' shown in the line were in the form of various vowel marks or compound consonants which were found in these records. The samples of letter available in

document No. 254 C-1/13 and 16 had been lifted from Ayodhya records. The witness was then shown document Nos. 254 C-1/14 and 254 C-1/15 by the learned advocate cross-examining on looking at which the witness stated that the samples of letters shown in the records were representative letters that were prevalent during different centuries starting from Ashoka age i.e. 3<sup>rd</sup> century BC to 12<sup>th</sup> century AD and are based on the samples lifted from various records. Which letters were shaped on which samples during which time in which area can be ascertained only by looking at records of that time and area and by no other means. We have evolved samples of these letters by looking at records retrieved in northern India during different periods. We felt no need to provide samples of letters prevalent in records belonging to post 12<sup>th</sup> century. On looking at document No. 254 C-1/14 the witness stated that the letter 'Dha' indicated in its first column had been lifted from Girinar records of Ashoka. However, the letter 'dha' is found in all his record. The witness stated, "I cannot precisely identify the records based on which I have evolved the letters belonging to 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup> century in this document but I can do it after looking at my notes. In respect of letters belonging to 11<sup>th</sup> and 12<sup>th</sup> century also I shall have to go through my notes to identify the relevant records. Pallav records belong to South India and as such I do not have much knowledge about them. Pallav rulers should belong to 7<sup>th</sup> and 8<sup>th</sup> centuries. As per my information a lot of records belonging to Pallav rulers have been retrieved but I cannot tell their precise number at the moment. Pallav records are not in Nagri Script but are akin to the script of records of 7<sup>th</sup>, 8<sup>th</sup> centuries developed from Brahmi Script. Nagri or Devnagri script is believed to have been evolved around 10<sup>th</sup> century

but the scripts of 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> centuries are called Pragnagri script”.

Question : Have you gone through the ‘ paranap ‘ rock inscription lying in the state museum of Indore and believed to have been retrieved from a place known as Bhanpura located in Mandsaur District?

Answer : I have neither gone through this rock inscription nor have heard of it.

The witness stated, “there used to a ruler of Karnatak named Pulkeshin whose capital was located in ancient city named Badami and it is believed that the ruler belonged to the 7<sup>th</sup> century. It is called Pulkeshin-II. The name of the most famous record of the period of Pulkeshin is ‘Aihol Prashsti’ and I have read it. This records is not in Devnagri script. There had been so substantial a change in the scripts of North and South India that while one who could easily decipher the records evolved by Raja Harsha during the 7<sup>th</sup> century in North India could decipher the records of his contemporary Raja Pulkeshin of South India only, with a great difficulty and it was obviously because the construction of letters of both the regions had undergone a lot of change. I have read all the records belonging to Raja Harsha. I have gone through ‘Banskhera’ record of Harsha and it is a dated record which has been written in extremely ornamented letters. At this point of time, I do not remember its date but the record belongs to mid 7<sup>th</sup> century. Instances of construction of ornamental letters start coming up from the 5<sup>th</sup>, 6<sup>th</sup> century onwards and are found in almost all the centuries i.e. some of the records till the starting of Devnagri script had been written in

ornamental style. Use of Devnagri script which started in 10<sup>th</sup> century has been going on till today. By ornamentation we mean making letters more beautiful by extending special lines in the shapes of letters. As regards practice of ornamentation I can tell something about North India with confidence but do not have much knowledge about records of South India. The word 'Penstyle' is generally used for day-to-day writings, ornamental style is used by the author as per his will in respect of only such writings which he wishes to preserve for longer duration. Ornamental and Penstyle – both are opposite to each other. Records are usually written in 'monumental' style which can be placed somewhere in between ornamental and Penstyle writings. With regard to records written in monumental style the letters could be joined with one another and could be compared whereas such a comparison is very difficult with regard to the letters of ornamental and Penstyle. All these three styles of writing can be adopted by the same man on different occasions as per his mentality. Penstyle of writing has been most prevalent both in North India as well as South India because it was used in day-to-day writing.

I have seen 'madhuban plate' of Harsh which is written in 'monumental style' whereas Banskhera record of Harsh is available in ornamental style. The word plate is used for copper plate whereas the word records stands for writings made on copper plates, stones and other materials. The practice of writing on copper plates has been in vogue since 5<sup>th</sup>, 6<sup>th</sup> century i.e. Gupta period, whereas writing on stones, had started in 3<sup>rd</sup> century BC during the regime of Ashoka. Both the records of Harsh are available on copper plates. Yet another record of Harsh has come to light just a year and half ago which was retrieved from some place in Punjab and the same is written Banskhera style. This too

is written on copper plate. Madhuban record of Harsh was found at some place known as Madhuban located somewhere in eastern UP.

At present as per orders of the Hon'ble High Court excavation is going on at the disputed site and nearby area. I had also been to the site yesterday i.e. 12.03.2003 where my advocate Shri Ajay Kumar Pandey and attorney Shri Triloki Nath Pandey were also present. Shri Ashok Chatterjee was also go to there but could not get in due to certain reasons. He is the same Ashok Chatterjee who is presenting himself as a witness in the suit.

The witness was shown document No. 254 C-1/11 to 254 C-1/16 (in continuation) by the learned advocate cross-examining, on looking at which the witness states, "This article of mine had been published in 2<sup>nd</sup> section (1996) of 3<sup>rd</sup> volume of Ithihas Darpan and it is a photocopy of the same article. The article contains the photocopy of the samples of the letters evolved by us. I had sent the original article for publication in the journal; I had evolved the letters manually. The samples of letters visible on document No. 254 C-1/11 and 12 were evolved by me manually based on my general knowledge. The letters are based on records belonging to monumental style and not ornamental or Penstyle. The samples of letters available on document No. 254 C-1/13 and 16 are again in monumental style and not in ornamental or Penstyle.

Question : Have you seen the disputed rock inscription reported to be retrieved from Ayodhya and stampage thereof?

Answer : I have seen the original rock inscription retrieved from Ayodhya and also stampage thereof.

It can be ascertained by looking either at the stampage or photograph whether the writings have been made in monumental style or not. The above rock inscription has been written in monumental style. There has been no change in my opinion even after looking at the original rock inscription. Ornamental style would have been in use during the 12<sup>th</sup> century also to which the extant record belongs but at this point of time I am not in a position to indicate any such record. Ornamental style was in vogue in North India in 12<sup>th</sup> century also.

Question : Do you mean that during 10<sup>th</sup> to 13<sup>th</sup> century the records which were meant to be preserved for longer duration were generally written in ornamental style?

Answer : According to my view whichever records were felt necessary to be reserved for longer durations during 10<sup>th</sup> to 12<sup>th</sup> century were generally written in monumental style and ornamental style was used only as an exception. At this stage attention of the witness was drawn to his statement made today itself which read as 'while penstyle is generally used for day to day writings, ornamental style is used by the author as per his will in respect of only such writings which he wishes to preserve for longer durations'. On looking at and reading the above statement the witness stated, "I stick to my view because both – penstyle and ornamental styles were being discussed here and it was in this perspective that I had stated that ornamental style was used only when records were desired to be preserved for longer durations. I believe

that there is not contradiction in between this statement and statement made by me later on. It is incorrect to suggest that I am concealing anything at this stage.

Nothing is coming to my mind in respect of Devgarh inscription. I also cannot tell anything about 'Kusuma inscription' because name of the author or the ruler is also indicated along with places and names of such inscriptions. Then only the particular record is completely identified. I cannot tell anything about 'Kasai inscription' until the name of the ruler of that time and its complete heading are not divulged. I am not able to recollect about 'Chandeswara plate' of Dharanrja. A number of inscriptions have been retrieved from Bodh Gaya but if I am asked about any particular inscription, I may not be able to give a reply. As far as my knowledge goes all the records retrieved from Bodh Gaya do not fall in the category of inscription. I do have some knowledge about records named 'Mahanaman' retrieved from Bodh Gaya. It possibly belongs to Gupta period. At this point I do not remember the contents of this writing. Gupta period is believed to belong to 5<sup>th</sup> and 6<sup>th</sup> centuries. This record is again in monumental style. Use of ornamental style had started during that period but possibly the ornamental style has not been used in writing of Mahanaman. A few records of 5<sup>th</sup> century are available in ornamental style. For example a few records in ornamental style have been retrieved from Madhya Pradesh and paleographers have called it Shank-script. I cannot name even a single such record. The same is the position with regard to 6<sup>th</sup> century. Shank-script is a type of ornamental style wherein the original letter is substantially hidden and can be read only by looking very closely.



The witness was shown document Nos. 254 C-1/14 and 15 on looking at which the witness stated that all the letters given in the document had been written by him by looking at records but he could not tell as to from which records the writings of each century had been noted as he was not in a possession of his note book at that time. He had his notebook at his residence. He had prepared his note book possibly in the year 1995. He added that he did not prepare notes of all what he studied, rather he prepared the notes selectively.

The witness stated, "I cannot tell anything about Kanswa records. Similarly, I may also not be able to say anything about Sarbhapur records until I am aware of its full heading. I have heard the name Gurjar but I cannot make out about the particular Gurjar records about which question was being asked. Rashtrakoot is the name of a royal dynasty of South India and a number of rulers of this dynasty have got dozens of records written. In case a particular record is referred, I may be able to tell whether I am aware of it or not. Rashtrakoot dynasty ruled during 9<sup>th</sup>, 10<sup>th</sup> centuries. There have been a number of dynasties with the name of Chalukya dynasty. One amongst them is Chalukya of Badami and I have already told about Raja Pulkeshin of this dynasty and there has been another Chalukya dynasty in Gujarat which ruled possibly during 10<sup>th</sup>-11<sup>th</sup> century. I am aware of Mamalyapuram which had been an ancient port at the coast of a sea near Madras where many a temples were made by carving out hillocks. Many records have been engraved on them but at this point of time I cannot tell anything about them". On looking at document No. 254 C-1/14 and 15 the witnesses stated that the samples of letters available in 1<sup>st</sup> column have been lifted from Girinar records of Ashoka whereas samples of

records of pre-Kushan period contained in 2<sup>nd</sup> column have been evolved by searching out many minor records. Samples of letters of Kushan age in the 3<sup>rd</sup> column have been lifted mainly from records retrieved from Mathura while samples of letters in the 4<sup>th</sup> column have been taken from the 'Prayag Prashasti' of Chandragupta. Samples of letters contained in the 5<sup>th</sup> and 6<sup>th</sup> columns have been lifted from records belonging to Gupta period i.e. from records belonging to Chandragupta-II and Kumar Gupta. As regards samples of letters contained in columns starting from 7<sup>th</sup> to 12<sup>th</sup> columns. I shall have to consult my note book." On looking at document No. 254 C-1/13 and 254C-1/16 the witness stated that the letters contained therein have been taken from the records retrieved from Ayodhya but there was no need to compare them in these tables because for the purpose of comparison separate columns had been provided in document Nos. 14 and 15.

The witness was then shown volume No. 12 of 'Pragdhara' 2001-2002 a research journal issued by the Department of Archaeology, Government of Uttar Pradesh and also photocopies of cover page and page Nos. 206 to 209 (in continuation) and page nos 211, 213 and 214 of document Nos. 316 C-1/1 to 316 C-1/9 (in continuation) was filed by the learned advocate cross-examining and the following question was asked.

Question : Are the samples of letters given in document No. 316 C-1/2 letters of Devnagri script used to write Sanskrit language in India?

On looking at the above the witness replied as hereunder :

Answer : The page contains samples of letters to elaborate as to how the letters of Brahmi script developed by writing with pen in between 6<sup>th</sup> to 8<sup>th</sup> centuries. As regards language, many

Sanskrit and other languages are written in this script.

The witness stated, "Last two columns of document No. 316 C-1/2 are possibly of Prag-nagri script and Nagri script. Both these columns date back to the period from 10<sup>th</sup> to 12<sup>th</sup> century. It can be differentiated as to which of the two columns belongs to earlier period and which to later period but it cannot be told in precise terms to which century they belong. It can be inferred to which century the letters contained in column Nos. 1 to 3 belong, the letters belong to the period from 8<sup>th</sup> to 10<sup>th</sup> century the letters contained in column 3 of document No. 316 C-1/2 could belong to any time falling in between 9<sup>th</sup>, 10<sup>th</sup> centuries. This chart has not been evolved on the basis of actual samples of letters contained in records but only the penstyle development of letters has been shown. All the samples contained in document No. 316 C-1/2 have been lifted from monumental style and they do not belong to penstyle and ornamental style". On looking at document No. 316 C-1/3 the witness stated, "All the samples of letters contained in the document belonged to ornamental style which belonged to the period from 6<sup>th</sup> to 8<sup>th</sup> centuries with no sample of post 8<sup>th</sup> century. Ornamental style had set in from 6<sup>th</sup> century onwards and all these samples appears to be belonging to North India and a few South East Asian countries. I believe that letters in the last three columns have been lifted from the records of South East Asia. In this way it can be stated that ornamental style was in vogue both in and outside India. As far as my knowledge goes the first three columns belong to the records retrieved from India."

The witness was shown document No. 316 C-1/4 by the learned advocate cross-examining and a question was asked whether the samples of letters contained in the

document belonged to Devnagri script used in India on looking at which the witness stated, "The samples of letters do not belong to Devnagri script used in India and are the samples of letters written by styles type pen developed from Brahmi script which was in vogue in South India. These are the samples of letters which were in use during the period covering 6<sup>th</sup> to 8<sup>th</sup> centuries and these letters were not in use in North India. Such letters are not in use in South India now-a-days." The witness was shown document Nos. 316 C-1/6 and 316 C-1/7 on looking at which the witness stated that all the samples of letters contained in the document were of Devnagri script and they roughly belonged to the period covering 8<sup>th</sup> to 12<sup>th</sup> century. The witness stated, "I cannot tell precisely about the century to which the samples of letters belong. Column Nos. 15 and 16 of both the documents are of Devnagri script and belong to 8<sup>th</sup> century but I cannot tell about their time in precise terms. Similarly, I also cannot tell in precise terms about the period and century to which they belong." The witness stated that document Nos. 316 C-1/6 and 7 which had been named as table 1A and 1B had been lifted from the records of North India whereas letters contained in table 2A appearing at document No. 316 C-1/8 and table 2B appearing at document No. 316 C-1/9 had been written in the style of styles pen which was in vogue in South India. Styles style was never in vogue in North India.

Verified the statement after hearing  
Sd/-

(Thakur Prasad Verma)  
13.03.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on 20.03.2003. Witness to be present.

Sd/-  
(Narendra Prasad)  
Commissioner  
13.03.2003

**Dated:20.03.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 05.03.2003 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989).

(Cross examination on oath on behalf of Defendant No. 5 by Shri Mushtaq Ahmed Siddiqui, Advocate in continuation to cross-examination dated 13.03.2003).

I have already stated that penstyle was used for day-to-day writing in the life whereas ornamental style is used to make the writing more beautiful and the writings which are meant to be reserved for longer durations are also written in ornamental style. Monumental style is mostly used in writing records whereas ornamental style was used in very rare writings. The difference in between the ornamental and monumental style is that in the case of ornamental style, ornamental is created by extending the ends of vowels symbols and letters whereas in the case of monumental style emphasis is laid on making the letters beautiful and shapely. In the penstyle no emphasis was laid on making the letters beautiful, stress was laid on the process of writing with speed. Ornamentation and beautification are complementary of each other. Ornamentation brings beauty and beautification creates ornamentation. Number of black stones in the disputed building was 14. I believe that the 14 pillars made of black stone fixed in the disputed building belonged to some old temple. I further believe that the old temple might have

been located at the same place. In all 14 pillars were set in the disputed building. Besides, two more pillars had been planted upside down adjacent to a grave and yet another pillar was seen in the cantonment area of Faizabad. A similarly build Dwarshakha pillar made of stone had been lying at the modern birth place. Thus number of pillars of black stone would be quite big but I cannot tell their exact number. Pillars of black stone would not have been set in the old temple in the manner in which they were set in the corners of the legs in the disputed building. The pillars of black stone would have been set in the old temple either in the Sabha enclosure or Nat enclosure or in any other enclosure. The pillars had been constructed to stand independently and not for setting them close to any corner or wall.

This script is called Devnagri script but in short form it is generally called Nagri. It is a word of Sanskrit language. Nagri and Devnagri – both the words belong to Sanskrit language. Both the words carry the same literal meaning. I cannot provide its Hindi translation.

Question : Could you tell the literal meaning of both Devnagri and Nagri words?

(On this question Shri Ved Prakash, learned advocate of plaintiffs raised an objection saying that the witness has clearly told that both these words are the names of scripts. The question has neither any bearing on this issues involved in the suit nor facts connected thereto. As such putting such a question was not justified on any count and permission to ask such a question should not be allowed).

Answer : I have already replied this question and I am not in a position to add anything more to it.

I also cannot tell as to how the two words originated from Sanskrit language.

There is no second name of Brahmi script. There has been a script by the name of Kutil which was in vogue in 7<sup>th</sup>-8<sup>th</sup> century and was written by evolving letters on acute angles and that is why it is called acute angle script in English. However, this was only a phase of development of Brahmi script. Kutil script is not more in vogue now-a-days. It was prevalent during 7<sup>th</sup>-8<sup>th</sup> century and it gradually vanished after the 8<sup>th</sup> century. There is no fundamental difference in the shapes of the letters of the three styles of scripts described above. The shapes of letters undergo change only as per the mentality and temperament of the writer. Such changes are personal, area-wise and time-based. It is incorrect to suggest that it is difficult to ascertain time and area after looking at the records, rather records are used only to ascertain the time and area. Based on the above, it can be inferred in definite terms as to which record would have been got written in which area, during which time.

Monumental style was used only for such records which were written in between the ornamental style and penstyle and this is not my findings rather many other writers like Buler have made use of this word.

I have heard the name of Mauryan Brahmi script. Brahmi script is the script which prevailed during the period of Ashoka and it does not have any other name, ashoka was a descendent of Maurya dynasty and that is why it was

given the name of Mauryan Brahmi script. Writings of many Muslim rulers are found in Sanskrit language and Devnagri script. A script by the name of Nandi nagri existed in South India but now it has vanished. A few persons have also used the word Jai nagri script. I cannot differentiate between Jain nagri and Nandi nagri.

The witness was shown document Nos. 289 C-1/197 and 198 of his book exhibit OOS-5-3 by the learned advocate cross-examining and a question was asked as to free translation of which sloka had been given in para 12 of the above document? On looking at the above documents and document n roaming in the sky. Siddhas were a type of saints-sages who had attained perfection and the women roaming in the sky are not worldly by women but heavenly beauties. The sloka is a mere imagination of the poet and he has written the sloka in praise of his extollable ruler. I do not subscribe with the view that there is not iota of truth in this sloka because it is the imagery of the poet and such imageries are quite common in Sanskrit literature. However, it cannot be stated as to how much truth is there in the sloka.

At this point attention of the witness was drawn to sloka-24 appearing in document No. 289 C-1/196 of his book exhibit OOS-5-3 and a question was asked whether rdescription of Saket Mandal and Ayodhya City had been made separately in the above sloka. On looking at the above the witness stated that Saket Mandal and Ayodhya-City both had been described in the above sloka. In the sloka, there is only the mention of construction of temples of deities in Ayodhya city besides the mention of thousands of wells, small tanks and water ponds and Dharamshala adorning Saket Mandal. The first half of the sloka



mentiones about Ayodhya whereas the second half is a description of Saket Mandal. It is a fact that there is a mention of constructing of temples of deities in Ayodhya city in the first half of the sloka and a mention of construction of wells etc. in Saket Mandal in the second half of the sloka and as such the first half of the sloka cannot be joined with the second half of the sloka. Mention of tall temples of deities has been only in respect of Ayodhya city and not in respect of the entire Saket Mandal. The poet has written many more slokas in praise of Salakshan in his writing besides the 12<sup>th</sup> sloka appearing in document No. 289 C-1/195. The witness was shown document No. 289 C-1/201 of his book exhibit OOS-5-3 and a question was asked whether scale had been given in the document. On looking at the document the witness replied in affirmative and told that the scale was 1cm = 10 kms. On looking at the document the witness said, "On looking at this map I cannot tell whether the distance in between Saryu-1 and Saryu-3 was 300 kms or not. I am not much conversant with reading the map, calculating the distance etc. I am aware of this common principle that in case scale is provided in some map, and if the distance in between two places is to be measured, the scale could be utilized for the purpose. Since I have a weak eye-sight and also because I do not have a scale with me at the moment, I am not in a position to tell the distance in between Saryu-1 and Saryu-3." The witness was shown document Nos. 254 C-1/16 and 254 C-1/13 by the learned advocate cross-examining, on looking at which the witness stated that he had provided samples of only such letters of the alphabets in the two tables i.e. the two documents which he could explore. He did not mention the letters which he could not find and that he did not try to explore more letters in this writing after 1996.

The witness stated, "I am aware that Districts Magistrate and S.P. Faizabad of the Government of Uttar Pradesh have furnished their written statements in respect of the suit filed by Gopal Singh Visharad and Paramhans Ramchandra Dass. Paramhans Ramchandra Dass has since withdrawn his case. Only after going through the written statements filed by the State Government etc. I can tell whether or not it has been mentioned therein that as far as human memory goes the disputed building has been in use as a place of worship by the Muslims and that an idol had been clandestinely and forcibly kept there on the night of 22/23 December 1949. I have also gone through the white paper on Ayodhya brought out by the Central Government in 1993". At this point the witness was shown paras 12, 13 of the written statement of U.P. State, Lucknow, defendant No. 6 in other original suit No. 1/89 and also paras 12,13 of the written statement of S.P. Faizabad defendant No. 9 and a question was asked whether the statements contained material about which the above question had been put before him and in respect of which he had stated that he could furnish a reply only after looking at them. On looking at the above, the witness replied that in the statements instead of the words 'human memory' it had been stated that the place had been known as Babri Masjid for a very long time and Muslims used to worship here. It had also been mentioned in the statement that the place was not used as the temple of Ramchandraji. It has also been stated in para 13 that idols of Ramchandraji had been kept clandestinely and wrongly on 22<sup>nd</sup> December 1949 and for this only such persons were responsible who had filed written statements. The witness was shown para 14 and 15 of the written statement of U.P. Government defendant No. 6 in other original suit No. 2/89

on looking at which the witness stated that the same details had been repeated in these paragraphs. The witness stated that only after looking at the white paper of the Central Government he could tell whether such facts had been mentioned therein or not.

The witness stated. "This is incorrect to suggest that I have wrongly become next-friend of plaintiff Nos. 1 and 2. This is incorrect to say that my book exhibit OOS-5-3 is not based on facts and has been written with a specific motive. In fact I have tried to render my opinion in my book by maintaining an objective attitude all along. This is also incorrect to suggest that the manner in which my book has been written, it does not fall in the category of history. This is again incorrect to suggest that I have provided baseless findings in my book. This is also incorrect to suggest that I have mentioned false facts in my affidavit relating to examination-in-chief or that I have concealed the truth during cross-examination."

Question : My contention is that the reported retrieval of rock inscription from Ayodhya has nothing to do with the disputed building. You could neither read nor translate it and have resorted to make false statement to support your stand?

Answer : I do not subscribe with the view that the records is not related with the disputed building. I have tried to read it and render a free-translation thereof as per my capacity and that I have not made false statement anywhere at all.

The witness stated, "I agree with the view that the disputed building had been constructed as a mosque in the

year 1528 but I also believe that the mosque had been constructed by demolishing a temple. This is not correct to suggest that prayers were made (Namaz) at this place till 22/23<sup>rd</sup> December 1949. This is again incorrect to suggest that I have been changing my stands by stating at one time that Chabootra has been the birth place and holding the disputed building as the birth place at other time. This is also incorrect to suggest that I have become a puppet in the hands of those who want to divide India, in fact I desire to see a united India.

(Cross examination by Shri Mushtaq Ahmed Siddiqui, Advocate on behalf of defendant No. 5 completed).

(Cross-examination by Shri Zafaryab Jilani, Advocate initiated on behalf of defendant No. 4, Sunni Central Board of Waqf in continuation to 27.02.2003).

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The witness was shown para 23 of the petition of this suit by the learned advocate cross-examining and a question was asked whether the agreed with all the facts mentioned in the para? On looking at the paragraph the witness stated that he broadly agreed with the facts mentioned in the paragraphs. Words like 'birth place' or 'birth place temple' have been used four five times in this paragraph and they are related with the disputed building. On looking at the sentence appearing in the fourth line of this paragraph and starting from the words 'that temple was destroyed' and ending with the words – 'Kasauti or touch stone' the witness stated that barring the word 'partly' he fully agreed with the facts mentioned therein. He did not agree with the word 'partly' appearing in this portion reason being that all the investigations made after the filling of the

suit till that day revealed that the temple was not partly, but completely demolished.

Question : Should I make out that after the filing of this suit i.e. till July 1989, people associated with the Ram Janambhoomi movement were not aware that the temple which they were stating to have been demolished by Babar or his Army commander was how big and how many pillars were there in the temple and what portion of the temple was reported to have been demolished?

Answer : I believe they were aware of it but the word 'partly' had been used mistakenly.

The witness stated, "I cannot tell in definite terms as to how many pillars were there in the temple stated to have been demolished but as per popular belief there were eighty four pillars. In my opinion this popular belief is based only on a hearsay and not on any historical book. There has been possibly very little research in respect of this temple prior to 1986 and I cannot tell anything about any such research. However, many a people have undertaken research from 1986 till 2003 amongst whom Dr. Swarjya Prakash Gupta, Dr. R. Nath etc. are notable. Besides, Dr. B.B. Lall also got excavation carried out here and Dr. Devendra Swarup has written a few articles. Hans Baker has conducted research on this subject and his book entitled 'Ayodhya' has been filed in the court vide document No. 120 C-1/2. No one amongst these who undertook research indicated as to how long and broad was the temple alleged to have been demolished by Meer Baki.

Question : My contention is since Meer Baki neither demolished any temple nor there existed any temple at the time of construction of Babri Masjid and that is the reason that no information with regard to the design, size and area of any such temple emerged during the research nor any such mention has been made?

Answer : It is incorrect to suggest that a mosque was built at the disputed site without demolishing any temple because all the historians who have mentioned about Babri Masjid or Ayodhya have unanimously held that Meer Baki had constructed a mosque at the site by demolishing a temple known as Janambhoomi temple. As regards length-breadth, size and area of the temple, no research has been conducted on the subject because it necessitated the archaeological excavation of the area adjoining the disputed site. The size of the temple could be estimated on the basis of the limited excavation carried out by Prof. B.B. Lall. Besides, a frail image also emerges from the map furnished by Tozo Development International at the behest of the orders of the Honourable High Court. The excavation being carried out by the Archeological Survey of India is likely to throw greater light on the subject."

The excavation report of Prof. B.B. Lall has revealed information only about the Southern and Western boundaries of the temple. According to the report of Prof. B.B. Lall the southern boundary of this temple extended to 10-15 ft. towards south from the southern wall of the temple whereas the western boundary of the temple extended to 15

ft. towards west from the western wall of the temple. The above excavation report of Prof. B.B. Lall reveals nothing about the northern and eastern boundaries of the temple. Dr. Swarajya Prakash Gupta had undertaken limited excavation on the eastern boundary of the temple possibly during 1991-92 and a few remains of a pit were found during surfacing at south-eastern boundary on the basis of which some broad estimate of the eastern and southern boundaries of this old temple could be made. Dr. Swarajya Prakash Gupta has not stated anything about the southern boundary of the above temple. The boundary of the temple must have existed upto the excavation carried out by Dr. Swarajya Prakash Gupta in the eastern area during 1991-92. The excavation carried out by Dr. Swarajya Prakash Gupta in the east of the exterior eastern wall of the disputed building would be at a distance of around 20-25 ft. from the wall. The witness stated, "As per my estimate the eastern boundary of the above premises of the temple should be at a distance of around 20-25 ft. from the exterior eastern wall. At this point of time I do not remember the publisher who had brought out the excavation report (1991-92) of Dr. Swarajya Prakash Gupta. I have not gone through this report anywhere, and have had only some discussion about the same with Dr. Swarajya Prakash Gupta. Dr. Swarajya Prakash Gupta had added part of this report in the last chapter of my book exhibit OOS-5-3. Dr. Swarajya Prakash Gupta has also not stated anything about the northern boundary of the above temple (alleged to have been demolished by Meer Baki). No mention about the northern boundary of the above temple is found in any research work undertaken so far. The excavation reports of Prof. B.B. Lall about which I have mentioned above are the same which have been published in 'Indian Archaeology – A Review (IAR)'. In this connection the research work

undertaken by Dr. R. Nath has been brought out in his book related to the Babri Masjid. Research articles by Devendra Swarup have been published in some issue of the journal entitled 'Manthan'. The name of the book of Dr. R. Nath about which I have referred above is not 'History of Mughal Architecture' but its name is 'Architecture and site of Babri Masjid of Ayodhya'. Both these books have been written by the same Dr. R. Nath. I do not remember whether I have filed the above second book 'Architecture and site of Babri Masjid of Ayodhya' by Dr. R. Nath in the court or not. I believe that Dr. R. Nath is a renowned historian. I cannot tell in definite terms whether he is a nationalist historian or a communist historian. I give credit to most of his findings. I cannot tell whether Dr. R. Nath is an opponent or a supporter of Ram Janambhoomi movement. He is an expert of medieval history and has made notable contribution towards the history of mughal period. While writing my book I have studied and made use to only his second book. I have not gone through the above first book of Dr. R. Nath. I had no knowledge of the first book of Dr. R. Nath at the time when I was working on my book." The witness was shown document No. 197 C-2/1 by the learned cross-examining, advocate on looking at which the witness replied that this was the very title of his first book i.e. 'History of Mughal Architecture'. The witness continued, "I keep Dr. R. Nath in the category of objective historians. I have indicated the name of d.r R. Nath to depose as a witness in my suit but whether Dr. R. Nath will be produced as a witness in this suit or not is something that my advocate would be able to tell. I have also included the name of Prof, B.B. Lall in the list of our witnesses but I am not sure whether he will be presented as a witness or not – this is something that will be decided by our advocates. I believe that none of the above scholars has mentioned



about the popular belief relating to the existence of 84 pillars. I myself regard the fact about the existence of 84 pillars only as a popular belief and do not fully subscribe with it however I partially agree with this belief. I believe that if the number of pillars of black Kasauti was not 84, it would have been around 40-50.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

20.03.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on 21.03.2003. Witness to be present.

Sd/-

(Narendra Prasad)

Commissioner

20.03.2003

**Dated: 21.03.2003**

**O.P.W.9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 05.03.2003 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989).

(Cross-examination by Shri Zafaryab Jilani, Advocate continued on behalf of defendant No. 4, Sunni Central Board of Waqf in continuation of 20.03.2003).

I had stated yesterday on page 260 "I myself regard the fact about the existence of 84 pillars only as a popular belief and do not fully subscribe with it. However, I partially agree with this belief. I believe that if the number of pillars of black touch stone (Kasauti) was not 84, it would have been around 40-50. My contention that the number of pillars of Kasauti would be 40-50 or nearby is only my conjecture and I do not have any concrete basis for the same. It was only yesterday that I had arrived at this estimate when questioned in the court." The witness stated of himself that the way pillars of Kasauti of the old temple had been set at a number of places and the way such pillars were found at cantonment etc. revealed that the number of pillars of Kasauti would have been much more than the definite knowledge of the people. As on today people have a definite knowledge of 17 pillars of Kasauti. The 17 pillars of Kasauti include the 14 pillars set in the disputed building, and two such pillars set in the graveyard besides the one pillar stated to be lying in cantonment area. Along with the 14 pillars set in the disputed building I

have myself seen the remaining three pillars which were exactly similar to the pillars set in the disputed building. The door Shakha pillar (Arm of the door) about which I had mentioned yesterday is beside the 17 pillars. The design and ornamentation of this door Shakha pillar is altogether different from those of the above 14 pillars. The art displayed in the door Shakha pillar and the 14 pillars set in the disputed building is of the same period i.e. of around 12<sup>th</sup> century.

Question : Is it possible that in whichever building or place the 14 pillars set in the disputed building had been set in or lying earlier, the pillar which you have named as door Shakha pillar would also have been set in the same building or place?

Answer : I told that the 14 pillars set in the disputed building and the above Shakha pillar would have been a part of the same building.

The witness stated, "This belief of mine is not a mere conjecture but there is a logical basis for it and the basis is that these pillars which had been set in the building initially would have been extracted from the same mine and would have been constructed by the same group of labourers and artisans and the above door Shakha pillar would have been fixed on the door of the building, a broken piece of one of which is presently available and it can also be inferred from all this that the building had been demolished. My reference of extraction of the stone of the pillars from the same mine and construction of the pillars by the same group of labourers and artisans is not a mere conjecture of mine but is based on reasoning which does not find mention in any book. It is my own reasoning based on my earlier studies about which I have mentioned in my

statement for the first time. I have not mentioned this reasoning in any of my earlier book or article. I am not in a position to assess whether the black stones of Kasauti had been extracted from a mine in India or outside India but it is certain that all these stones would have been extracted from the same mine."

Question : Could you guess that after having a look at the black stones of the pillars or had you arrived at a opinion about the period of time when these stones would have been extracted from the mine?

Answer : It could be easily surmised that these stones would have been extracted from the mine at the time when the plat to construct the temple would had been evolved.

Question : As per your estimate the said temple would have been built in the 12<sup>th</sup> century during the period of Gharwal rulers. Obviously the stones would have been extracted during the same time when the temple was constructed as per your belief?

Answer: Yes please, I agree with this view.

Question : As per your above statement the stones would have been extracted from the same area which was under the rule of the above ruler or could it be held that they would have been brought from somewhere else?

Answer : It is not necessary that such type of stones would have been extracted by any ruler from mines falling within his territory but there is a greater possibility of such a thing happening.

The fact is that in ancient times wherever mines of good quality stones existed, people of other states also got stones extracted therefrom and took them away.

Question : Are such instances found in history where such type of ornamental or cut stones or pillars were shifted from one place to the other and set in any building?

Answer : I am not aware of any such instances.

The Atala Masjid of Jaunpur was built during the regime of Sharki rulers and the architecture and masonry of Sharki rulers are different from the mughal style. Persy Brown has termed it as the regional style of Jaunpur. There is an authentic book on Sharki architecture by the name of 'Sharki Architecture of Jaunpur' written by A. Fuherer, which was published by A.S.I." The witness was shown document No. 301 C-1/1 to 301 C-1/3 (in continuation) by the learned advocate cross-examining on looking at which the witness stated that these were the extracts from the above referred book.

The witness was shown document No. 301 C-1/3 and a question was asked whether it was mentioned therein that a pillar was brought from Banaras and set in Jaunpur?

On looking at the document the witness stated that a 10 lined text was engraved on the pillar which revealed that this pillar would have been set in a temple in front of the Vishwanath temple of Banaras. The incident of setting in the pillar in Atala mosque of Jaunpur proved the fact of demolition of a Hindu temple and shifting its remains to other place. In so far as pillars of Kasauti and door Shakha

pillar in Ayodhya re concerned, they are related with architectural artistic works for the construction of a temple. That is how the difference in between both the examples could be understood.

Question : My simple question was that it was clear from document No. 301 C-1/3 that such instances were available in history where a pillar or a stone fixed at one place had been shifted from there and fixed at some other place – what have you to say about it?

Answer : It is true that such instances are available in history where stones or other decorated pillars fixed in some building at some place have been shifted from there and fixed in some other building but one example is reflection of destruction whereas the other example mentions only the process of construction.

The witness was shown document No. 301 C-1/3 by the learned advocate cross-examining and a question was asked whether it had been mentioned in the Sanskrit sloka appearing on this page that some temple of Banaras had been demolished? On looking at the above, the witness stated that it had only been mentioned in this document that this temple had been built in front of Vishwashwar temple of Banaras and there was no mention of demolition of any temple. On looking at document No. 301 C-1/3 thoroughly the witness stated there was no clear mention of demolition of any temple in Banars. However, it had surely been mentioned in this document that "This important record clearly indicates that this pillar and undoubtedly 'many others' would have been brought from Banaras." This only means that this pillar and 'many others' which have been referred in the above sentence could not have

been brought without demolishing those temples. I am not aware whether such instances are available in history where remains of any temple have been shifted to other place without demolishing the temple. As per above writing the temple in Banaras, where this pillar was fixed had been built in 1353 Vikrami Samvat or 1296 AD. It was the temple of Lord Vishnu. On looking at document No. 301 C-1/3 the witness stated that the author of this book had also informed that Samvat 1504 or 1447 AD had been mentioned twice below the writing which as per his version were the dates of construction of the mosque. Banaras was a part of the territory ruled by Sharki rulers during the first half of 15<sup>th</sup> century. The witness stated, "I cannot tell in definite terms as to when did the rule of Sharki rulers start and when was it over. I have not read it anywhere that Sharki rulers had demolished any temple in Banaras."

Question : My submission is that the above pillar which had been referred in document No. 301 C-1/3 had been brought to Jaunpur as a ruin of a fallen temple and without demolishing any temple and was fixed here in the year 1447?

Answer : I do not subscribe with the view that the above pillar had been brought to Jaunpur from some fallen temple.

I have seen the book entitled 'Eastern Indian School of Medieval Sculpture' written by Dr. R.D. Banerjee and have gone through some part of it. This is again an ASI publication and is regarded as an authentic book. The witness was shown document No. 308 C-C/13 and a question was asked whether the four pillars mentioned in the third paragraph of the document were from a fallen

temple and that they were not brought by demolishing any temple.

On looking at the above document the witness stated that the four pillars mentioned in the para had been brought from a fallen temple and had been presented to 'Asiatic Society of Bengal' which is more than 200 years old institution. The institute is concerned with history and Archaeology and is in receipt of grant from the Government of India and is a very renowned Institute. R.D. Banerjee has stated correct position in respect of the four pillars mentioned in the above document No. 308 C-1/13. The pillars should still be preserved in Calcutta museum of 'Asiatic Society of Bengal' which is presently known as 'Asiatic Society'. On looking at 2<sup>nd</sup> para of the same document No. 308 C-1/13 the witness stated that it was mentioned in the document that a pillar of a Shaiva temple of mid-10<sup>th</sup> century had been found which had been fixed in the palace of a ruler in Dinapur district of north Bengal about a century ago. Document No. 308 C-1/13 representing the page of the book of R.D. Banerjee revealed that this pillar had been set in a garden of a palace by bringing the same from the ruins and without demolishing any building. The pillar is dated and Samvat 888 or 966 AD has been engraved on it and it has been stated by Banerjee Sahib that the pillar was set in here about a century ago. Thus there is a gap of around 9 centuries in between the two buildings which indicates that the former building would have turned into ruins of its own because of lack of repairs. On looking at the last four lines of the second paragraph of document No. 308 C-1/13 the witness stated that the 'pitchers and eight sided/ sixteen sided portions engraved on the top and bottom of the pillars now remind of the pillars of later Gupta age retrieved from



village Apsad of Gaya district, village Devvarnak of Shahabad district, located in Bihar, village Kausam known as Kaushambi in Sarnath (Banaras) Allahabad district and from Mathura district. There is a mention of two pillars in the above paragraph out of which I have already described about the first pillar above whereas the second pillar belongs to a later period and is comparatively less beautiful. The first pillar is exhibited on plate No. 90 D of this book which is available on document No. 308 C-1/14. The workmanship visible in the pillar available at figure D of document No. 308 C-1/14 belongs to the mid of 10<sup>th</sup> century.

Question : Is the workmanship visible in the pillar available at figure under heading 'D' on the above plate No. 90 (document No. 308 C-1/14) similar to the workmanship prevalent in the entire North India during the 10<sup>th</sup> century or reflects the workmanship of the regime of any particular ruler?

Answer : I am not an expert of ancient Indian art but still on the basis of the view of R.D. Banerjee it can be stated that such an art was prevalent in Uttar Pradesh, Bihar and Bengal. Possibly some features of the art of the period of Pals may be visible in this particular pillar.

There is surely a difference in between the strings visible on the pillar in the picture and the strings visible on the pillars fixed in the disputed building but only an expert of art could specifically comment upon it. A human figure is visible at the bottom of the pillar in the picture but I am not in a position to identify whether it is the figure of a dancing girl or of someone else. A white figure like object is visible on the flank in the right side of the pillar and no

other human figure is visible in this figure. The witness was shown document No. 308 C-1/15 and a question was asked as to which period did the decoration and workmanship visible in the figures of pillars available under the headings 'A', 'B' and 'E' on the document belong. On looking at the above the witness stated that he was not an expert of the subject still he felt that the decoration and workmanship visible in these figures belonged to around 10<sup>th</sup> century. The strings visible on the pillar under figure 'A' of this document appeared different from the strings of the pillars fixed in the disputed building but he was not in a position to elaborate this difference. A pitcher and figure of a Yaksha and Yakshini on both the sides were visible at the bottom of the figure of the pillar under heading 'B' of this document. The witness told that he had not seen pitcher and figures of Yaksha-Yakshinis on either sides thereof on the pillars of the disputed building. The witness stated, "I had stated in my earlier statement that figures of Yaksha-Yakshinis were visible on the pillars of the disputed building but these figures were different from the figures of Yaksha-Yakshinis visible under heading 'B' but since I am not an expert of Art, I cannot elaborate this difference." On looking at the figure No. 1 on document No. 289 C-1/219 of his book exhibit OOS-5-3 and the figure under heading 'C' on document No. 308 C-1/15, the witness stated that there was a big difference in the two figures but he could not elaborate this difference. The witness then stated, "I can broadly tell that the art shown under heading 'C' on document No. 308 C-1/15 belongs to the pre-Gharwal period but I cannot tell in precise terms. I am stating this fact based on my knowledge and common sense." On looking at a figure visible under the heading 'F' on document No. 308 C-1/15 the witness stated that it appeared to be the figure of a front image or lintel of the

entrance gate of some building which was fixed above the door Shakha of the doors. The witness stated, "A similar figure is given in figure No. 1 on document No. 289 C-1/220 of my book exhibit OOD-5-3 but it is not the part of the ceiling, the upper half portion of which has been broken and it would have been a square rock layer. There appears to be some difference in art and workmanship of both the above figures because the figure given in the book of R.D. Banerjee is more finely engraved whereas such a fine workmanship is not visible in the above figure given in my book. More fineness and workmanship reflected an earlier period where after the art started degenerating slowly and became crude. The witness stated, "I believe that there would be a difference of around 200 years in between the art of the two figures. All the figures visible on document No. 308 C-1/15 belong to the north Indian group."

The witness was shown document No. 309 C-1/5 by the learned advocate cross-examining and a question was asked whether the figure was of the gate of the same temple which he had called new birth place temple. On looking at the above the witness stated, "So far as I remember it is the figure of the entrance gate of the new birth place temple. I believe the architecture visible in this figure belongs to 18<sup>th</sup>-19<sup>th</sup> century. The witness was shown figure No. 90 of colour album No. 200 C-1 and a question was asked about the period to which the architecture visible in the figure belonged. On looking at the above figure the witness stated, "I cannot tell precisely to which century this figure should belong, but it should be at least 4-5 centuries old. The witness was shown figure Nos. 42, 47 and 48 of black and white album document No. 201 C-1 and a question was asked about the century to which the architecture visible in the figures should belong. On

looking at the above figures the witness told that the architecture of these photographs should also be 4-5 centuries old."

Question : As per your earlier statement around 40-50 pillars of Kasauti were set in the temple which is alleged to have been demolished by Meer Baki and as per your version 14 out of the above pillars were set in the disputed building, what has happened to the remaining 30-35 pillars of Kasauti and where have they gone?

Answer : In my earlier statement I had mentioned that besides the 14 pillars, three more pillars had been found in Ayodhya – Faizabad area and I do not have any knowledge about the remaining pillars nor I have read about them in any book.

Question : You have also not read in any book about the above 14 and other 3 pillars but have stated only as a conjecture that these pillars would have been fixed in the so called above temple which you allege to have been demolished by Meer Baki. Can you not again tell as a conjecture as to what happened to the remaining 30-35 pillars or is any folk-tale or popular belief prevalent with regard to this issue or not?

Answer : I do not subscribe with the suggestion that my statement about the existence of 14 pillars in the disputed building and 3 other pillars is based on conjecture but we find a mention of it in all the books or articles written about the disputed building. There is a mention in these books and articles that these pillars had been brought from

some Hindu temple and then set in the disputed building otherwise it would have been tough job to justify the existence of carved pillars in a building called a mosque. I am not aware of any anecdote about the remaining pillars of Kasauti nor I have come across any such information during the course of my research.

Question : Do you not believe that in case the so called temple had been demolished by Meer Baki the remaining pillars of the temple would have been left there only and could be found there even today?

Answer : I cannot confidently say anything about this whereas there is every possibility that some pieces of these pillars may be retrieved during the archaeological excavations being undertaken presently.

Question : Has there been any mention to the effect that besides the 17 pillars of black stone about which you have mentioned, the remaining pillars which you allege to have been set in the so called building would have been destroyed by Meer Baki and that is the reason that all the pillars are not traceable?

Answer : I cannot confidently say anything on the subject.

Question : I would seek to find out a possibility based on your general knowledge could you not come out with any such possibility?

Answer : As a historian I am not accustomed to build castles of possibilities on mere imaginations. It

would be unfair to arrive at such a guess until some facts are not available.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

21.03.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on dated 24.03.2003. Witness be present.

Sd/-

(Narendra Prasad)

Commissioner

21.03.2003

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**Dated:26.03.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

Cross examination of OPW 9 Dr. T.P. Verma initiated by Shri Zafaryad Jilani, Advocate on behalf of Defendant No. 4 Sunni Central Board of Waqf, UP, in continuation to 21.03.2003 before the Honourable Full Bench.

I have used the word 'facts' in my above statement by which I mean either we lay our hands on a real instance or information related thereto in any book. The incidents mentioned in the Gazetteer would also fall in the category of facts even if they are based on popular belief. At this stage the attention of the witness was drawn to the text contained in 14<sup>th</sup> line from the bottom of the 8<sup>th</sup> line in column 2 of document No. 312 C-1/3 by the learned advocate cross-examining on going through which the witness stated that he agreed with the fact notwithstanding that it was not a historical fact as it had not been confirmed from any other source. The witness stated, "I believe it would not be proper to infer anything on the basis of such a fact." On going through the text available in the fourth line from the bottom under column 2 reading as "A quadrangular coffer of stone ..... Devotion of the Hindus" the witness stated that this was again a fact but did not fall in the category of historical fact and is based on only on popular hearsay. This fact too is not confirmed from any other source. On looking at the first line on page 740 of the document, the witness stated that photocopy of the word 'born' was not visible and the word 'born' should have been there. The learned advocate cross-examining filed photocopies of both the pages i.e. page No. 739 and 740 and showed the same to the witness on which the witness stated that the word 'born' was clear on this page (marked

as document No. 317 C-1 to 3). The words 'A quadrangular coffer of stone' in the above sentence referred to some place inside the disputed premises possibly to Ram Chabootra located in the disputed premises. It could refer to a rectangular seat made of stone. The witness stated that he could not tell to which language the word 'Aisle' used in the sentence belonged and what was its meaning. Later on he stated that it could be a unit of measurement. The witness then said, "Since I am not aware of the length or measurement of 'aisle', I may not be able to tell whether the length and breadth of Ram Chabootra which I had seen in 1992 are the same or different but it is certain that Ram Chabootra was neither a rectangular nor a square. When I had seen the Ram Chabootra in the year 1992 its length was more than its breadth, it extended from north to south in length and from east to west in width. While writing this gazetteer the Ram Chabootra was stated to be 5 to 6 inches high but when I visited the Chabootra during the year 1992, it was 4-5 ft. above the ground. Besides, Ram Chabootra there is no other place in the disputed premises which could be referred to the facts mentioned in the gazetteer. At that time i.e. at the time of writing of the gazetteer some cradle might be lying here and not a Chabootra. There is no mention of the Chabootra in the gazetteer, rather there is a mention of a cradle and there is a possibility that there might have been a cradle at the place of Chabootra. There is a possibility that there might have been a cradle at the place of Chabootra. There is a possibility that the words quadrangular coffer of stone would have been used for cradle also. It has been mentioned in this gazetteer that people of those days believed that Ramchandrajī was born in this cradle only. Such a popular belief was prevalent amongst the people during the year 1850. Possibility the cradle would have



been kept at the place where Ram Chabootra existed till the year 1992. I cannot say anything as to when this popular belief i.e. birth of Ramchandraji in the cradle ended. I believe that this belief that is cradle episode is no more prevalent now a days. Later on he added that he doubted if such a belief was still prevalent or not. The witness stated, "I am not confident whether the belief of Ramchandraji taking birth in the cradle is prevailing now a days or not. I subscribe with the view mentioned in the gazetteer that Ramchandraji was the seventh incarnation of Vishnu. I am confident that Ram Chabootra had been built at the disputed site between the year 1885 in respect of which Mahant Raghuwar Dass had filed a case and there was no mention of any cradle in that case. I agree with the words 'Ayodhya or Avadh .....ancient city in Hindustan' appearing in the 4<sup>th</sup> line from the above in column No. 1 of document No. 312 C-1/4, page 740 of gazetteer. The word 'authorities' in the same sentence stands for historians but at the moment I cannot tell the name of even one historian amongst those who had stated that Ayodhya was the most ancient city of India. The name of 'Princep' appears in the first column of page 740 of this very gazetteer. 'Princep' was a historian and was Calcutta mint master. Credit of deciphering Brahmi Script goes to him only. I am aware of the coins which have been referred in this example by Princep. I am not aware whether Princep has mentioned such coins or not but I believe he must have done it and that is why they have been mentioned in the gazetteer. I have not heard of any coins retrieved from Ayodhya and legends engraved thereon were not legible. By the time of my writing my book exhibit OOS-5-3 I had not knowledge of any coin writings engraved whereon were not legible. The word legend stands for writing whereas the word character stands for script or letter. I do not remember whether

Princep had written any book or not.” Later on he added that it was not striking to him right then. Elphinsten was an art historian but he had neither read nor heard of any book written by Elphinsten about Ayodhya. He had gone through the book entitled ‘Indian Architecture’, written by Elphinsten but there was no mention of Ayodhya in the book. The witness stated, “I cannot tell whether the fact stated in this gazetter reading as ‘According to .....are sprung’ is correct or not.”

The witness continued, “I have heard the name of Bukanen who was a historian but I cannot tell the century to which he belonged. I cannot confidently tell whether he has written any history book or not. I also cannot tell whether he had written any traveller’s accounts.” Attention of the witness was drawn to 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup> and 16<sup>th</sup> line from the top of the first column of page 740, document No. 312 C-1/4 of this very gazetter, on going through which the witness stated that the word it’ did not refer to Ayodhya and if it has been used for Ayodhya then it is only a conjecture of Bukanen because as per his belief Ayodhya was established by Brahmins who had come from west Asia but this fact is not supported from any other source. Later on he added that since it had been mentioned under the heading ‘Ayodhya’, it obviously referred to Ayodhya. The witness also did not agree with the quotation of Bukanen given after this sentence on this page itself and it is only a conjecture of Bukanen which is not supported by any historical evidence. The witness also did not agree with the opinion expressed by Thornton Sahib which reads as ‘This author supposes ..... Christian era.’ Vaivshwat had established this city in the year 1336 BC. Later on he stated that he did agree with the fact that Ayodhya city was established by Vaivshwat who was regarded the 7<sup>th</sup> Manu

but he did not agree that it was established in the year 1366 BC as per tradition. It is believed that Vaivshwat Manu was there 12 crore years ago. If this tradition is to be believed, Ayodhya would have been established 12 crore years ago but as a historian he did not fully subscribe with this view. The witness then stated, "As stated by me earlier on page 67, as per tradition I believe that Ayodhya would have been settled 12 crore years ago. I hold a difference individuality of a religious man and altogether a different individuality of a scholar of history and seek to bring coordination somewhere in between the two individualities but whenever there is a clash I stand for my opinion as a historian. I am deposing in this court in the capacity of a historian but I feel that it is important to convey traditional knowledge. I regard myself as a modern historian." Later he added that he was not a historian of the history of modern times. The witness stated, "There was no person by the name of Vaivshwat in the year 1366 BC who is stated to have established Ayodhya. In view of this I feel the entire material relating to the establishment of Ayodhya as appearing in the first column on page 740 of document No. 312 C-1/4 is false. The subsequent text in the sentence reading as "he considers ..... of his sons" is again false that is I do not agree with." The words appearing subsequently in the same sentence reading as "That been rebuilt ..... Brihadbal 512 AD" is also false with which I do not agree. There was no ruler by the name of Brihadbal in the year 512 AD. I agree with the wordings in the next sentence reading as, "And having ..... King of Ujjain" but I do not agree with AC 57 mentioned therein. I believe it should be 57 BC. Hence, the entire story that Ayodhya had been reconstructed by Vikramaditya in 57 AC after remaining devastated for many centuries after Brihadbal is false. There is a mention of Tard and Wilford

after this sentence. Both of them are historians. The full name of Tard is Col. James Tard.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

26.03.2003

Typed by the stenographer in the open court as dictated by us. In continuation for further cross-examination on dated 27.03.2003 . Witness to be present .

Sd/-

26.03.2003

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**Dated:27.03.2003**

**O.P.W.9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 26.03.2003 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989).

(Cross-examination on oath on behalf of Defendant No. 4 initiated by Shri Zafaryab Jilani, Advocate in continuation to cross-examination dated 26.03.2003).

The witness was shown document tNo. 317 C-1/2 and 3 and document No. 107/C-1/10 and 11 on looking at which the witness stated that both these were the photocopies of page No. 739 and 740 of the gazetteer of Thornton. On looking at document No. 312 C-1/3 and 4 the witness stated that these were again the photocopies of the same pages, photocopies of which were available at document No. 107 C-1/11 and document No. 312 C-1/4. The witness stated that the only difference in between the two documents was that the word 'born' was clear in the first line of first column of document No. 107 C-1/11 whereas the word 'born' was not clear in document No. 317 C-1/4. Similarly the word 'born' was clear in document Mo. 317 C-1/3 and that there was no difference in document Nos. 317 C-1/2, document No. 317 C-1/3 and 107 C-1/10 and 11. The witness stated, "I do not have much knowledge about Wilford referred in document No. 317 C-1/3. Col. James Tard had written the book entitled 'History of Rajasthan' but I do not know as to what has he written about Ayodhya." The witness was shown the text contained in the first column of document

No. 317 C-1/3 and reading as 'Tod however .....2000 year BC' on looking at which the witness stated that he did not agree with it. The witness was then shown the later portion of this very first column which read as "the former writer ..... its suburbs" on looking at which the witness stated that he did not support this view and that it could be partially true. The witness then stated, "I believe that possibly Lucknow might have been a suburb of Ayodhya at some point of time. The word suburb stands for adjoining rural area. Wherever there is a mention of Ayodhya in vedic literature, Puran literature and Valmiki Ramayana, Lucknow has never figured. I have not read anywhere if there has been a mention of Lucknow in any other literature related to Ayodhya. It is incorrect to suggest that mentioning of Lucknow as a suburb in the above document No. 317 C-1/3 is completely wrong. There could be a possibility of Lucknow being a suburb of Ayodhya during the time of Ramchandraj or earlier or even during the post-Ramchandraj period but such a possibility could not be for the period beyond Christian era". The witness stated of himself that while describing Ayodhya in Valmiki Ramayana, Valmiki had stated that Ayodhya was 12 yojan long and 23 yojan broad. Yet another mention about Ayodhya is found in Ain-ai-Akbari of medieval age in which it had been stated that, "In ancient times this city was told to be 148 kos (possibly 200 miles) long and 36 kos broad and it was also stated that it was the most pious city of ancient times." In this way there could be a possibility of a suburb of Ayodhya at a distance of 80 miles from Ayodhya. This description of Ayodhya should date back to BC and not later than Christian era. The witness stated, "I believe that one yojan is equal to around 12 kos and as such 12 yojans meant around 148 kos. Now-a-days a kos is roughly equal to two miles. I have not gone through 'Ain-ai-Akbari' but

have come across of this reference of 'Ain-ai'Akbari' at some other place. I do not remember if I have seen the English translation of Ain-ai-Akbari or not. I have studied ancient history deeply and medieval history broadly. 'Ain-ai'Akbari' was written by Abul Fazal, one of the nine jewels during the period of Akbar and it is regarded as an authentic source of medieval history. I do not remember whether there is a mention of Babar in 'Ain-ai'Akbari' because I have not read the complete book. 'Ain-ai'Akbari' contains extensive details of the period of Akbar and it is regarded as the official gazetteer of Akbar age.

Question : My submission is that we do not find any mention in 'Ain-ai'Akbari' of the fact that Babar or his Army commander Meer Baki had demolished any temple in Ayodhya.

Answer : Your statement could be true and untrue also because I have not read 'Ain-ai'Akbari' completely but I have not read such a thing in 'Ain-ai'Akbari'.

My statement that Ayodhya was the most pious place of India has been quoted from the gazetteer of Thornton. The witness was shown the text appearing in column-I in document No. 317 C-1/3 reading as 'The great ..... sacred places of antiquity' and a question was asked whether he agreed with what had been stated above. On looking at the above the witness stated that he agreed with it. The witness stated, "I agree with the fact mentioned above that Ayodhya was regarded as the largest City of India in 'Ain-ai'Akbari'. This was something believed during the period of Akbar. In the same column it is mentioned subsequently that during 'Ain-ai'Akbari' that land revenue of this city along with Haveli was stated as Rs. 50,209/-. I

cannot say whether land revenue of big cities of India used to be around Rs. 50,000/- during the time of Akbar.” The witness was shown the text ‘with the Haveli and Municipal district ..... greatest city of India’ appearing in column-I of document No. 319 C-1/3 and a question was asked whether he agreed with the view of Thornton expressed in the above text. On looking at the above the witness replied that he agreed with the views of Thornton. The witness was shown the very next sentence in this column reading as ‘the present population ..... 500 Muslims’ on looking at which the witness stated that this was the population at the time of writing of gazetteer and was correct. The witness continued, “I am not aware about the present population of Ayodhya. I have termed the population indicated by Thornton as correct on the basis that this population would be based on the census conducted at that time. I am not aware whether any census was conducted in Avadh during the period 1850 to 1858. I also cannot tell as to from which year census had officially started in India but I am aware that census is conducted once in every ten years. I am not aware whether any census was conducted in India during the year 1901.

Question : My submission is that there had been no official census in India particularly in the area of Ayodhya in between 1850 to 1860?

Answer : I am not aware of it.

Question : Should I made out that you have disagreed with most of the details given under heading Avadh in document No. 317 C-1/2 and 3 representing page No. 739-40 of the gazetteer written by Thornton.



Answer : I agree with your contention i.e. I have disagreed with most of the above facts.

The witness states, "I do not agree with details of habitation and devastation of Ayodhya given under the heading 'Avadh' in the above gazetteer of Thornton on document No. 317 C-1/2 and 3. The date-wise details of habitation and devastation of Ayodhya under the above heading 'Avadh' have not been used by me either during writing my book or during the proceedings of this case. The witness was shown para 14 page 6 of his affidavit of his examination-in-chief which read as "There is an anecdote amongst Hindus ..... as has been mentioned" on looking at which the witness stated that his above statement was true. Ayodhya was established by Vaivaswat Manu for the first time, by Rishabhdev for the second time and by Vikramaditya for the third time during 57 BC.

Question : In the above gazetteer, there is a mention of habitation of Ayodhya for the first time in 1336 BC, its devastation in 775 AD and habitation by Brihadbal in 512 AD and when you have already conveyed your disagreement to the above then how could you state in your affidavit 'as has been mentioned' in the book ?

Answer : In fact at the time when I filed the above affidavit I had in my mind the mention of Thornton and British writers wherein it had been stated that Ayodhya was devastated and habetated repeatedly. In my affidavit I had broadly subscribed with the facts mentioned in the gazetteers because of which I had agreed with

the facts but it does not imply that I should agree with every detail.

The witness was shown document No. 107 C-1/27 to 107 C-1/30 (in continuation) by the learned advocate cross-examining and a question was asked as to where it was mentioned in the settlement report that Ayodhya was habetated for the third time. On looking at the above the witness stated that id had been mentioned in para' 619 of document No. 107 C-1/28 that Vikramaditya had come to Ayodhya and had got 360 temples built, possibly this was the mention of habitation of Ayodhya for the third time.

Question : There is neither a mention of habitation of Ayodhya for the third time in para 619 of the above document No. 107 C-1/28 nor there is any mention of habitation of Ayodhya by Vikramaditya, there is only a mention of construction of 360 temples in Ayodhya. What have you to any about it?

Answer : It is correct that there is no mention of habitation of Ayodhya by Vikramaditya nor it is mentioned that Ayodhya was inhabited for the third time but it is mentioned in many anecdotes, gazetteers and other books that Ayodhya was inhabited by Vikramaditya for the last time and it is on this basis that I had mentioned the above facts.

Question : When there is no mention in the above document No. 107 C-1/28 of the fact that the credit of habitation of Ayodhya for the third time went to Vikramaditya the ruler of Ujjain, then why did you refer of this document in para 14 of your affidavit with reference to the above suit?

Answer : The documents referred to above by me in my affidavit broadly support my above statement but they cannot be fully supported on the basis of minute details. I have mentioned about them in my affidavit only because they broadly supported the facts.

The witness was shown the next contained in para 14, page 6 of his affidavit which read as 'there is an anecdote amongst Hindus ..... as has been mentioned' and a question was asked that there was no mention of construction of a temple but only a mention of habitation of Ayodhya for the third time which has not been mentioned in above document No. 107 C-1/28 and therefore your contention is completely wrong that your above statement is clarified from document No. 107 C-1/28 also. The witness stated, "In this connection I am to state that this portion of my affidavit has been referred partially. There is a coma after the words 'as has been mentioned' and thereafter the sentence has been completely by adding the words "got 360 temples built in Ayodhya" and then only the sentence becomes complete. Therefore it is improper to regard me as wrong by quoting only a part of the sentence.

Question : Should I make it that you have used the document No. 107 C-1/28 only with reference to the fact that it is mentioned in the affidavit that 360 temples were got built?

Answer : Yes, it is correct.

The witness stated, "Document No. 107 C/1-28 is a part of the "Report on the settlement on the land revenue of the Faizabad district by A.F. Millet." I do not know the year during which A.F. Millet was the officiating settlement officer of Faizabad but this book was published in the year

1880 and this implies that he would have remained there prior to 1880. I am not aware whether the settlement officer is Junior or Senior to District Collector. On looking at document No. 107 C-1/27 the witness stated that he did not know what was meant by the words, "A.F. Millet was a Government employee but I am not aware whether he was a historian or not. I am also not aware whether A.F. Millet was an employee of East India Company or an employee of Navab of Avadh. He has mentioned the above facts in his book on the basis of hearsay prevalent in Ayodhya. I cannot tell as to how many facts mentioned in document No. 107 C-1/27 to 107 C-1/30 (in continuation) by A.F. Millen are based on his personal knowledge and how many are based on the reports of other writers."

The witness continued, "I do not know the way in which settlement report is evolved. I am also not aware how much and what type of staff is required to write a settlement report. I have not completely read the above report of A.F. Millet – but have gone through only a part of it as shown in document No. 107 C-1/27 to 107 C-1/30 (in continuation). I had gone through the above documents earlier while filing my affidavit and still earlier while writing my book. I have seen the above report of A.F. Millet in the form of a book which I had seen while writing my book. I had seen this book around the year 2000. I had seen the above report in the form of a book which I had borrowed from some one but at the moment I do not remember the name of the gentlemen from whom I had borrowed the book. I had returned the borrowed book after a couple of days after preparing my notes. While preparing my affidavit for examination-in-chief, that book or notes prepared from the book were not available before me and whatever I had mention in the affidavit was based on my

memory. I had seen document Nos. 107 C/1-27 to 107 C-1/30 (in continuation) while deposing in the court." On looking at document No. 107 C-1/27, the witness stated that name of P. Carnegi and J. Woodvern were mentioned on the document. He had heard the name of P. Carnegi who had written a book on history of Faizabad which he had gone through. The witness stated, "I am not aware whether the book of P. Carnegi has been filed in this court or not. There is a mention of history of Ayodhya in that book but I do not recollect whether there is a mention of the disputed building in the book. I had read this book for the first time while writing my book exhibit OOS-5-3 and it was sometime around the year 2000. A copy of the above book of P. Carnegi is available in my persona library. I had not read this book before coming to file my affidavit of examination-in-chief. I have not read the above book ever since I started deposing in this court till this day. While writing my book I had made use of the book of P. Carnegi to ascertain facts related to the history of Ayodhya. I might have possibly made use of the above book of P. Carnegi to find out the facts relating to the disputed building also but I do not precisely remember the same. I had read the book of P. Carnegi for the last time sometime around the year 2000 while writing my book and not thereafter. I had also prepared notes of the book of P. Carnegi but I felt no need to go through the notes later on i.e. at the time of writing of the book. I have made use of the book of P. Carnegi for my affidavit relating to examination-in-chief but I have made use of the book not by reading it but only on the basis of my memory. I had cursorily gone through the documents referred in my affidavit relating to examination-in-chief."

The witness stated, "I had gone through the above book of P. Carnegi thoroughly while writing my book. In a

few pages of a book are read it cannot be said that the entire book has been gone through. At the best it can be said that this book has been glanced." The witness was shown the affidavit of his examination-in-chief by the learned advocate cross-examining and a question was asked whether he had mentioned of the book of P. Carnegi in his affidavit? On looking at the document the witness told that a reference of the book had been made in his affidavit but he could not identify the same as per document number but he was confident that a reference of the book of P. Carnegi had been made in his affidavit. There was possibly no mention of the name of P. Carnegi in his affidavit. Now it was coming to his mind that he had possibly filed a few portions of the above book of P. Carnegi in this court and it was during the time of Devki Nandan Aggarwal that a few portions of the above book had been filed in this court. The witness was shown document No. 107 C-1/17 and a question was asked whether it was a part of the book of P. Carnegi? On looking at this and subsequent documents the witness stated that document Nos. 107 C-1/17 to 107 C-1/26 (in continuation) appeared to be parts of the book of P. Carnegi. Later on he stated that document No. 107 C-1/17 to 107 C-1/20 (in continuation) were the portions of the above book but he was not sure whether the remaining documents were a part of the above book or not. On looking at the affidavit of his examination-in-chief the witness stated that there was no mention of document No. 107 C-1/17 to 107 C-1/20 (in continuation) in his affidavit.

Just a while ago I had stated in my statement above that, "This book has been referred in my affidavit ..... reference of the book of P. Carnegi has been given" and it was mentioned mistakenly.

Question : My submission is that amongst the documents filed in the suit you have filed document Nos. 107 C-1/17 to 107 C-1/24 (in continuation) and not only document Nos. 107 C-17 to 107 C-1/20 as extracts of the book of P. Carnegi?

Answer : Yes, I agree with your contention.

Photocopies of the same documents have been filed again as documents 312 C-1/5 to 312 C-1/12 I had not seen these documents while preparing my affidavit of examination-in-chief.

It has been mentioned on the cover page of document No. 107 C-1/27 of the report of A.F. Millet that the report was partly based on the notes and reports of P. Carnegi and J. Woodvern and both of them have been mentioned as ex-settlement officer and ex-officiating settlement officer respectively. The book of P. Carnegi which I have gone through is a different thing and is different from notes and reports mentioned in document No. 107 C-1/27. I have not myself gone through the above notes and reports of P. Carnegi but I am aware of them. I had no knowledge of these notes and reports prior to document No. 107 C-1/27 shown to me. Similarly I had no knowledge of the notes and reports of Woodvern prior to this day. I do not remember precisely but I would have gone through document No. 107 C-1/27 to 107 C-1/30 (in continuation) for the first time while preparing my affidavit of examination-in-chief. I do not remember whether I had studied these documents prior to this or not. I have not made use of it in my book exhibit OOS-5-3. I do not remember whether I have made use of the above documents in the affidavit of my examination-in-chief. The witness was shown the affidavit of his

examination-in-chief on looking at which the witness stated that he had referred to document No. 107 C-1/28 in para 14, page 6 of it. The witness stated that he had made use of documents no. 107 C-1/28 in the context of 360 temples being built in Ayodhya by Vikramaditya and not in the context of re-habitation of Ayodhya for the third time by Vikramaditya. He had stated the above fact in the affidavit on the basis of reference given in para 619 of document No. 107 C-1/28. The witness stated that he agreed with the fact of construction of temples related to Rama at 260 pious sites in Ayodhya by Vikramajeet as stated by H. Eliot in para 619. Common people i.e. less educated people called Vikramaditya as Vikramajeet also. It is also stated in this very paragraph that out of these 360 temples only 42 temples are in the memory of modern generation and he agreed with this statement too. The witness was not aware of the details of these 42 temples about which he had also not read anything anywhere. He had also not gone through minute details about these temples anywhere. It is also stated in this para 619 that the list of these temples was given at Appendix 'A' mentioned in para 701. The witness stated that he had not gone through Appendix 'A' and para 701 and possibly both these documents have not been filed also.

Question : Should I make it that there is no mention of any temple by the name of Ram Janambhoomi Mandir or 'Ram Janamsthan' in Appendix 'A' and para 701 and that is why you have not filed these papers in this court?

Answer : I believe that mention of Ram Janambhoomi Mandir or Babri Masjid Mandir would have definitely been there at Appendix 'A' or para 701



but possibly the list could not be filed mistakenly.

Question : You have just now stated that you have not read any pages of the report of Millen excepting the four pages (page Nos. 218, 234, 235 and 236) at document Nos. 107 C-1/28 to 30 (in continuation) then how could you say that mention of Ram Janambhoomi Mandir or Janamsthan Mandir would have been made in Appendix 'A' or para 701?

Answer : I have only stated the possibility of the mention of Ram Janambhoomi Mandir in para 701 and Appendix 'A' and not that such a mention would certainly be there.

Question : Since you have not at all seen Appendix 'A' and para 701, how could you even talk of any possibility with regard to their contents?

Answer : Millet has very clearly stated in para 619 that the modern generation is aware of only 42 out of the 360 temples a list of which is given in para 701 and Appendix 'A' and it is only on this basis that I have stated the possibility that Ram Janamsthan should be included in the same list.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

27.03.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on 28.03.2003 .Witness to be present.

Sd/-

(Narendra Prasad)

Commissioner

27.03.2003

**Dated:28.03.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 26.03.2003 of the Hon'ble Full Bench in other Original Suit No. 5 of 1989).

(Cross-examination on oath on behalf of defendant No. 4 initiated by Shri Zafaryab Jilani, Advocate in continuation of cross-examination dated 27.03.2003).

The witness was shown the portion 'As well as ..... royal race' appearing at para 619 of document No. 107 C-1/28 by the learned advocate cross-examining and a question was asked as to what did the author mean by these words? On looking at the above portion the witness stated that by the above words it was meant that even during the period of the writer of the report i.e. A.F. Millet many Thakurdwaras were being constructed in the memory of Ramchandraj and his army commanders by many royal dynasties of the country. The witness was shown paragraph 618 of the same document on looking at which he stated that he agreed with the facts mentioned in the para. In para 618, Millet has described the situation of Ramkot as prevailing during his time. Fort of Ramkot existed around the year 1880 even though it was in a dilapidated condition. It is stated that there were 20 towers in the fort which were known by the names of various army commanders of Ramchandraj. Names of towers are indicated in small letters from 1 to 20 on the left side in the same para. Names of eight royal palaces mentioned in this

fort of Ramköt are also indicated in small letters on the left side in the same para. The witness stated that he agreed with the names of 20 towers and eight royal palaces indicated in this paragraph. There existed a temple by the name of Hanumangarhi in the year 1880 on a tower named Hanuman. The area and size of the present Hanumangarhi should possibly be same as had been during 1880 at the time of publication of this report. The towers mentioned in the report are presently known as mounds by the same names. The witness said, "I am not confident whether there existed a tower by the name of Sugreev but there is a possibility that some mound or hillock would have existed during those times by the name of Sugreev. Out of the names of 20 towers mentioned in this paragraph names of Nal mound, Neel mound, Kubed mound, Matt Gajendra are coming to my mind and I have no knowledge about the remaining. I have read or heard of all the above four mounds somewhere but I am not aware about their location. Similarly I have heard about the names of the eight royal palaces indicated in this paragraph but I am not aware of their location. There is a mention of Ratna Singhasan followed by 'Throne room' in brackets in the list of royal palaces. Ratna Singhasan (Throne room) meant the place where the audience was held or it was a private hall of audience. When I went to Ayodhya in October 1992 I did not seek any information about Ratna Singhasan nor anyone had given me any information in this respect. I had heard of Kaushalya Mandir, Sumitra Mandir and Kaikeyee Mandir at that time but I did not visit these places. There is a mention of Sabhamandra (court house) at serial No. 5 of the list of royal palaces and it can be called Sabha Mandir but I do not know even about this sabha mandir nor I have heard of it anywhere. The Janamsthan (Rama's birth place) at serial No. 6 would have been the same place

which is called Ram Janambhoomi place. The same building which Meer Baki had got built in the year 1528 has been referred as birthplace. I have talked of royal palaces above but they should instead be called royal buildings. The eight royal buildings mentioned in this paragraph 618 would have existed during the time of Dashrath and his son Rama but whatever buildings have been constructed on whichever places out of them should be buildings built lately. I have not seen all the 8 royal buildings and as such cannot offer any estimate about their lives but I believe that Babri Masjid built on Ram Janamsthan should probably be the oldest among them. The name of 'Kanak Bhavan' is found at serial No. 8 in this list of buildings about which it is stated that it should have been the Swarna Prasad (palace) of Ramchandraj. I have not come across the list of eight buildings in any other book excepting this mention by Millet. Possibly Hans Baker might have mentioned them. Mention of these buildings could be found in a few copies of the book entitled Ayodhya Mahatmya. I have not read the names of these buildings in the form of a list in the book 'Ayodhya' by Hans Baker nor in 'Ayodhya Mahatma'.

The witness was shown last sentence of para 619 of document No. 107 C-1/28 and a question was asked if he had any knowledge about 6 Jain temples described therein on looking at which the witness stated that at that point of time only the name of Adinath Mandir was coming to his mind and that he could not say anything about other Jain temples. The statement of Millet that there were 6 Jain temples in Ayodhya was correct. The witness was shown the portion reading as 'on the second Aurangzad .....the conquered' in para 666, document Nos. 107 C-1/27 and 30 on page Nos. 234-235 respectively of this settlement report and a question was asked whether he agreed with the facts

mentioned therein? On looking at the above the witness replied that he agreed with the above portion but a few writers believe that the third temple was also demolished by Aurangazeb such facts are not found in the books by Yadunath Sarcar etc.

Question : Could you name any history book in which facts mentioned about Aurangazeb in the above paragraph 666 have been repeated?

Answer : At the moment I cannot recollect the name of any book wherein such facts are mentioned.

The witness was shown the portion reading as 'It is locally affirmed .....AD 1528' in paragraph 666 and was asked to tell the name of any history book in which he would have read these facts. On looking at the above portion the witness stated that at this point of time he could not recollect the name of any such history book in which such facts had been mentioned. The witness stated, "I am not a student of medieval history and have read very few books related to medieval history." The witness was shown the portion reading as, "The Janamsthan ..... Sita' in the same para 666 and was asked to tell the name of any history book in which he would have read these facts? On looking at it the witness stated that he could not tell the name of any book on this subject also.

Question : My submission is that the facts mentioned in the entire para 666 are not based on any historical source but as mentioned in the first line of the paragraph, they are based on facts as told by local people – What have you to say about it?

Answer : I do not subscribed with the view that the facts mentioned in paragraph 666 are not based on

any historical sources but it is minus-point with me that I have read very few books on medieval history and that is why I am not in a position to tell the names of the books. However, historical sources included hearsays and records also and there is a mention of receipt of three records about masjid of Babar built at the Janambhoomi site and in view of this facts mentioned in this paragraph cannot be denied.

The witness was shown paragraph 667 in document No. 107 C-1/30 by the learned advocate cross-examining and a question was asked whether he agreed with the facts mentioned in paragraph. Looking at the para the witness replied that he agreed with the facts. All the facts mentioned in the para are not based on 'Ladene's Memoirs of Babar' rather Millet has stated certain facts about the records available relating to Babri Masjid also which are couched in the own words of Millet. The witness was shown the portion reading as "To my thinking,..... intermediately" in para 668 of the same document and a question was asked whether he agreed with the opinion of Millet contained in the above para on looking at which the witness stated that he did not agree with the opinion of Millet. The witness stated that the basis of his disagreement with the opinion of Millet was that Millet had found much similarity in between Buddhist pillars and the pillars set in Babri Masjid. In this connection the witness said, "As far as my personal knowledge and research are concerned I can very confidently say that no such pillar was found in Banaras which was similar to the pillars set in the disputed building". The witness was shown paragraph 669 of document No. 107 C-1/30 on looking at which the witness stated that the so called incidents of 1855

mentioned in this paragraph were historically proved because mention about them was found in various dispatches by East India Company and also practically all the gazetteers and other sources of British period revealing information about them also confirm them.

I have mentioned about the above dispatches of East India Company in my book but at this point of time I do not remember the place from where the dispatches had been published. One of my friends had given me an article which I had used in my book where in reference of such dispatches were found. My knowledge about these dispatches is based on the article of my friend whose name is Dr. Bhupendra Pal Singh and who is working as a Reader of Ancient History in Banaras Hindu Vishwavidyalaya. I do not know the place from where his article had been published but he had provided me a handwritten copy of the article. I do not remember the year but he had given me the handwritten copy of the article after the year 1990. Till this day I am not aware whether his handwritten article had been published anywhere or not nor I have heard anything about its publication. The article contained numbers and dates of those dispatches of East India Company also. However copies of the dispatches had not been enclosed with the article. However I do not recollect whether the article contained actual extracts of those dispatches or not. I should have a photocopy of the article with me. Though he had once asked for this article but I do not remember whether I returned it to him or not. I did not go through the original article obtained from my friend but had gone through its photocopy. The above Dr. Bhupendra Singh is still working as a Reader and resides in Banaras. I would have gone through the above article 5-6 years before finalizing the proofs of my book. A copy of the article was

available with me when I was writing that chapter of my book which contains reference of this article. In my book I have made use of the summary of the article indicating his name and have not made use of its footnotes in my book. I did not make any effort to look at the dispatches of the East India Company referred in the above article during the period of 5-6 years starting from reading the article till the publication of my book because my purpose was only to give a detailed account and the purpose had been duly met by his article. I believe that the above dispatches of East India Company were important sources of concurrent history. This will be quite logical to say that a dispatch written in 1885 about an incident of 1855 would be the most important source and later on incidents recorded during the year 1855, 1857, etc. would be important source for the incident of 1855, still I did not try to look into them because their general details were available in some gazetteers and the book of P. Carnegi and I have not given much importance to these sources while writing this book as my purpose had been met by the above books and the article.

Question : Could any importance be attached to an article which is written by a living person and kept in his house without venturing to get it published?

Answer : No importance should be given to such an article.

Question : You have mentioned in your statement above that since you had read in gazetteers etc about such incident reported in the so called dispatches of East India Company you did not try to go through the original dispatches or to get more elaborate information related thereto, could you tell us the names of such gazetteer or other



books in which you had read about the above dispatches of East India Company?

Answer : I would like to have a re-look at my above statement in which I have stated that dispatches had been referred in those gazetteers. In fact I have not mentioned in my statement that those dispatches had been referred in any gazetteer.

Question : Should I make out that you have not gone through the reference of the above dispatches in any gazetteer or book?

Answer : It is correct that I have not read any reference of those dispatches in any gazetteer or any book.

The first available publication in respect of the so called incident on 1855 is the gazetteer of 1858 and to my knowledge there is neither such other publication nor filed in this court. The attention of the witness was drawn to document No. 107 C-1/10 and 11 which carried extracts of the gazetteer of Thornton published in 1858 by the learned advocate cross-examining, on looking at which the witness stated that there was no mention of the incident of the year 1855 in those documents. The witness was then shown document Nos. 107 C-1/12 to 16 (in continuation) and a question was asked whether there was a mention of the so called incident of the year 1855 in the reports of 1862-1865 by Alexandar Cunningham. On looking at the above the witness stated that there was no mention of the incident of the year 1855 even in these reports. On looking at document Nos. 107 C-1/17 to 107 C-1/24 (in continuation) which carried extracts of the book of P. Carnegi published in 1870, the witness stated that there was a mention of the incident of the year of 1855 in document No. 107 C-1/23. Whatever Carnegi has written in this connection i.e. about

the incident of 1855 has been virtually reproduced by A.F. Millet in para 669 of his book without adding anything from his own side. Basically mention of the incident of the year 1855 was found only in the book of P. Carnegi. Millet has given no reference of the book of P. Carnegi in his report. The reports and notes of P. Carnegi which had been referred by A.F. Millet on the cover page of his report, have not been seen by me in a printed form nor I am aware whether they have ever been published from anywhere or not. I believe that the report of Millet contains the portions written by P. Carnegi and that is why the above complete paragraph has been reproduced. The witness was shown document Nos. 312 C-1/13 to 312 C-1/16 (in continuation) and was asked to tell the name of the author of the gazetteer. On looking at the above documents the witness stated that the name of the author was not given in the documents but it was of course indicated that it was published for the first time in the year 1877-78. the witness stated, "The name of the author is not striking my mind at the moment. The reference about the incident of 1855 by P. Carnegi available in his book on document No. 312 C-1/16 has simply been a reproduction and only one sentence has been added in the end. The witness was shown document No. 107 C-1/33 to 107 C-1/36 (in continuation) and asked whether there was a mention of the incident of the year 1855 in these document. On looking at the document the witness stated that there was no mention of the incident of 1855 in these documents. Possibly there might be some reference in subsequent pages. I have definitely gone through the book from which the above document has been referred. I do not remember whether there is a mention of the incident of the year 1855 in this book or not. A. Fuehrer the author of this book was probably an employee of East India Company and had

conducted an archaeological Survey of this area. The book written under Archaeological Survey of India and printed and published by the Superintendent, Government of India press is the book, extracts of which are given in the above documents. The witness was shown document No. 107 C-1/37 to 107 C-1/39 (in continuation) and was asked whether there was a mention of the so called incident of 1855 in these documents. On looking at the documents the witness replied there was o mention of the incident of 1855 in these documents. The witness was shown document Nos. 107 C-1/40 and 41 on looking at which the witness stated that there was a mention of the incident of 1855 in these documents. The above document was an extract of gazetteer Barabanki and there was a mention of the incident of 1855 in document Nos. 107 C-1/40 and 41 in text reading as 'shortly before annexation ..... anyway he could.' The above portion was related with the incident of 1855 of Ayodhya.

Question : My submission is that the details given under the heading 'the raid of Amir Ali' given in para 2 of document No. 107 C-1/40 and which ends with the last word on document No. 107 C-1/41 is related with Barabanki and not with the incident of Ayodhya? What have you say about it?

Answer : The incident is actually related with Hanumangarhi and birth place located in Ayodhya. This is a fact that while marching towards Ayodhya Amir Ali and his associates had been killed by the soldiers of East India Company in Barabanki district and that is why the incident has been mentioned in the gazetteer of Barabanki but the origin of the incident was in Ayodhya.

Question : My submission is that the incident referred in the above portion of document No. 107 C-1/40 and 41 has been stated to be of the year 1858 and not of 1855?

Answer : The above incident that occurred in Barabanki district has been stated to have occurred in 1853 in these documents but it had its origin in Ayodhya which becomes clear on reading the paragraph further.

Question : The so called incident of the year 1855 which has been mentioned by Carnegi on page 21 document No. 107 C-1/23 on his book, is altogether a different incident from the one mentioned on document No. 107 C-1/40 and 41? What have you say about it?

Answer : I personally believe that origins of both the incidents are inter-related and I have a doubt about the mention of the year 1853 and I can provide further details after looking at my book.

The incident of 1855 mentioned by P. Carnegi in his book on page 21 document No. 107 C-1/23 does not find a mention on document Nos. 107 C-1/40 and 41. The attention of the witness was drawn to his above statement of today only in which he had stated that "document No. 107 C-1/40 is related to ...." and a question was asked that the incident described in this document has been stated to be of 1853 – what had he to say about that? On looking at his above statement the witness stated, "The author of this gazetteer has stated this incident to be of the year 1853 on

the basis of a news brought out by the Pioneer daily in the year 1902 wherein the author had stated, "It appears that the incident would have occurred in the year 1853" but after having a look at my book I can confirm that the incident belongs to a later date and there is a comparability in between this and the incident of 1855. Despite the fact that both the incidents are different, the subject of the matter or dispute is the same. That is the reason that I have stated above that the incident of Amir Ali is also related with the year 1855.

Question : My submission is that the incident mentioned on document Nos. 107 C-1/40 and 41 is related with Amir Ali and he was making efforts to go towards Ayodhya in connection with the masjid located at Hanumangarhi at Ayodhya and therefore the incident has no bearing on Babri masjid? What have you to say about it?

Answer : It is correct that Amir Ali was fighting against the demolition of the so called masjid located at Hanumangarhi and it was in this context that he was making efforts to go to Ayodhya. There was no direct relation of this incident with Ram Janambhoomi but because of location of Ram Janambhoomi close the Hanumangarhi, Babri Masjid also got related with this incident as a matter of coincidence which has been mentioned by P. Carnegi and A.F. Millet.

Question : If the details of the so called incident of 1855 given by P. Carnegi on document No. 107 C-1/23 are taken as correct as stated by you then it would be held that Muslims had taken Babri

Masjid under their control in 1855 – kindly tell as to when were the Muslims turned out of this masjid prior to 1855 and how long did the mosque remaining possession of Muslims after 1855?

Answer : Based on the information gathered by me as a historian I can say that at the time of occurrence of the incident of 1855, Muslims had used the Babri Masjid as a place of safety during the fight. P. Carnegi has himself stated that prior to this incident Hindus and Muslims used to worship at this place and that after the incident of 1855, a netted wall was built in the middle of the courtyard of the premises inside which the Muslims worshipped and outside which the Hindus worshipped and this system went on possibly upto the year 1934.

I agree with the opinion of some of the historians that the netted wall in the meddle was constructed after the clash in the year 1855. The window-bar was constructed by East India Company or British Government. I do not have specific knowledge whether the Muslims used only one or both the gates of their entry inside. Prior to the year 1855, Hindus and Muslims both used to worship at this place but since how long this had been going is something about which I am not aware. I have not read any details about it in any book. I cannot confidently say whether people of both the communities used to enter the building during the rule of Aurangazed.

The witness was shown para 670 on the reverse of the document No. 107 C-1/30 and a question was asked, whether he agreed with the facts mentioned therein.

On looking at para 670 the witness stated that he agreed with the facts mentioned therein.

Question : Is the Sabha mandir mentioned in para 618 on document No. 107 C-1/29 different from the Ramdarbar Mandir mentioned in this para or both were the same temple.

Answer : Possibly it is a description of the same temple at both the places.

Witness was shown the reverse of the document No. 107 C-1/30 and paragraphs 671 and 672 on looking at which the witness stated that he did not agree with 671 but agreed with para 672. Later on he stated that he agreed with the last sentence of para 671.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

28.03.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on 31.03.2003 . Witness to be present .

Sd/-

(Narendra Prasad)

Commissioner

28.03.2003

**Dated:21.04.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 10.04.2003 of the Hon'ble Full Bench).

(Cross-examination of O.P.W. p Dr. Thakur Prasad Verma on oath by Shri Zafaryab Jilani, Advocate on behalf of Defendant No. 4 initiated in continuation to 28.03.2003).

The witness was shown the reverse of the document No. 107 C-1/30 page No. 236 on looking at which the witness stated that he agreed with the last sentence in para 671 on this page reading as 'the Jains recognize ..... Hindus' but disagreed with the first sentence reading as, "The generally .....the Buddhist." The witness stated that he was not aware of the sentence, "Hence many Jains.....into castes." The witness continued, "Mahavir Swami is known as the last Tirthankar of Jain religion. His time is determined in history and he is regarded as the contemporary of Lord Buddha. Period of first Tirthankar of Jain religion could not be determined in history. It is reported that he has had no direct link with Ayodhya and as per our knowledge no relationship of Mahavir Swami is established with Ayodhya. Existence of Jain Temples in Ayodhya is proved and it is accepted that the first Tirthankar Rishab Dev (Adi Nath) was born in Ayodhya. Mention of Rishab Dev is found in Valimiki Ramayana also. I am not aware whether the temples of Buddhist and Jains built in Ayodhya were contemporary or were built one after



the other. I have not read anywhere about temples of Jains being demolished by Buddhist and Jains demolishing temples of Buddhists but I have heard of it.

The place Sahet-Mahet is now-a-days known by the name of Shravasti and even in ancient times this place was known by the same name. By ancient time I mean the period starting from Ram to the period of Buddha and the later period too. When Shravasti was ruined i.e. after the Gupta period, people started calling it by the vernacular or corrupt name of Sahet-Mahet. The name Sahet-Mahet would have been in use for around on thousand yeas and since this place is located on both the banks of Rapti river people would have started calling part on one side as Sahet and the part on the other side as Mahet. Alexander Cunningham had suggested that Sahet-Mahet only would have been the ancient Shravasti. Alexander Cunningham has mentioned of it in some volume of Archaeological survey reports and also possibly in his book entitled 'Historical geography'. Alexander Cunningham's Archaeological survey reports are in 20-22 volumes and possibly all these volumes have been published by Archaeological Survey of India. Some portions of these reports of Alexander Cunningham have been filed in the court which are available on document Nos. 107 C-1/12 to 107 C-1/16 (in continuation). This is something which the witness told after looking at the documents. The report covers a period of 4 years i.e. from the year 1862 to 1865 which has been termed as volume-I. On looking at document Nos. 107 C-1/13 to 107 C-1/16 (in continuation) the witness stated that only the year 1862-63 had been written on the documents. Reports of the year 1864-65 would be somewhere later in the book. The credit of locating the place known as Sahet-Mahet and identifying it

by the name of Shravasti goes to Cunningham. There is no place by the name of Bhuila Tal adjoining Sahet-Mahet. I am not aware if there is any relationship in between Bhuila Tal and Sahet-Mehat." The witness was shown document No. 107 C-1/31, whereon the heading 'Ayodhya, Bhuila Tal and Sahet-Mahet' was indicated, and was also shown document No. 107 C-1/32 on which the heading 'Archaeological Survey Report N.W. Provinces and Audh' was given and a question was asked about the book to which these documents belongs and whether their details had been correctly indicated in document No. 107 C-1/2. On looking at the above documents the witness stated that he could not say anything on the subject with confidence but he felt that it was probably a part of the report of Cunningham. Probably document No. 107 C-1/31 and document No. 107 C-1/12 to 107 C-1/16 (in continuation) and appeared different from them. The year '1989' written on serial No. 6 of document No. 107 C-1/12 was wrong and should possibly be '1889'. The place Sahet-Mahet was called Shravasti during the time of Ramchandraji and if was related with Ramchandraji only as Shravasti. There was no place by the name of Sahet-Mahet during the time of Ramchandraji, rather this place was called Shravasti and Ramchandraji had given away Shravasti to his elder son Lov. There was no place by the name of Sahet-Mahet during the time of Lord Buddha and even during his time this place was known as Shravasti. No records relating to the period of Ramchandraji had been retrieved from Sahet-Mahet and the oldest records retrieved from Sahet-Mahet belonged to Kushana age of 1<sup>st</sup>-2<sup>nd</sup> century AD. There is no mention of Ramchandraji or his son Lov in any record retrieved from Sahet-Mahet. Mention about Lord Buddha is found in one of these records while mention of contemporary rulers is available in the remaining records.

The witness was shown document Bo. 107 C-1/15 on looking at which the witness stated that there was mention of Fahien a Chinese traveler in its third para. Travel accounts of Fahien have probably been published separately and are different from the travel accounts of Huientsang. English translation of travel accounts of Fahien and Huientsang have also been brought out. The witness stated, "I have not completely read both these travel accounts and have gone through only some portions thereof. It has been mentioned by Fahien in para three of document No. 107 C-1/15 that Buddha planted a tree at a pious place and the pious place was located in Ayodhya only. There is a place known as Dantdhavan Kund in Ayodhya about which it is believed even today that on being planted, a twig took the form of a tree and the same tree has been referred in this paragraph. However, it is not possible to say whether this is the same tree which is stated to have been planted by Buddha. Dantdhavan Kund is also known as Datunkund and the word 'toothbrush' appearing in second para of document No. 107 C-1/15 is used for Datun (Twig) only. The geographical location of planting the tree mentioned in the above paragraph of the above page should be correct though I have not visited the place. The geographical location of the tomb of 'Seth and Joab' mentioned in this paragraph should be correct because the author has mentioned of it after personally conducting the survey. This report of Cunningham refers to the survey of the year 1862-63 and as such this description should belong to the same period. Cunningham had no doubt about the identification of ruins and the details of which had been provided by Hiuenstang who did not write a word about the tomb of 'Seth and Joab'. The details of the tomb of 'Seth and Joab' provided by Cunningham in the last

para of document No. 107 C-1/14 and the first para of document No. 107 C-1/15 refer to the period 1862-63. Cunningham has also provided details about Abul Fazal in this paragraph and has referred to page 33 of Ain-i-Akbari Vol.-II by Gladwin in his footnotes. This is probably the English translation of 'Ain-i-Akbari' rendered by Gladwin."

The witness was shown the paragraph reading as 'inscription 44 – Faizabad local museum' appearing on document No. 107 C-1/32 on looking at which the witness stated that the paragraph contained a reference of inscription No. 44 but he was not in a position to identify the record to which it was referring. Jaichandra of Jannauj mentioned in the paragraph was a ruler of Gharwal dynasty and the year 1184 (Samvat 1241) has been indicated on it. There is also a mention that he got a Vishnu Mandir constructed but the place where the inscription was set in could not be precisely identified. However, it is mentioned in the above paragraph that Aurangzeb had made use of it in the construction of Thakur masjid of Treta and it is also mentioned in this record retrieved from the ruins that at the time it had been kept at the local museum, Faizabad. The witness stated, "I have not seen this inscription. I have made use of the details given in this paragraph in my book exhibit OOS-5-3 but when I wanted to obtain details about this record I was told that the exhibits lying in the local museum, Faizabad had been shifted to the Lucknow state museum and I had requested to locate it there but I was not successful in my efforts. I had tried to locate it in the Lucknow museum prior to the year 1992. I could not get the record either at Lucknow museum or the museum located at Faizabad. I feel that I have not seen even the plate of this record. I had read about the reference of this record of Cunningham around 1-2 years prior to 1992 but

since I could not lay my hands on some corroboration of the reference at any place, I did not refer to it in my book exhibit OOS-5-3. Since the record belongs to the year 1184, in my view it is of vital importance. I had not made a written request to locate this record in the state museum, Lucknow but had made only a personal request for the purpose. I have not come across even a photograph of this record. 'The Archaeological Survey Report' of Cunningham was given the same importance in those days as is given to 'Indian Archaeology – A Review' now a days. The reports of Cunningham contain material relating to this record to the extent that is available in the above paragraph in document Nos. 107 C-1/32. I am not aware whether there is any other mention about this record in the report of Cunningham. The mention of the above paragraph reveals that Cunningham had himself seen and read this record. The report of Cunningham parts of which are contained in document No. 107 C-1/31 and 32 is not available with me but is available in the library of my university. The mention of the above reveals that he had himself seen the above record and had personal knowledge of it. Cunningham Sahib would also be aware that the above record had been retrieved from 'Thakur masjid of Treta' as becomes clear from the last sentence of the above paragraph. Cunningham Sahib has mentioned about these records also in document Nos. 107 C-1/31 and 32 which were set in Babri Masjid. It is reported that record No. 40 on document No. 107 C-1/31 has been written in Arabic characters whereas record No. 41 and 42 are reported to have been written in Persian poetry. These details have also been furnished based on his personal knowledge." The witness was shown the first sentence 'the old temple ..... Babri masjid' of the paragraph reading as 'The old temple Ramchandra at .....intermediately' on document No.

107 C-1/32 on looking at which the witness stated that this sentence had been written by Cunningham on the basis of his personal observation.

Question : The above sentence of Cunningham refers to the mosque existing in 1862-63 or to the so called temple belonging to pre-1528 period? What have you to say about it?

Answer : The above sentence of Cunningham is related to the pillars set in the above masjid of Babar which refer to the earlier temple built on the birth place of Ramchandriji.

Question : According to the above description provided by Cunningham the pillars set in the mosque during 1862-63 would have belonged to some old so called temple but Cunningham had not seen that temple himself and that is why he had described a hearsay as 'must have been' i.e. must have existed – what are your views about it?

Answer : It is correct that Cunningham had not seen that temple built on the birth place of Ramchandriji but based on the direct evidence of pillars of that temple set in the Babri masjid and not on the basis of any hearsay, he has mentioned about the existence of the old temple.

There is no direct evidence to confirm that those pillars belonged to the same old temple, it is being stated only on the basis of a tradition. Cunningham has also followed the tradition and written like this. The parts of the report of Cunningham that are available in document No. 107 C-1/31 and document No. 107 C-1/32 are different from

the report contained in document Nos. 107 C-1/12 to 107 C-1/16 (in continuation). I cannot tell whether the report of Cunningham parts of which are available in document Nos. 107 C-1/31 and document No. 107 C-1/32 pertains to the period prior to 1862-63 report or thereafter. The manner in which Cunningham Sahib has mentioned about these pillars and mosque in his 1862-63 report is different from the manner in which these have been mentioned in the report available in document No. 107 C-1/31 and document No. 107 C-1/14 (page 332) and a question was asked whether the Janamsthan mandir mentioned in 11<sup>th</sup> – 12<sup>th</sup> line from the bottom is related with the Janamsthan mandir located in its north? On looking at the above the witness replied that it was related with the building located at the disputed site only. The place which has been described as a mosque by Cunningham Sahib in document No. 107 C-1/132 has been described as 'birth place temple of Ram' in document No. 107 C-1/14 and Cunningham Sahib might have mentioned it due to inadvertence. Cunningham has stated this place to be located at the centre of the city at a distance of 1/4<sup>th</sup> mile from Laxmanghat. The witness continued, "I have not seen Laxmanghat nor I am aware of its location and that is why I cannot tell about its distance from the birth place. As on this day possibly Saryu river might be at a distance of about one mile from the disputed site. I cannot tell as to at what distance from the disputed site Saryu river might be flowing during the year 1862 but it would be flowing close to the disputed site during old times. I m confident that during old times Saryu river might be flowing at a distance of around 14<sup>th</sup> mile from the disputed site. The above details provided by Cunningham relate to Laxmanghat existing during 1862-63 and the fact whether the stream of Saryu flew at that place during that time or not is not a matter of dispute. According to my view Laxmanghat was

not located on the stream of Saryu at that time and as such the view of Cunningham stating that Laxmanghat was at a distance of 1/4<sup>th</sup> mile from the birth place appeared to be correct. Stream would mean the site where the river should be flowing. At this point of time I cannot tell as to where Chandra Hari mandir is located though I have heard of its name. The maps provided in my book exhibit OOS-5-3 reveal the existing situation". The witness was shown document No. 289 C-1/202 representing the page of his book exhibit OOS-5-3 on looking at which the witness told that Laxmanghat had been shown in the middle of Swarghara and Sahasradhara in the upper portion of the map. The witness stated, "I am neither an expert in drawing map nor an expert in reading it but I believe that whatever has been shown should be correct. It appears that Swargdhara and Sahsradhara shown in the map are slightly away from water.

Question : You had stated just a short while ago that 'stream would mean the site where the river should be flowing' and now you are stating that river water is not available in the map where Swargdhara and Sahsradhara have been shown – does it mean that your statement saying that stream would mean the site where the river should be flowing is false?

Answer : By the word stream I mean flow or current of the river and I had made the above statement keeping the same meaning in mind. However, the statement 'the stream would mean the site where the river should be flowing' has been made inadvertently. In the map Sahsradhara and Swargdhara are the places of pilgrimage



located in Ayodhya and have no direct bearing on the flow of the river.

In the map dry land is visible upto the surface 1-2 cms. above Swardghara and at corner below the place where Saryu river is written, where the bridge of Gonda basti has been shown to be joining the corner and the flow of river has been shown to be flowing close to it and the portion shown with dots is dry land only. On looking at this map I cannot tell how far is the southern end of Saryu river from Laxmanghat. On looking at the document No. 289 C-1/203 the witness stated that the map available on the document had been evolved on the basis of scale. 5.50 meters passage has been indicated on the right hand top of the map which represents the width of the passage.

On looking at the map available in document No. 289 C-1/202 the witness replied that the area flowing from below Prahladghat, passig through Brahma Kund, Sumitra Tirth, Kaushalya Tirth and reaching Rajghat and which has been shown as dots is the old bed of Saryu river. According to this statement of mine the disputed building was just at the bak of Saryu river in olden times and by olden times I mean a period of 2000 or 1000 years. I cannot tell in definite terms as to when this end of Saryu would be flowing in full capacity. I am stating all this on the basis of the existing geographical situation of the place. I have definitely read about it in some book but do not remember the reference. The map available in document No. 289 C-1/202 was evolved jointly by Dr. S.P. Gupta and myself and I regard everything shown and written in the map as correct. I cannot tell the precise distance of Hanumangarhi from the disputed site but it could be somewhere around 20, 25 or 50 metres. I cannot tell the

estimated distance of Kaikayee Bhavan or Kaushalya Bhavan from the disputed building. I cannot tell whether Kaikayee Bhavan or Kaushalya Bhavan fall on way from Hanumangarhi to the disputed building. Possibly Hanumangarhi might be at a distance of ½ kilometer from the disputed building. I have never covered the distance from Hanumangarhi to the disputed building on foot and therefore cannot tell whether the distance is 20-25 meter or ½ kms.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

21.04.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on 22.04.2003 .Witness to be present.

Sd/-

(Narendra Prasad)

Commissioner

21.04.2003

**Dated:22.04.2003**

**O.P.W.9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 10.04.2003 of the Hon'ble Full Bench).

(Cross-examination on oath of O.P.W. 9 Dr. Thakur Prasad Verma continued by Shri Zafaryab Jilani, Advocate in continuation to 21.04.2003).

The witness was shown document No. 289 C-1/202 of his book exhibit OOS-5-3 on looking at which the witness stated that the old bed of Saryu river which went below Prahlad Ghat and reached Rajghat via Brahmakund had definitely not taken a shape during the 19<sup>th</sup> century. In his report Cunningham has mentioned the distance of Laxmanghat from birth place as ¼ miles which is blatantly wrong. Cunningham must have seen both these places but could not have reached a correct estimate about the distance between the two.

On looking at document No. 107 C-1/32 the witness stated that in this document Cunningham has used the words 'many of its column' from which it can be assessed that while observing the structure of birth place he did not keep in mind the number of pillars. In the same sentence the words 'used by the Muslims' have been used later on and they have been used with reference to Babar and his army personnel and not for local Muslims. These reports of Cunningham are treated as fully authentic and correct and I also give them full credence. Hans Baker has also made a mention in his book of the record No. 44 mentioned in document Bo. 107 C-1/32. I would have read the book of Hans Baker in the year 1987-88. The witness was shown page Nos. 51, 52 and 53 of the book of Hans Baker contained in document No. 120 C-1/2 and a question was asked whether Hans Baker had mentioned about the construction of temples by Gharwal rulers in these pages. On established a theory that Chandra Hari mandir where he had come and worshipped in 1184 AD had been

constructed by him only. This is his personal belief which is not supported by any historical evidence. Besides, Chandra Hari mandir, there is also a mention of Dharamhari mandir which is stated to be a replication of Chandra Hari mandir and this way he had tried to offer a theory that Dharam Hari temple was also built by Gharwal ruler Jaichandra. On looking at the first paragraph on page 51 of the book of Hans Baker the witness stated that he broadly agreed with the facts mentioned in this paragraph but not with the details thereof. He also did not agree with the first and second sentence of the paragraph. He also agreed with the third sentence of this paragraph wherein it was stated that Chandra Dev the founder of Gharwal dynasty regarded himself as the patron of places of pilgrimage like Ayodhya etc. and Laxmidhar, Minister of his grandson Govindchandra who had raised the large Krityakalpataru had mentioned of only Gopratar Tirth in Ayodhya which was found in Mahabharat to which he agree. It was also mentioned therein that he could not find any mention anywhere in Smritis that Ayodhya was a pious place with which he did not fully agree because mention of places of pilgrimage was found in Puranas and not in Smritis. Such an account thus seems to be influenced by some school of thought. The later part of the sentence is also correct in which Sridhar had described Ayodhya as a place of emancipation in his book entitled 'Smrityarthsar' written in 12<sup>th</sup> century. We also agree with this view that there is no mention of Ayodhya in Smritis. The statement of Hans Baker that Laxmidhar failed to find out any mention of Ayodhya in Smritis is not correct because possibly Laxmidhar did not try to find it in Smritis. The witness continued, "I have not fully read the book Krityakalptaru written by Laxmidhar, I have read only some parts of it. It is a book written in Sanskrit and I have read its translation

along with Sanskrit text but I do not remember whether it was a Hindi or an English translation. I do not remember as to when this book was published. I did not read it in manuscript form rather I had read it as a printed book. I don't remember as to where had I read this book, possibly in the library of Sanskrit University, Varanasi. I do not have it translation with me and I also do not remember even the name of its translator. The book of Laxmidhar is regarded as a renowned and authentic book written during the Gharwal dynasty. The book of Laxmidhar is not a book of history of Gharwal period but a book depicting the religions and legal position of that time and also contains details of the places of pilgrimage of that time. I have made use of the above book of Laxmidhar in writing some parts of my book exhibit OOS-5-3. I have not read the book 'Smiryaasthsar' of Shridhar about which I have made a reference above but I accept its authenticity of evidence from Hans Baker. This is the first dated book in 12<sup>th</sup> century. It is inferred from the last sentence of this paragraph that this is the first dated book on Ayodhya. I did not try to locate this book anywhere and later on I did not come across this book anywhere. I have not come across this book of Shridhar till this day. This book is also regarded as authentic. I have gone through references of this book. I have read its references in the book of Hans Baker. I do not remember if I have read its reference in any other book or not. In my view the above book of Shridhar is of no importance in interpreting the photo of the record available on document No. 289 C-1/210 and 211 of my book exhibit OOS-5-3. No details of this reference could be found in the above book of Shridhar. The above book of Shridhar was written in the later half of the same century, the record of which is shown in the above pages of my book i.e. the book would have been written much after

the record had been written but there is not possibility of any type of reference of this record therein. I believe that the record shown on document No. 289 C-1/201 and 211 of my book was affixed on an important temple of Ayodhya during those days when the book of Shridhar was written and according to my view the temple would have been constructed during the regime of Raja Govindchandra of Gharwal dynasty. The name of the Samant ruler (Subordinate ruler) who had got the temple built during the region of Govindchandra was read as Nay Chandra/ Anay Chandra. The above book of Shridhar does not give a detailed account of leading temples of the Gharwal regime and this assessment of mine (without reading the book) is based just on the name of the book.

The attention of the witness was drawn to his statement of today wherein he had stated 'the book of Shridhar is of a book of history of Gharwal period' and also to the text appearing in the last paragraph on document Bo. 289 C-1/116 of his book exhibit OOS-5-3 reading as 'In this way this book too is a source of history of the regime of Govindchandra' on looking at which the witness stated that both his above statements were true because there is a minute difference in between a book of history and a source of history.

Question : Will a book which would be a source of history not in itself be called a book of history?

Answer : It is not necessary that all the books to be used as a source of history are books of history. For example, many a facts are obtained from religious and art books but they are not called history books.

On looking at document No. 289 C-1/110 of his book exhibit OOS-5-3 the witness stated that the date of coronation of Chandra Dev cannot be determined though his first record dates back to the year 1090 AD. On looking at document No. 289 C-1/113 the witness stated that the last record of period of Chandra Dev was dated 1100 AD and the regime of his son started from the year 1103 which meant that his regime would have ended sometime in between. Chandra Dev would have started sometime in between 1070 or 1090 AD and that should be taken as the beginning of Gharwal dynasty. On looking at the text, "Chandra Dev got many ornamentations of gold made in Vishnu Hari mandir in Ayodhya" appearing in second para of second column on document No. 289 C-1/112 of his book, the witness stated that it was the same Vishnu Hari temple the copy of the record obtained from which was shown in document No. 289 C-1/210-211. The temple existed during the period of Raja Chandra Dev also and it is clear that this temple would have been renowned as an important temple and place of pilgrimage during the time of Raja Ramchandra Dev. No record or Copper plate of Chandra Dev clarified the geographical location of this temple. The description of Chandra Dev is given from third to the fifth lines of the 2<sup>nd</sup> paragraph of the second column in document No. 289 C-1/ 112 and a reference of the same is found in the form of 'Epigraphia India Vol. 14 page 192, edited by R. Sahni and thereafter' appearing at footnote No. 45 below footnote No. 43 in the 2<sup>nd</sup> column on document No. 289 C-1/129. The above footnote No. 45 should be read as footnote No. 44 because 44 has been printed as 45 due to printing error. On looking at the text beyond the above text of 2<sup>nd</sup> paragraph of 2<sup>nd</sup> column of document No. 289 C-1/112 the witness stated that there is a mention of taking bath by Chandra Dev at Swargdwar and

this Swargdwar is the same place which has been shown on the top in the map on document No. 289 C-1/202 of his book above 'Adinath' and below 'Chandra Hari'. Presently this Swargdwar is the site of ruins of the mosque. The Swargdwar mandir reported to have been made a mosque by Aurangazed is the same Swargdwar. Swargdwar written on the top of Aurangazed mosque is the Swargdwar mandir made after Chandra Dev. Swargdwar written on the Aurangazed mosque is the temple built within a period of 100-200 years Aurangazed mosque written below this Swargdwar in the map of the site of the Thakur mosque of Treta. It becomes clear from the above reference of document No. 289 C-1/112 that during the year 1093 the flow of Saryu river shown from Prahlad Ghat in the map on document No. 289 C-1/202 towards Rajghat via Brahmakund would have been there. At that time Laxmanghat would also have been at the bank of Saryu river. At that time during 1093 Prahladghat, Brahmakund, Sumitra Tirth, Kaushalya Tirth and Rajghat – all these places were on the bank of Saryu river and those days Saryu river flowed through this way only. The witness was shown 2<sup>nd</sup> para of 2<sup>nd</sup> column of document No. 289 C-1/112 of his book at which the witness stated that there was a mention of worshipping of sun by Raja Chandra Dev, adoration of Lord Shiva and worshipping of Vasudev but he had no knowledge of the temples where such worshipping etc. was done nor any record relating thereto is available. It is mentioned in the last sentence of the same page that 'mention of similar religious rituals is found in the records of descendants of Govindchandra etc.' but no mention of specific places or temples is found in the above records where worshipping of sun, adoration of Lord Shiva and worshipping of Vasudev went on. More than forty records of the period of Govindchandra have been found in all the above records.



It is believed that Govindchandra ruled from 1114 AD to 1154 AD and I am quite confident with regard to this period. Prior to Govindchandra his father Madan Pal was the ruler. On looking at the text reading as "Govindchandra had to put in a fight in 1105 to regain the city" appearing at document No. 289 C-1/114 of his book the witness stated that Govindchandra had indulged in such a fight as a price and the city referred above was Kanyakubj or Kannauj of today. With regard to the above details two historical sources have been used out of which one is 'History of the Gharwal dynasty' by Roma Niyogi and the other is 'Tabqat-ai-Nasiri' I have neither read the book 'Tabqat-ai-Nasiri' in original nor its translation. I have referred this book in my book on the basis of a reference given in the book of Roma Niyogi. I have completely gone through the above book of Roma Niyogi and have referred the same at many places in my book. The witness stated that he had mentioned of the fact that 'Chandra Dev had got many ornamentations of gold made in Vishnu Hari mandir' on document No. 289 C-1/112 in his book and he had repeated the same thing in other words in third para on document No. 289 C-1/113 by saying that golden ornaments studded with gems were offered in Vishnu Hari mandir in 'Ayodhya and the original Sanskrit reference had been recorded as footnote No. 47. The footnote has been retrieved from Chandrawati copper plate which is dated samvat 1150 or 1093 AD and it was R. Sahni who had edited it for the first time which was published in the 14<sup>th</sup> volume of Epigraphia India and which has already been referred to above. English translation of the book 'Tabqat-ai-Nasiri' has been given in the book by Eliot and Dowson but I do not remember whether I have read it or not. I have read the book of Eliot and Dowson and particularly that through other volumes of the book also. At this point of time the name of the author of

'Tabqat-ai-Nasiri' not coming of my mind and I also do not remember the time when it was written. It is believed that Madan Pal son of Raja Chandra Dev ruled in between 1103 AD to 1114 AD. Madan Pal had got minted gold and silver coins which carried a sitting bull on the one side and the photo of a horse-rider on the other side. The coins found of the period Madan Pal carried the name written as Madan Dev but the full name is not found in any coin and even the name of Madanpal is not found.

Question : You have mentioned in third para of column one in page 91 document No. 289 C-1/114 of your book that some Turushq invader had conquered Kannauj during the rule of Madanpal and had arrested Madanpal?

Answer : My statement that Turushq invaders had invaded and conquered Kannauj and had also arrested Madanpal is meant to counter the theory established by Roma Niyogi on the basis of 'Tabqat-ai-Nasiri' or any other book and this incident is doubtful and that is why it is not possible to give the name of that Turushq invader. However, Sultan Masood Ibne Ibrahim of Ghazni ruled during 1099 to 1115 AD and that is why Roma Niyogi has identified him as the Turushq invader and I have tried to give my opinion after presenting the view of Roma Niyogi in the subsequent para. Roma Niyogi has not used the word "Turushq" and I have used the word "Turushq" for the Muslim invaders coming from Afghanistan on the pattern of use of the word by historians writing history books in Hindi. I have not used the word "Turushq" for Turks. Later on he stated that he had used the word

“Turushq” for Turks because some rulers of Afghanistan regarded themselves to be a part of Turks faction.

Question : What do you mean by the word Turushq invaders used in the third para on document No. 289 C-1/114 – does this word stand for Turks or not?

Answer : I do not mean Turks or people belonging to Turkey.

I have mention of Sultan Masood Ibne Ibrahim in 12<sup>th</sup> to 14<sup>th</sup> lines in column 2 on page 91 of my book but he has never been a ruler of Delhi but was a ruler of Sultan of Ghazni.

Question : Had the above Sultan Masood Ibne Ibrahim ever, envaded Kannauj and arrested Madanpal by defeating him?

Answer : A poet by the name of Salman has mentioned in his collection of poems that Masood had invaded Indian and arrested the ruler of Jannauj and it is on this basis that a few historians believe that Sultan Masood had arrested Madanpal but I do not subscribe with this view. According to my opinion the above Sultan Masood never invaded Kannauj nor arrested Madanpal.

My statement starting from the last para of column one and ending in column 2 on page 91 is based on the book of Ram Niyogi to which I do not subscribe. Based on my study I can say that no one defeated Madanpal nor he was arrested by anyone at any time. In view of this,

question of giving some ransom money by Govindchandra for the release of Madanpal does not arise.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

22.04.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on 23.04.2003. Witness to be present.

Sd/-

(Narendra Prasad)

Commissioner

13.03.2003

**Dated:23.04.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl. District Magistrate/ OSD, Hon'ble High Court, Lucknow.

(Appointed vide order dated 10.04.2003 of the Hon'ble Full Bench).

(Cross-examination on oath of O.P.W. 9 Dr. Thakur Prasad Verma continued by Shri Zafaryab Jilani, Advocate on behalf of Defendant No. 4 in continuation to 22.04.2003).

The witness was shown fourth para on page 49 of document No. 120 C-1/2 of the book of Hans Baker on looking at which the witness stated that he had his reservation with regard to the authenticity of the mention of invasion and looting of Banaras by Ahmed Nitaltgeen and passing through Ayodhya by him or any of his officers

during that time. One of the basis for doubting the authenticity is that it cannot be believed that he would have started from Lahore and would have come back after reaching and looting Banaras on the same afternoon as it does not sound well of traveling a distance of 1000 kilometers and reaching Banaras. The second basis is that it is stated that S. Salar Mahmood was present in Avadh during 1033 AD and the chances of a Governor of Punjab visiting Banaras within just one year i.e. 1034 seem bleak. Reference of this incident described in this paragraph of Hans Baker is found in the book entitled Tabqat-ai-Subuktgeen written by Baihaqui. I feel that the manner in which the incident has been described in Tabqat-ai-Subuktgeen is something which cannot be relied upon. Tabqat-ai-Subuktgeen is regarded as an authentic book of history. I am not aware in which language the above book of Baihaqui had originally been written. I had seen the Hindi translation of this book by the name of "Kashi ka Itihaas" written by Dr. Motichandra and I had reproduced the extracts of the same on page 92 of my book exhibit OOS-5-3. The above book of Dr. Motichandra contains only such extracts of Tabqat-ai-Subuktgeen which have been given in my book. A summary or English translation of Tabqat-ai-Subuktgeen must be available in the book of Eliot and Dowson but I do not recollect whether I have read the same or not.

Question : Is it proper for a historian to regard an incident written in any authentic book of history as true or false without reading the book and on the basis of only a small extract thereof and form an opinion in the matter?

Answer : Generally historians form an opinion by relying upon extract and at times when the original book

is not available or information about the same is not available, they keep their task going. On the basis of these extracts. I have not written the book "Ayodhya ka Itihas" as a dissertation rather as a popular book and have mentioned of some references so that the reader could find an opportunity to cross check the same.

Dr. Motichandra was the Director of 'Prince of Wales Museum of Bombay' and he is also regarded as an established historian. He is no more alive. As far as I remember he passed away some 20-25 years ago. Possibility of a lapse of the Hindi translation of the extract of Tabqat-ai-Subuktgeen available on page 92 of my books is very remote because Dr. Motichandra was an erudite scholar of both English and Hindi languages. I had cursorily gone through page 49 of document No. 120 C-1/2 of the book of Hans Baker before writing my book but I had not studied page 49 deeply. Excepting Chandra Dev there has not been any ruler by the name of Chand Rai in Gharwal dynasty. Rama Niyogi has mentioned Chandra Dev only as Chand Rai and made him the basis of history. Hans Baker would also have accepted Chandra Dev as Chand Rai but at the moment I do not remember his reference. On looking at the above page 49 of the book of Hans Baker the witness stated that Chandra Dev had not been mentioned as Chand Rai anywhere on this page rather he has been mentioned as Chandra Dev.

Question : My submission is that Hans Baker has not mentioned Chandra Dev as Chand Rai on page 49 of his book, yet you have criticized Hans Baker in this regard in the 2<sup>nd</sup> paragraph of

second column, page 88 of your own book? Why have you criticized it?

Answer : It is correct that Hans Baker has not mentioned Chandra Dev and Chand Rai but there is a historical incident behind this reference according to which it is said that a person named as Chand Rai was the Hastipal (one who looks after elephants) of ruler of Ghazni and the administration of Kannauj had been entrusted to him. It is further stated that the same Chand Rai by the name of Chandra Dev became the founder of Gharwal dynasty and Hans Baker has mentioned of this incident in the second sentence of the 5<sup>th</sup> para on page 49 of his book and I had criticized him only because of this incident because I do not agree that Chand Rai only was Chandra Dev.

Hans Baker has mentioned of conquering Kannauj by Sultan Mahmood and going and staying at Ajudhan by Salar Masood on page 49 and I have not objected to both these accounts in my book exhibit OOS-5-3. I agreed with Salar Masood visiting Ajudhan and therefore I did not object to it in my book and accepted it. I did not mention the fact of conquering of Kannauj by Sultan Mahmood of Ghazni in the year 1019 in my book. I was writing history of Ayodhya and not of Kannauj. Sultan Mahmood of Ghazni is the same whom people call Mahmood Ghaznavi and Salar Mahmood is regarded as his sister's son.

The witness was shown the last paragraph starting with the words 'Last hundred years' appearing after two lines on page 50 of the book of Hans Baker by the learned advocate cross-examining and a question was asked

whether he agreed with the details given therein about Gharwal rulers? On looking at the above the witness told that he agreed with it. The witness was shown the second paragraph on page 51 of the book of Hans Baker starting with the word Chandra Dev and ending with Vishnu on looking at which the witness stated that he agreed with the details given in the paragraph. On looking at first four lines on page 52 of the book of Hans Baker the witness stated that it was a description of the temple of Vasudev with which he agreed. However, he did not agree with the details about Chandra Hari Mandir given in the paragraph starting after four lines. The witness continued, "I do not agree with the portion of this paragraph reading as 'viz, the pilgrimage of Chandra refer to a historical deed of this king as recorded in the 'inscription' and agree with all other portions of the paragraph. Chandra Dev has been mentioned as 'Moon God' in brackets in the first line of this paragraph and he is also identified with the anecdote of building the idol of Chandra Hari Mandir and the temple. This Chandra Dev cannot be Raja Chandra Dev of Gharwal dynasty. The portion of the paragraph reading as 'when he learned ..... known as Chandra Hari' has been lifted from 'Ayodhya Mahatmya'. On looking at the second sentence reading as 'the original temple of the Swargdwar was destroyed in the time of Aurangzed and replaced by Mosque of the paragraph starting with the words 'that the installation' appearing on page 52 of the book of Hans Baker the witness stated that Hans Baker had stated it taking P. Carnegi and Fuherer as the base and later on Hans Baker had expressed the possibility that yet another record relating to the visit of Chandra Dev to Ayodhya might be hidden with which I do not agree because no such record has come to light so far. This account is in respect of Swargdwar masjid built at Swargdwar Ghat. The record



stated by Cunningham to have been retrieved from the Thakur mandir of Treta built by Aurangazed has no relation with the masjid at Swarg Ghat. The Aurangazed masjid which I have depicted in the map on document No. 289 C-1/202 of my book is the site of Thakur masjid of Treta. The record mentioned in the last para on page 52 of the book of Baker is the record retrieved from the ruins of masjid named Thakur. I had read the details of the record given in the book of Hans Baker also before writing my book.

There is no mention of this record in my book. On looking at the reproduced text reading as 'Inscription No. 44 ..... Faizabad local museum' in the last paragraph on page 52 of the book of Hans Baker the witness stated that Hans Baker had started the portion to have been lifted from Fuherer. I believe that it is originally an extract of Cunningham from where Fuherer has picked up. On looking at document No. 107 C-1/36 the witness stated that the extract which had been provided by Hans Baker in the name of Fuherer is not a correct reference. Fuehrer had provided in his book a summary of this portion of Cunningham and Hans Baker had reproduced the same language on page 52 of his book which Cunningham had used about this record in document No. 107 C-1/32 but for that he had inadvertently referred the name of Fuherer and not of Cunningham. Hans Baker has mentioned in the footnote-4, page 52 of his book that the said record was presently available at the Lucknow state museum to which he had given Arch. Depth 53.4 number. It was on the basis of this note that I tried to get it located in Lucknow museum but I could not get it. On looking at document Nos. 107 C-1/31 and 32 the witness stated that the documents had been lifted from the book of Cunningham entitled 'Archaeological Survey Report N.W. Provinces and Avadh' but he was not aware of the year of publication of this

book. However, it was certain that it had been published before the publication of the book of Fuherer and after the publication of Cunningham's report of 1862-65. The witness stated, "I have heard the name of Archaeological Reports new series which were published around the year 1880. There could be a possibility that document Nos. 107 C-1/31 and 32 might be portions of volume-I of this report and this is a fact which is mentioned in the footnote of Fuherer. However, that report has also been written by Cunningham. Hans Baker has mentioned in footnote No. 4 page 52 of his book that the book of Fuherer had been published in the year 1889 which as per my knowledge is not correct. As per my knowledge the year of its publication should be 1891 which is printed on document No. 107 C-1/33. On looking at the last paragraph on page 53 of the book of Hans Baker which extended upto page 54 the witness stated that he agreed with the details mentioned in the paragraph. On looking at the last but one paragraph on page 53 of the book of Hans Baker the witness stated that he did not agree with the views mentioned in this paragraph. On looking at the last paragraph on page 56 of the book of Hans Baker the witness stated that he agreed with the facts mentioned in the paragraph. Later on he stated that it is not that he agreed in toto with the list given along with conclusions in the last paragraph on page 56. On looking at the second last paragraph starting with the words 'Last Hindu King' and ending with the word 'great mughals' on page 58 of the book of Hans Baker the witness stated that he agreed with this paragraph.

On looking at the last paragraph of page 58 which ended at page 59 and also the last paragraph of page 59 the witness stated that he agreed with both the paragraphs. The witness stated, "I have made use of the book entitled

'Tabqat-ai-Nasiri' mentioned above while writing my book exhibit OOS-5-3. Malik Naseeruddin Mahmood who had been appointed as the Governor of Avadh had made Ayodhya as his capital. Similarly Kamruddin was also made Governor and he too had made Ayodhya as his capital. Prior to him Bakhtia Khilji had also ruled Avadh by keeping Ayodhya at centre. The details that I have provided in this connection on page 112 of my book exhibit OOS-5-3 are based on Hains Bake, Tabqat-ai-Nasiri and book of Lala Sitaramji of Avadh. On looking at the words 'Shahbuddin Gauri invaded Avadh in 1194' in second para of second column of page 112 of his book the witness stated that this incident occurred in continuation of the incident in which Raja Jaichandra ruler of Kannauj has been reported to have been defeated in the battle of Chandwar in Kannauj. There had been yet another ruler by the name of Raja Vijaychand in between Jaichandra and Govindchandra i.e. Jaichandra was the grandson of Govindchandra. Starting from the period of Chandra Dev founder of Gharwal dynasty till the defeat of Jaichandra Ayodhya remained a territory of Gharwal dynasty and during all this period Ayodhya was under the control of the rulers of this very Gharwal dynasty. On looking at the third paragraph of second column of page No. 12 of his book exhibit OOS0503 which starts from 1155 AD, the witness stated that here 1155 had been printed instead of 1255 mistakenly. The witness continued, 'I have mentioned Aslankhan Sanjar being made governor (Hakim) of Avadh in the above paragraph of my book and during this period too Ayodhya was their capital. Then Aminkhan was made the Governor (Hakim) of Ayodhya and during that period also Ayodhya was their capital. After Aminkhan, Ayodhya came under the rule of Balvan and since then Ayodhya remained the capital of Avadh till the Mughal period and whosoever

was appointed as Governor of Avadh he lived in Ayodhya. Even during mughal period till the appointment of Navabs of Avadh by mughal rulers and even thereafter Ayodhya continued to be the capital of subedars of Avadh. During the Gharwal regime, the Gharwal rulers had two capitals – one in Kannauj and the other in Banaras. Ayodhya never remained their capita, rather it was regarded as a pious place of pilgrimage.

On looking at pages 113 and 114 of his book exhibit OOS-5-3 the witness stated that in 'Babarnama' under the head 'Mughal period' incidents relating to only 18 out of the 48 years of lifetime of Babar had been mentioned and their list had been provided in the bottom. The witness continued, "This list had been provided in the introduction of translation of Babarnaham by Bevridges and I have provided a Hindi version thereof. The list covers incidents relating to 35 years i.e. 1493 to 1529 AD of the life of Babar. There is a mention of Post 1529 AD incidents also in Babarnama which I have not given in my book. On looking at page 114 of his book the witness stated that incidents covering the period 3<sup>rd</sup> April 1528 to 17<sup>th</sup> September 1528 had not been mentioned in Babarnama. The witness stated, "In this connection I believe that incidents relating to this period had not been mentioned at all. I have stated the arguments in support of my view on this page itself. On looking at page Nos. 115 and 116 of his book exhibit No. OOS-5-3 the witness stated that the second paragraph of column one starting from 'Chinee Thimur' in para 2 of column 1 of page 116 had been quoted from Babarnama. It has been lifted from the Hindi translation of the English version of William Arsin and he believed that it was a correct translation and he agreed with the facts mentioned herein. According to this Babar had set up his camp on the bank of Ghagra at a distance of

6 miles from Ayodhya but there was no mention of his personally visiting Ayodhya. The text also proves that Babar had sent an army of 1000 persons who chased away Shaikh Bayzeed from Ayodhya and occupied Avadh. This also reveals that Babar himself did not go to Ayodhya, rather Baki Shagawal (Meer Baki Beg) along with his army commanders did this work i.e. took the control of Ayodhya and maintained law and order there and then proceed to Gwalior after handing over the charge of Avadh to Meer Baki. There is not mention of Babar coming again towards Ayodhya. The incident of construction of Babri masjid relates to the period when Babar headed towards Gwalior after making Meer Baki incharge of Avadh but I cannot tell how many years later it happened. It is believed that in this regard the only and the most important evidences are the three rock inscriptions set in the structure of Babri out of which date of 935 Hijri or 1528 AD is engraved on two rock inscriptions. It is only the year of construction and not the month and date which is found in any record. The witness stated, "I have regarded three Moharram 936 Hijri against serial No. 6 in column-I on page 114 of my book as 7<sup>th</sup> September 1529 AD. According to this calculation this year of 935 Hijri must have continued till August 1529. As per details given against my serial No. 6 all the incidents covering the period from 18<sup>th</sup> September 1528 to 7<sup>th</sup> September 1529 were found in Babarnama. There is no mention of demolition of any temple in Babarnama during the period covering 18<sup>th</sup> September 1528 to 7<sup>th</sup> September 1529. There is no reference of any temple of Ayodhya in it.

Verified the statement after hearing  
Sd/-(Thakur Prasad Verma)

23.04.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on 24.04.2003. Witness to be present.

Sd/-(Narendra Prasad)  
Commissioner

23.04.2003

**Dated: 24.04.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.:  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 10.04.2003 of the Hon'ble Full Bench).

(Cross-examination on oath of O.P.W. 9 continued by Shri Zafaryab Jilani, Advocate in continuation to 23.04.2003).

During 17<sup>th</sup> – 18<sup>th</sup> century Avady province was administered by making a fort on a part of Ramkot and during the time of Navabs – Ministers the fort was known as 'Kila Mubarak'. The residence and office of the Head i.e. the Administrator or Governor of the Province were located in 'Kila Mubarak'. I am not aware whether any ruins etc. of this fort are available on this day. I have not read in any book as to where and in what number army of the Administrator or Governor was deployed in Ayodhya after 1206 AD i.e. after the establishment of Muslim dominion on Delhi but army must have remained there. Possibly muslim population may also be living in Ayodhya during that time i.e. 13<sup>th</sup> – 14<sup>th</sup> century. I am also not aware whether there was a mosque in Ayodhya during 13<sup>th</sup> – 14<sup>th</sup> century. The existence of a grave of an army officer of Mohammad Gauri named Makhdoom Shah Juran Gauri is corroborated. Many more graves would have been built in Ayodhya during that time. On the death of muslims residing in Ayodhya whether they were rulers or common people their graves were built in Ayodhya only and such a situation would have prevailed even during the 13<sup>th</sup> – 14<sup>th</sup> century. I am not aware

whether there was any population of muslims during 11<sup>th</sup> – 12<sup>th</sup> century. It is stated that a conflict had arisen in 11<sup>th</sup> century in Hanumangarhi on the issue of the existence of a grave of Khwaja Mitthe, an army officer of Salar Masood and thus it is possible that graves of a few muslims would have existed in Ayodhya during 11<sup>th</sup> century. The possibility of existence of muslim population in Ayodhya during 11<sup>th</sup> century is remote. Khwaja Mitthe the army officer of Salar Masood would have visited Ayodhya sometime during 1032 AD. In my view that was the oldest mosque of Ayodhya known as Babri Masjid. I have not come across any reference indicating the existence of any mosque in Ayodhya during the period 13<sup>th</sup> to 15<sup>th</sup> century. Ayodhya was reckoned as a big city of India in between the period of 13<sup>th</sup> to 17<sup>th</sup> century and possibly it would have been much bigger in size as compared to the modern Ayodhya. During these days there was no city by the name of Faizabad. I found the use of the word Ramkot while going through a gazetteer, it would have been possibly prevalent earlier also but I do not remember whether I read this word earlier or not. It is not striking my mind whether I had seen the use of word Ramkot for this area of Ayodhya in any history whether I had seen the use of word Ramkot for this area of Ayodhya in any history book while writing chapter 8 of my book exhibit OOS-5-3. This word Ramkot would have possibly appeared in Ayodhya Mahatmya but I am not confident of it. I do not remember whether the word Ramkot appeared in any other history book besides the above. Additions to Ayodhya Mahatmya continued till the 19<sup>th</sup> century. Description of dynasties like Maukhari, Pushyabhuti, Parvati, Gupta, Pratihara and Gharwal can be found in 7<sup>th</sup> chapter of my book. The extant suit is related with Gharwal dynasty included in this chapter. The chapter covers the period starting from the establishment of

Gharwal dynasty till the period of Jaichandra. The description of Gharwal dynasty contained in my book exhibit OOS-5-3 starts around 1070 AD. There was the rule of Pratihars during the beginning of 11<sup>th</sup> century and before the establishment of the rule of Gharwal dynasty. I do not have any knowledge whether Ayodhya was ruled directly by Pratihara rulers or by their Samants (Feudal lord) during the beginning of 11<sup>th</sup> century and before the establishment of the rule of Gharwal dynasty. I am also not aware whether the Administrator of Ayodhya lived there or elsewhere during that time. Names of 10-12 rulers are given in Meerasat-ai-Masoodi but there is no mention as to who was the ruler of Ayodhya at that time.

The witness was shown the book entitled 'The History of India as told by its own historians Vol. 2' by Eliot and Dowson and photocopies of pages 514 to 531 (in continuation) of document Bo 319 C-1 of the above book (which were numbered as document No. 219 C-1/1 to 319 C-1/9) were filed and the following question was asked.

Question : Do you find any mention of Salar Masood visiting Ayodhya anywhere in these documents?

(On this question Shri Ajay Kumar Pandey, learned advocate of plaintiffs raised an objection saying that this record had not been included in the file of the court and that only photocopies were being filed and therefore permission to ask questions on records held today should not be given).

[Under the above objections documents No. 319 C-1/1 to 319 C-1/9 (in continuation) from list 319 C-1/1 of



documents are placed on record as per the directions dated 20.03.2002 of the hon'ble full bench]

Answer : On looking at the above the witness stated that there was no mention of Salar Masood visiting Ayodhya.

On looking at second column on page 158 of his book exhibit OOS-5-3 the witness stated that the sentence 'Prior to this he had encamped at Satrakh (Saket or Ayodhya)' was not true and that no such mention was found in Meerat-ai-Masoodi. There was a mention of encamping at Satrakh in Meerat-ai-Masoodi but it was not true that this Satrakh was Saket or Ayodhya. Satrakh (Satrikh) was a place located in between Faizabad and Barabanki and was a part of Avadh region and it should be at a distance of more than 50 miles from modern Ayodhya. The witness was shown the text 'Salar Masood had invaded this area in the year 1032-33' appearing in 14<sup>th</sup> – 15<sup>th</sup> line of para 2 of column 2 of page 158 of his book and a question was asked whether the word 'area' stood for modern Ayodhya or Satrikh and nearby 'area' only? On looking at the above the witness replied that by the word area he neither meant Ayodhya nor Satrikh, rather the entire Avadh area.

Question : You have mentioned after four lines of the above text on page 158 of your book that Salar Masood demolished Janambhoomi Mandir and in this way you are including Ayodhya also in the word 'area' used by you above – what have you to say about it?

Answer : Certainly Ayodhya is included in Avadh area and I have already accepted that there is no mention of Salar Masood visiting Ayodhya in Meerat-ai-

Masoodi. Despite all this a possibility was still alive that a group of his solders might have damaged Janambhoomi mandir as I have stated a short while ago that a grav of Khwaja Mitthe, army officer of Salar Masood existed at Hanumangarhi.

Question : Since there is no mention of Salar Masood visiting Ayodhya in Meerat-ai-Masoodi on what basis you have mentioned on this page 158 of your book that Salar Masood had demolished the so called Janambhoomi Mandir in the year 1033?

Answer : It is mentioned in Meerat-ai-Masoodi that Salar Masood had sent his troops from Satrikh in various directions but the name of Ayodhya was not included but based on the fact that the grave of Khwaja Mitthe existed in Ayodhya it coul't be surmised that any of his troops would have caused damage to Janambhoomi Mandir. There is no mention of existence of the grave of Khwaja Mitthe in Ayodhya and of the fact of his being an army officer of Salar Masood in Meerat-ai-Masoori.

There is a reference of this incident in the book entitled 'Hanumangarhi ka Itihas' written by Amartya Singh and published from Bihar in 1955 and it has been mentioned that the fact of the grave of Khwaja Mitthe was also made an issue and it was on this basis that I have mentioned of the invasion of Ayodhya and causing damage to its temples by the army of Masood. I have not given any reference of the book 'Hanumangarhi ka Itihas' by Amartya Singh in my book exhibit OOS-5-3 nor I have mentioned the fact of existence of the grave of Khwaja Mitthe in my book.

The building of Hanumangarhi was not there in the 11<sup>th</sup> century, of course the site was very well there. The only source of the existence of the grave of Khwaja Mitthe there and his being an army officer of Salar Masood is the above book of Amartya Singh which has not been filed in this suit. I have got a photocopy of the above book of Amartya Singh though I do not remember the place from where I had got the photocopy made. I also do not remember when and which of my friends had given this photocopy to me. I also cannot guess whether I was provided this photocopy 5 years or 10 years ago. I also do not remember whether I had the photocopy in my possession when I visited Ayodhya during 1992. I had the photocopy in possession at the time when I had sent my book exhibit OOS-5-3 for printing. The description of Salar Masood given in para 2 of column No. 2 of page 158 of my book is based on 'Meerat-ai-Masoodi' but I also had the book of Amartya Singh in my mind. At the time of my speech the real basis of this statement of mine was 'Meerat-ai-Masoodi' because at that time I was of the opinion that Salar Masood had gone to Ayodhya and the basis of my opinion was the use of the word 'Ajudhan' in 'Meerat-ai-Masoodi'. On looking at the extracts of Meerat-ai-Masoodi printed in the book of Eliot and Dowson and which were available on document Bo. 315 C-1/1 to 315 C-1/10 (in continuation) and 319 C-1/1 to 319 C-1/9 (in continuation) the witness stated that there was a mention of the names of Satrikh, Bahraich and many other places surrounding these two cities. On looking at document Bo. 319 C-1/5 (page 523) the witness stated that this description of Salar Masood started from the last line of this page and it was also mentioned that his age was 12 years. On looking at document No. 319 C-1/6 (page 525) the witness stated that there was a mention of invasion of Somnath by Sultan Mahmood Subuktgeen

popularly known as Mahmood Ghaznavi in the fourth para of this page. On looking at document No. 319 C-1/8 (page 529) the witness stated that description of Salar Masood started again from this page. There was a mention of Salar Masood visiting Satrkh in the last paragraph of document No. 315 C-1/3 (page 535). On looking at document No. 315 C-1/4 (page 534) the witness stated that there was a mention of places like Siddhaur, Narhari and Amethi which would have been close to Satrikh. On looking at the same document No. 315 C-1/4 (page 535) the witness stated that there was a mention of places like Kanoor, Mahona, Gopamau, Banaras, Kada, Manikpur, Kannauj, Bahraich etc. along with Satrikh. On looking at document No. 315 C-1/6 (page 538) and document No. 315 C-1/10 (page 547) the witness stated that there was a mention of invasion of Bahraich by Salar Masood and subsequent conflict in these pages. There was no mention in these pages of Salar Masood himself or any of his emissary visiting Ayodhya. There was a mention of killing of Salar Masood by Rai Sahardev in document No. 315 C-1/10 (page 546 and 547) of the above documents. The witness continued, "References of the history book or Twarikh-ai-Mahmoodi (history of Mahmood Ghaznavi) written by Mulla Mohammed of Ghazni were given at a number of places in these documents but I have not read this book. This book of Eliot and Dowson which contained the summary of Meerat-ai-Masoodi also contained a summary of Twarikh-ai-Subuktgeen by Baihaqui besides the summary of Tabqat-ai-Nasiri and the fact came to my mind after looking at the book. I read Twarikh-ai-Subuktgeen by Baihaqui and Tabqat-ai-Nasiri in this book of Eliot and Dowson only. There is not mention of Salar Masood visiting Ayodhya in both these books." On looking at his book exhibit OOS-5-3 the witness stated that he had mentioned in the last four

lines in column 2 of this page that Sallakshan only had been called as SaharDev or Suhaildev and it was based on his personal study. The witness stated, "This study/ guess of mine is based on philology because phonetically Sallakshan and Suhail appeared to be inter-related and that is why I have identified Suhaildev as Sallakshan. There is a mention in some books on killing of Salar Masood by Suhaildev and the letters ' R ' and ' L ' are phonetically interchangeable in the names of Sahar and Suhail. Thus Sahar becoming Suhail is quite natural. Besides, the muslim historians have not written in Hindi names correctly in their languages and because of this too many names are converted into Chaste Hindi. Sallakshan taking the form of Suhaildev is my personal inference and not found in any book." The witness stated of himself that Meerat-ai-Masoodi was not recognized as a history book and it was known as a historical romance or historical fiction wherein facts and imageries were mentioned freely – this was the view of Eliot and Dowson. The period of Sallakshan was prior to the period of Gharwal ruler Chandra Dev and so was the case of his son Alhar. Nai Chand was born in the third generation of Sallakshan who was made a Samant (Feudal lord) of Saket Division by the grace of Govindchandra. Relation-wise Naichandra fell in the third generation of Sallakshan but he was at number three amongst the rulers. Naichandra was the Samant of Saket Division. Sallakshan was the ruler of Bahraich but there is a possibility that Ayodhya might be a part of his territory because since a long time Shravasti which was close to Bahraich was regarded as the capital of Koshal and as such traditionally ruler of Koshal would have been ruler of Ayodhya as well. During the rule of Alhar, Ayodhya would also be annexed with Bahraich and Saket would have become a Division during the period of Naichandra and the

Division included Bahraich also. In my opinion Govindchandra during the rule of his father had appointed Naichandra as the Administrator of Saket Division and he had done it in the capacity of a prince. This should be post 1104 AD period whereas period of Sallakshan was 1033 AD. Sallakshan died very shortly after 1033. There could be a possibility that Naichandra who was the nephew of Sallakshan would have ruled during the period 1033 to 1104 and thereafter his son would have ruled. After the death of Alhar, Naichandra was enthroned. The facts which I have mentioned starting from Alhar to Naichandra are not an outcome of my study of books but are based on this record and I have given my statement on the basis of this record only. I have formed this opinion of mine after the retrieval of the record of 6<sup>th</sup> December 1992 and my opinion is based on my study of the text of the record. The facts mentioned by me are not based on the report submitted by Dr. K.V. Ramesh relating to this record but his report and his statement do not contradict this opinion of mine. It was not on the basis of this record that I had formed an opinion that the temple would have been got demolished there under orders of Salar Masood but it was based on Meerat-ai-Masoodi." The witness was shown document No. 289 C-1/197 of his book OOS-5-3 by the learned advocate cross-examining, on looking at which he stated that he did not fully agree then with the note given below serial No. 5 of this page but he relied upon the said note when its free-translation was prepared. The witness stated, "I now do not agree with the first half of the sentence of this note reading as, "there is possibly a reference of invasion of Ayodhya by Salar Masood." On looking at the first half of the sentence of the note given below serial No. 21 of page 176 of his book reading as, "Around 70 years after the invasion by Salar Masood" the witness stated that he did

not agree with it. On looking at free-translation 15 to 19 (in continuation) of this very page of his book, the witness stated that there was a mention of Sallakshan, Alhar, Naichandra but the name of the father of Naichandra had been given as 'Megh' only but no mention about the period of his rule had been made. The witness continued, "The mention of the name of Megh at serial No. 19 of this free translation appeared as Meghsut in the original record which according to me means that Naichandra was the son of Megh. I do not know for whom 'Meghsut' has been used.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

24.04.2003

Typed by the stenographer in the open court as dictated by me. In continuation for further cross-examination on 25.04.2003. Witness to be present.

Sd/-

(Narendra Prasad)

Commissioner

24.04.2003

**Dated:25.04.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 10.04.2003 of the Hon'ble Full Bench).

(Cross-examination on oath of O.P.W. 9 Dr. T.P. Verma continued by Shri Zafaryab Jilani, Advocate in continuation to 24.04.2003).

The witness was shown document No. 306 C-1/2 representing page 2 of the report of Dr. K.V. Ramesh by the learned advocate cross-examining and his attention was drawn to the name Meghsut appearing in the 18<sup>th</sup> line of the document and a question was asked in respect of whose nephew i.e. of Sallakshan or Alhar the name Meghsut had been mentioned? On looking at the above the witness stated that the name Meghsut had been mentioned for the nephew of Alhar. It is stated about Meghsut that he was made the monarch of Saket Division by surpassing the claim of some AnayChandra. I have stated in my book exhibit OOS-5-3 that Anay Chandra was the son of Megh but in one of my earlier statements I have mentioned that the text (Text of the record) provided by me stood repealed after the text by Dr. K.V. Ramesh was available because he was an erudite scholar of Sanskrit and Archives and thus I regard his version as correct. I believe that Naichandra and Anay Chandra are one and the same person. Anay Chandra cannot be the son of Megh. My statement of 24.04.2003 given on page 356 reading as, "but the name of



father of Naichandra had been as 'Megh' only" proves false after the interpretation by Dr. K.V. Ramesh became available. The witness stated of himself, "I would like to add one more thing if there is a contradiction in my interpretation of the record as given in my book with that of Dr. K.V. Ramesh, the interpretation of Dr. K.V. Ramesh should be given precedence. Secondly, I have identified Sallakshan as Raja Suhaildev in my book but during my statement on 24.04.2003 it came to my knowledge that this was giving rise to time related anomaly and as such I withdraw my theory of identifying Sallakshan as Suhaildev but it would have no adverse impact on the historical importance, relevance and authenticity of the rock inscription retrieved from Ayodhya. In the light of my today's statement, my statement of yesterday i.e. 24.04.2003 and yet an earlier statement relating to treating Suhaildev and Sallakshan as one and the same person stand repealed." On looking at 16<sup>th</sup> line from bottom on document No. 306 C-1/2 reading as 'from verse 22 we learn he who was responsible ..... Saket mandal' the witness stated that the words 'he', 'who' had been used for Megsut who was succeeded by Ayushchandra Raja. On looking at the above document No. 306 C-1/2 the witness stated that verses (slokas) 22 to 26 of the record had been written in the praise of Raja Ayushchandra. There is a mention of four rulers in this record namely Sallakshan, Alhar, Meghsut and Ayushchandra and also of a person named AnayChandra who could not become a ruler and this dynasty was a local dynasty of Ayodhya (Saket) and that is why the name of their head Govindchandra also appeared in the record. This record had been got written by Ayushchandra only and had got it set in the temple built by Meghsut. This is my opinion and possibly Dr. K.V. Ramesh also shares this view with me.

The witness was shown document No. 254 C-1/9 by the learned advocate cross-examining on looking at which the witness told that this article had been published on pages 67-68 of Vol. 3 of 3<sup>rd</sup> November – 2<sup>nd</sup> December 1996 of the Journal entitled 'Itihas Darpan' and document No. 254 C-1/9 and 10 were the photocopies of the same pages of the publication. This was an article written by Dr. D.P. Dubey and Dr. G.C. Tripathi. Dr. D.P. Dubey was an epigraphist and worked as a Reader in Allahabad University whereas Dr. G.C. Tripathi was the Director of Ganganath Jha Research Institute Allahabad and a Sanskrit Scholar. They had got the article published in the year 1996. I have an old association with Dr. D.P. Dubey and am known to Dr. G.C. Tripathi as well. I have an association of around 10 years with Dr. G.C. Tripathi. Both these persons had independently deciphered this record and wrote the article on it. Dr. Dubey and Dr. Tripathi did not render any help to me in deciphering this record. I had started making efforts to decipher this record in the year 1993 and the process is still on. In my book I have given the decipherment which I could cover by that time. The decipherment available on page document Nos. 289 C-1/195 and 196 of my book exhibit OOS -5-3 had been covered by me till 1995-96. I had gone for a free translation of the same done right at that time which has been printed on page document Nos. 289 C-1/197 to 289 C-1/199 (in continuation) of my book. I have already accepted in my statement that the fact that Dr. Ramesh, Dr. Ajay Mitra Shastri, Dr. Gaya Charan Tripathi, Dr. Sudha Malaiyya had helped the author in deciphering the writing as mentioned on document No. 289 C-1/196 was something which had been added by Dr. Swaraj Prakash Gupta of his own at the time of printing of this book was not true. I had read the article available on

document Nos. 254 C-1/9 and 10 before the publication of my book. I had read the article just after its publication. On looking at 2<sup>nd</sup> para of document No. 254 C-1/9 the witness stated that Ayushchandra had been mentioned as the son of Alhar in this document which had proved wrong after the decipherment and free translation provided by K.V. Ramesh became available. According to me wherever Ayushchandra was mentioned as son of Alhar in document Nos. 254 C-1/9 and 10, it was wrong. On looking at the second line of 2<sup>nd</sup> para of document No. 254 C-1/19 the witness stated that Lord Siva mentioned as the family deity of Ayushchandra was the same Lord Siva as worshipped by the entire world. The family of Ayushchandra was a follower of Shaivism. The witness stated of himself that the fact that family had faith in Vishnu and his incarnations also was corroborated from this record wherein names of incarnations of Vishnu had been mentioned. On looking at 2<sup>nd</sup> para of document No. 254 C-1/10 the witness stated that it had been mentioned in the document that Naichand was the brother or cousin of Alhar and that he was the son of Megh and that he became the ruler after Alhr and that he did not agree with all the three above facts.

Question : Are all the three facts mentioned in so called record or are they true according to record?

Answer : All the three facts are based on the personal decipherment and interpretation of 16<sup>th</sup> to 19<sup>th</sup> slokas of the above record by both these writers with which I do not agree.

Mention of Alhar as the uncle (father's younger brother) of Naichandra was also not correct according to me. After the decipherment of Dr. K.V. Ramesh becoming available I do not agree with the fact mentioned as 'This

Naichandra ..... His vessel are feudatory'. On looking at document No. 254 C-1/10 the witness stated that Govindchandra carved out Saket area and appointed Naichandra as its Samant (Feudal Lord) but the fact of carving out Saket area was mentioned wrongly in the document. On looking at document No. 254 C-1/10 the witness stated that mention of construction of Vishnu Hari Mandir by Raja Naichandra in the document was 'also wrong because Dr. K.V. Ramesh had given its credit to Meghsut to which the witness agreed. On looking at document No. 254 C-1/10 the witness stated that there was a mention of two facts in the document – first bringing large stones from the mountain peaks and second – decorating the temple by the vertexes of golden pitcher but these facts did not find a mention in the translation of 21<sup>st</sup> sloka provided by Dr. K.V. Ramesh. The witness stated, "However in so far as translation by Dr. D.P. Dubey and Dr. G.C. Tripathi is concerned while disagreeing with the first part of the sloka I agree with the fact of decorating the top of the temple with gold based pitches and I do not know as to why this fact could not find a mention in the translation rendered by Dr. K.V. Ramesh. I believe that the translation of 21<sup>st</sup> sloka of this record as provided by Dr. K.V. Ramesh is faulty.

21<sup>st</sup> sloka appearing in the 15<sup>th</sup> line of the record reads as " vi ru hareyhiranya kalash srisundram mandiram " and it is on this basis that I am wandering as to why the translation of the above line was missing in the translation done by Dr. K.V. Ramesh. The words ' hiranya kalash' in the above line meant that the temple was decorated with golden pitchers. On looking at the 4<sup>th</sup> paragraph on document No. 254 C-1/10 the witness state that the word ' sahasanken' had appeared in 23<sup>rd</sup> sloka which was regarded as the title of Vikramaditya. It is regarded to be the title of that

Vikramaditya who established Vikram Samvat. On looking at the first sentence reading as 'verse 27 ..... put together' in 6<sup>th</sup> para on document No. 254 C-1/10 the witness stated that this translation was wrong and that the translation rendered by Dr. K.V.Ramesh was correct. Shri Madhav Kutti had also translated this record which had been filed in this court. The witness stated, "I have read the above translation also. In case there is any contradiction in between the translation of Dr. K.V. Ramesh and that of Madhav Kutti, I would regard the translation of Dr. K.V. Ramesh as more reliable. I have made use of my own free-translation of the record in my book exhibit OOS-5-3 and have taken no help from the translation done by other authors." On looking at document Nos. 289 C-1/279 to 289 C-1/182 (in continuation) (i.e. pages Nos. 157 to 160 in continuation) of his book the witness stated that these pages carried his opinion with regard to the above record. He had also mentioned his opinion about the above record on document No. 289 C-1/121 (page 98) and 289 C-1/122 (page 99) of this book. On looking at the last paragraph on page 157 of his book which ended on page 158 the witness stated that there was a mention of preparation of coloured transparent slides and video films but he was not aware as to where were these slides and Video films lying. However, it is certain that these slides and Video films had been prepared and he had seen them. On looking at the phrase 'is abhilekh tatha anya puravastuo ke chappey' in the above paragraph the witness stated that by the word 'chappey' above he meant stampage. These stampages had been prepared on 13<sup>th</sup> December but the witness wasnot aware as to whom these stampages had been given. No stampage had been given to him. The witness continued, "I have never seen those stampages nor I am aware as to where and to whom had they been given. It

had been mentioned in the above paragraph that Dr. Ramesh from Mysore who was in Delhi at that time was the first man to read some salient portions thereof at the instance of Dr. Gupta and Dr. Mallaya. It had been correctly mentioned that, "the portions of the record had been shown to Dr. Ramesh on 14<sup>th</sup> or 15<sup>th</sup> December 1992, itself." Dr. Ramesh had not rendered any opinion in writing at that time but had expressed during the course of discussion that it was an authentic record and that he had deciphered a few words thereof. Only Dr. Gupta and Dr. Sinha Mallaya had gone to talk to Dr. Ramesh at that time. At that time. There had been no talk with him after looking at the record." On looking at the text ' yeh prashasti batati hai ki ..... nahin karvaya ja saka tha ' appearing in 2<sup>nd</sup> para of page 58 of his book exhibit OOS-5-3 the witness stated his statement that Naichandra had got the mandir was constructed proved wrong. On looking at the portion ' char shatabdiyo baad ..... toor karhi karaya tha ' appearing in first paragraph of second column of this page the witness stated that according to Dr. K.V. Ramesh the Vishnu Hari Mandir referred in the above portion had been built by Meghsut and that he supported this opinion. The fact relating to demolition of temple mentioned in this very portion was based on the theory that for constructing a new building the earlier building was required to be pulled down. There is no mention as to when was this temple demolished but according to prevalent tradition the mosque was constructed after demolishing the temple. It is an oral tradition. On looking at page No. 154 and 155 of his book the witness stated that it was mentioned in the chapter entitled 'Ayodhya' of the book Satya Darpan by Aditya Swarup that "Indian ruler Mahtab Singh, Ranvijay Singh ruler of Hanswar and Devi Deep Pandey, Rajguru of Hanswar had given a tough fight at the time when the

temple was being demolished by Meer Baki. The book of Aditya Swarup had been published in the year 1993 for the first time. The witness stated, "I do not know anything about Aditya Swarup. The book had been published in Banaras and he had gifted the book to me but I am not aware as to who he is and where does he work. I have not know Aditya Swarup as a historian. I am not aware whether by profession the above Aditya Swarup is a journalist an advocate or a teacher." The witness stated of himself that Aditya Swaup while gifting his book to him had introduced himself but he did not remember the details at that time. The book should be running into 200-250 pages. The witness continued, "I have fully gone through the above book. I have mentioned it in the last line of second column of page 154 of my book that 'poora vivran bahut aadhikarik nahin lagata' and the above comments of mine refer only to the struggle undertaken for Ram Janambhoomi Mandir which had been reproduced as such in the next two pages i.e. page Nos. 155-156. Many a facts are not proved by independent sources and that is why I have mentioned it in the footnote but most of the facts appeared to by traditionally prevalent." The witness was shown first paragraph of page 155 of his book OOS-5-3 under the heading '1528 AD .....Sri Ram mandir par aakraman ( Attack )' on looking at which the witness stated that he believed the facts mentioned therein but he could not consult the Lucnow Gazetteer of 'Tujuk-Babri and Cunningham' and that is why he had mentioned it in the footnote. Otherwise he had faith in these incidents. The witness continued, "If Tujuk Babri" is Babarnama only then I have read Babarnama and there is not mention of Devi Deen in the portions read by me. I have read about Devi Deen Pandey somewhere else and have also read a poem about him but do not remember the same now. It is correct

that there is not book by the name of Lucknow Gazetteer written by Cunningham and I have also not read in any book that Meer Baki was successful in demolishing the temple by cannon balls after on e lac seventy four thousand corpses of Hindus had fallen. I have not read anywhere that four battles had been waged in between the year 1528 and 1530 for taking back the disputed site during the rule of Babar. I have not been a student of medieval history and that is why I had neither any opportunity to undertake intensive research on these issues nor I made any efforts in this direction. In view of this I cannot say anything in this regard with confidence. There is not such mention in the Gazetteers which I have gone through. Barring the book of the above Aditya Swarup I have not read it in any other book that "Indian ruler Mahtab Singh, Ramvijay Singh of Hanswar and Pt. Devi Deen Pandey, Rajguru of Hanswar had given a tough fight at the time when the temple was being demolished by Meer Baki and that the battle continued for 15 days.' Still I believe this fact because it is traditionally prevalent amongst the people of Avadh. On looking at the heading '1530 to 1556 AD Humayun ka kaal' in the first column of pages 155 of his book exhibit OOS-5-3 the witness stated that the period of rule of Humayun appeared to be correct which also included a number of years of exile of Humayun. The witness stated, "ii have not read about all the facts mentioned on both these pages i.e. page 155 and 156 in any book other than the book of Aditya Swarup but still I believe them. History of the entire period of rule of Akbar is available in written form. Two books namely Ain-ai-Akbari and



Akbarnamah written by Abul Fazal one of the nine jewels of Akbar are available and both these books have been translated into English also. I have not consulted both these books in this regard.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

25.04.2003

Typed by the stenographer in the open court as dictated by me. Present yourself before the Honourable Full Bench on 28.04.2003 for further cross-examination/ further evidence.

Sd/-

(Narendra Prasad)

Commissioner

25.04.2003

**Dated:29.04.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

(Cross-examination of O.P.W. 9 Dr. T.P. Verma before the Honourable High Court initiated by Shri Zafaryab Jilani, Advocate on behalf of Sunni Central Borad of Waqf UP in continuation to 25.04.2003).

While writing my book exhibit OOS-5-3 I had consulted Ain-ai-Akbari and not Akbarnama. I had not consulted the above book for the facts mentioned in my above statement on page 367 having a bearing of facts stated on pages 155-156 of my book because I did not expect that there would be any mention about the conflicts relating to Ram Janambhoomi in this book i.e. Ain-ai-Akbari or any other history book written by a muslim author because the victors regarded such conflicts very minor but a defeated community kept such things preserved in their minds and tales. The facts mentioned on pages 155-156 of my book would not be found in any book written by English or Hindu historian because these people regarded only the references of contemporary muslims historians as sources of history. This fact is true and acceptable not only in respect of the period of Babar but in respect of the history of the entire mughal period. Muslim historians have written about demolishing and looting of the temple of Somnath. This is true that the incident of Somnath was also related with a muslim ruler who has been depicted as a victor. The temple of Somnath was not of greater importance than Ram Janambhoomi but was of equal importance. No Hindu, Sikh or English historian has mentioned in his book such incidents related to Ram Janambhoomi which had been mentioned by me on pages 155-156 of my book. The facts which I have mentioned about Guru Govind Singhji in the

last para on page 155 of my book Exhibit OOS-5-3 are not based on any book relating to any other writer. I did not find it necessary to read any book relating to the life of Guru Govind Singhji or any other book of Sikh historian in connection with the visit of Guru Govind Singhji to Ayodhya. It is mentioned in the second line from the top in column 2 on this page that Aurangazed got the small Ram Mandir built on this Chabootra dug and converted into a pit. It is the same place which is known as Ram Chabootra. I cannot say whether any Ram temple had been built on the above Chabootra during the time of Aurangazed. I have not found any mention in any gazetteer about the existence of a temple on this Chabootra. It is mentioned in 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> lines from the top on this page of my book that 'Because of repeated attacks ..... permission was given for worshipping – Namaz' this is something which I have not read in any gazetteer or history book." Later on the witness stated that it was not his opinion but an opinion of Aditya Swarup which he had mentioned in his book and did not feel any necessity to get it confirmed from any other source. Attention of the witness was drawn to the facts mentioned on page Nos. 155-156 of his book exhibit OOS-5-3 under the heading Navab Wajid Ali Shah continuing upto the heading 'Hinduon ka Adhikar' in the second column on page 156 and a question was asked whether he did not think it necessary to get these facts confirmed from other source also before writing them in his book. The witness replied that he had accepted that these facts could not be confirmed and that is why he had mentioned them as footnote No. 10 in his book.

Attention of the witness was drawn to 5<sup>th</sup> and 6<sup>th</sup> lines of second para of column 2 of page 118 of his above book

reading as 'Abul Fazal has ..... kept restricted to' and the following question was asked.

Question : Is your above description wrong because Abul Fazal had provided details of religious places, religious people and religious systems with administrative matters in Ain-ai-Akbari?

Answer : On reading his book the witness stated, "my above description about Ain-ai-Akbari of Abul Fazal is not wrong because I have reproduced his text as such in a translated form and it is only in respect of it that I have stated that this book of Abul Fazal is restricted particularly to administrative matters. In this sentence the word 'only' has been wrongly used, in fact by the word 'only' I meant particularly.

I am not aware whether Abul Fazal has separately written a note about Ramchandraji.

At this juncture the witness was shown that translated portion of Ain-ai-Akbari which he had used in his book and the learned advocate cross-examining filed the photocopies of his Editor's Introduction on pages 316 to 319 (in continuation) which were marked as document Nos. 320 C-1/1 to 320 C-1/6 (in continuation) after reading which the witness stated "It has now come to my mind that I had gone through these pages and only one paragraph about incarnation of Shri Ram is given and the remaining portion is in respect of other incarnations named Krishna, Buddha and Kalki. It is also mentioned that Ramchandraji was born to Kaushalya on the 9<sup>th</sup> day of Chaitra month in Treta age but it is not mentioned that Ramchandraji was born at the place where Babri Masjid is located. There is also a

mention of the birth of Krishna on document No. 320 C-1/5 of this book.

Attention of the witness was drawn to the second line of 2<sup>nd</sup> para of column 2 of page 118 of his book exhibit OOS-5-3 reading as 'Ayodhya was regarded as the most sacred place during the period of Akbar' and was confronted that such a thing had not been mentioned in Ain-ai-Akbari. On reading the same the witness stated, "It has not been written like this in Ain-ai-Akbari but I have written like this myself on the basis of Ain-ai-Akbari. I have written the above on the basis of the extracts of Ain-ai-Akbari as available on column 1 and 2 of this very page i.e. page 118. Attention of the witness was drawn to 17<sup>th</sup>, 18<sup>th</sup> and 21<sup>st</sup>, 22<sup>nd</sup> lines of the translated portion of the text of Ain-Ai-Akbari available on page 118 of the book wherein it was mentioned that Ayodhya was the biggest city of India and the most sacred place of ancient times and the witness was told that his translation was faulty. On going through the above the witness accepted that there might have been some minor lapse. The learned advocate cross-examining filed photocopies of page Nos. 82 to 85, 168 to 191 and 316 to 317 along with Editor's introduction of Ain-ai-Akbari Vol.2 which were marked as document Nos. 321 C-1/1 to 321 C-1/21 (in continuation) and attention of the witness was drawn to 4<sup>th</sup>, 5<sup>th</sup> and 8<sup>th</sup>, 9<sup>th</sup> lines of page 182 of the original book and it was stated that it had been mentioned in these pages that Avadh was one amongst the biggest and the most sacred cities whereas the witness had stated in his translated that Ayodhya was the most sacred city. On looking at it the witness stated it was a free translation and there was some lapse. The translation of the last three lines of the same paragraph was again a free translation and not an exact translation. It is correct that there is not

mention of the word 'Avtar' (incarnation) in the above lines of original book. I have mentioned it on the last line of page 117 extending upto the 1<sup>st</sup> line of page 118 of this book of mine that it was a translation of the text from the book written by Abul Fazal. There could have been some lapses with regard to the syntax of language of translation. This is correct that my opinion to the effect that Abul Fazal restricted his details only upto administrative matters as contained in column 2 of page 118 of my book is proved wrong in the face of the text of the book of Abul Fazal available on document No. 321 C-1/9 to 321 C-1/21. Attention of the witness was drawn to the 6<sup>th</sup> line of para 2 column 2 of page 118 of his book reading as 'and his book .....can be accepted' and a question was asked whether he stuck to his stand even after reading the above text of the original book? On reading the above the witness stated, "keeping in view the subjects covered in Ain-ai-Akbari of Abul Fazal it could not be expected that the fact of construction of Babri Masjid at the site of Ram Janambhoomi would find a mention in the book. Abul Fazal has provided details of the important religious places in Ain-ai-Akbari. The learned advocate had filed extracts of Ain-ai-Akbari of Abul Fazal relating to Avadh and Allahabad provinces (marked as document No. 321 C-1/1 to 321 C-1/21) including details of religious places located therein. During the regime of Akbar Ram Janambhoomi was regarded as an important religious place of Ayodhya. Mention of Brahmkund is found on page 182 document No. 321 C-1/16 of Ain-ai-Akbari of Abul Fazal but it would not have been of greater importance than Ram Janambhoomi or birthplace of Rama. Similarly Surajkund mentioned on page 184 document No. 321 C-1/17 of Ain-ai-Akbari was also of not greater importance than birth place of Rama.

Allahabad has been termed as king of Shrine on page 169, document No. 321 C-1/19 of Ain-ai-Akbari of Abul Fazal which I feel is not correct, rather it should have been termed as king of pilgrimages.

There is a mention of such a temple of Banaras in the last paragraph on page 169-photocopied document No. 321 C-1/9 around which 'Parikrama' was performed in the form of Kaba. This implied that parikrama was performed around the temple. The witness stated, "In so far as my knowledge goes Parikrama was not performed at the disputed site during the period of Akbar but it used to be there earlier. I am not aware whether Parikrama was performed at this place in the post-Akbar period or not. Sultan Mahmood of Ghazni mentioned in para 2, document No. 321 C-1/10 of the above book is the same Mahmood Ghazni who had invaded the temple of Somnath. There is a mention of invasion of Banaras by Sultal Mahmood in this para.

Question : Keeping in view the manner of description of important places of worship and systems of worshipping as prevailing during that time, it is clear that neither any worship was performed at the disputed site nor it was known as Ram Janambhoomi?

Answer : I do not subscribe with the above contention because most of the incidents relating to demolition of idols and temples have been excluded in Ain-ai-Akbari. For example there is no mention of demolishing of Balark temple by S. Salar Masood in Bahraich. Similarly there is no mention of Ayodhya. The fact is that there is no

mention of any temple of Ayodhya in Ain-ai-Akbari.

It is not correct to say so because the incidents of demolition of Balark temple and the so called temple of Ayodhya did not happen at all and that is why there was no mention of these two important incidents in Ain-ai-Akbari. The fact is that Salar Masood was awarded the status of a martyr only after he was slain after demolishing Balark temple in Bahraich. He was popularly known as Bale Miyan amongst the masses of those times and on a particular day possibly in June martyr day was observed which is not observed now-a-days. In this way this tradition reveals that he was called Bale Miyan because he had demolished Balark temple. In so far as Ayodhya is concerned such stories about the demolition of temple are prevalent amongst the people of this place. As far as my knowledge goes one who is slain during some religious function is called a martyr. Demolition of a temple alone cannot make a man martyr. This is correct to say that if one is slain for a right cause while moving on the path of God he should be called a martyr. It could also be correct that Salar Masood was called Bale Miyan because he was slain at a tender age of 18-19 year as a bachelor. In my opinion a man of 18-19 years if not called a 'boy' but a 'youth' and that is why I have a reservation about your suggestion. I am aware that marriage procession of Bale Miyan passes on Martyr's day but I am not aware whether its arrangement is made by Hindus. Possibly Hindus might be fixing the date for the above but I cannot say with confidence.

I have read in some book about demolition of Balark temple by Salar Masood but the name of the book is not striking me right now. There is no mention of the fact of



demolition of Balark temple in the book Meerat-ai-Masoodi based on the life of Salar Masood. I cannot tell the place of exact location of Balark temple in Bahraich. Based on my study of books I am aware of only this thing that there existed a pond at the place of Balark mandir but I do not know the exact location of this pond. I have not read any details of the pond in any book but I have heard that a fair was organized near the pond. I have read the book entitled 'Ayodhya ki Itihas' written by Lala Sitaram of Avadh and referred in para 2 of page 112 of my book. The book has possibly been filed by the plaintiffs. I have also seen a book by the name of 'Shri Ram Janambhoomi (illustrated authentic history)' written by Dr. Radhey Shyam Shukla titled as document no. 107 C-1/154. The book entitled 'Ayodhya ka Itihas' by Lala Sitaram a resident of Ayodhya had been placed as document Nos. 107 C-1/122 to 107 C-1/131. I agree with some of the facts mentioned in the book while I disagree with others. I have not read any book written upto 19<sup>th</sup> century wherein the incident stated in the above book of Lala Sitarm document No. 107 C-1/125 is mentioned. I do not agree with the incident mentioned in the above page starting from the word 'Badshah' and ending with the words 'returned'. This incident has not been proved by any other book. Possibly the incident is based on some popular saying. Facts mentioned on page document No. 107 C-1/127 have not been proved by any other book. Para 2 of document No. 107 C-1/127 is proved by a gazetteer and I am not aware whether it is proved by an other book also.

I cannot tell whether the description about pillars contained in para 2, document No. 107 C-1/29 of this book is proved by any book or not but I have myself seen the place where the pillars were set in. there is a mention of a

mint for copper coins in the last para of document No. 107 C-1/129 of this book and description of the same mint is found on page 183 of Ain-ai-Akbari. The book by the name of 'Shri Ram Janambhoomi' written by Dr. RADhey Shyam Shukla has been filed by the plaintiffs vide document No. 107 C-1/154. I have not made use of this book while writing my book entitled 'Ayodhya ka Itihas evam Puratatva' because I could not get hold of this book by that time. Though the book had been published in the year 1906 but I had not heard of it by the completion of my book i.e. the year 2000. I had seen this book in 2002 after becoming a party of the suit but I did not go through the book even thereafter. There are two sentences appearing from pages 1 to 2 of document No. 107 C-1/154 out of which I agree with the sentence reading as 'Ayodhya was settled and devastated a number of times' but I do not agree with the second sentence wherein it is mentioned that 'there is no surprise of its geographical identity is lost after 2000 years'. I do not agree with the statement 'Saket is Ayodhya itself, no one knows when and who identified it' appearing in para 2 of page 2. I also do not agree with the statement reading as, "Despite the fact that Ayodhya had been identified as Saket, the problem of identification of Ram Janambhoomi could not be sorted out because the process of settlement and devastation of Saket too continued." There is a truth in the statement on page , "No one tried to assess it on the criteria of history." It is mentioned in para 1 of page 5 of the book that 'used to assume titles through Chinese sources' and this statement is true. Chinese sources mean travel accounts of Huientsang which have been translated by Beel. There is no description of Ram Janambhoomi in travel accounts of Huientsang translated by Beel. I agree with the statement

'Chinese sources refer to Vikramaditya who was known as Skandgupta' appearing in column 5 of page 6 of this book.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

29.04.2003

Typed by the stenographer in the open court as dictated by me. Present yourself on 30.04.2003 for further cross-examination.

Sd/-

29.04.2003

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**Dated:30.04.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

(Cross-examination of O.P.W. 9 Dr. T.P. Verma initiated by Shri Zafaryab Jilani, Advocate on behalf of Sunni Central Borad of Waqf, Uttar Pradesh before the Honourable High Court Full Bench in continuation of the cross-examination of 29.04.2003).

I have no knowledge about Radhey Shyam Shukla and therefore I may not be able to tell whether he is a historian or a teacher or a writer. The book written by him has been filed in the suit by the plaintiff vide document No. 107 C-1/154. Even after becoming a party of this suit I did not try to find out details about Radhey Shyam Shukla. As a historian I give importance to this book. A historian gives importance to every published book even though he might not be personally known to the author. In para 19 of my affidavit I have supported the above book of Radhey Shyam Shukla. I am not aware of the cassettes about which I have mentioned in para 19 of my affidavit, neither I have seen these cassettes nor I could tell the incident with which the cassettes are related. I may also not be able to tell about the number of cassettes i.e. I cannot tell whether they are one or two or four cassettes. I did not personally gather information about the cassettes. The album about which I have mentioned in page 19 of my affidavit contains photographs relating to Ram Janambhoomi. I am not aware as to when were the photographs (affixed in the album) taken and who took them, I also cannot tell whether the photographs were taken when the disputed building was intact or they were taken prior to 6<sup>th</sup> December 1992. I cannot tell whether the number of albums is one, two or more than two. I do not know the listed documents under

which the album has been filed. I also do not know as to in which year and in connection with which suit this album was filed. I shall not be able to tell whether the photographs contained in the album about which I have mentioned in para 19 of my affidavit belong to the period prior to 6<sup>th</sup> December 1992 or thereafter. I am not aware as to who is in possession of the photos affixed in the album or whether they have been filed in the suit. I have mentioned in para 19 of my affidavit that original book, cassette albums etc. have been filed but I do not know what is the thing besides original book, cassette albums which falls under the word 'etc.' I do not know whether any other photos, excepting the photos affixed in the album have been filed in the suit on my behalf. Written record referred in para 19 of my affidavit stands for extracts of all such documents, books, correspondence etc. which have been filed in the suit and a list of which is given in the same para 19. I may not be able to tell about the records, books or letters, cassettes, albums connected with the document Nos. mentioned in para 19 of my affidavit. I cannot tell as to which documents have been filed with which list No. because I have not seen them, I cannot tell which list was filed with which papers and when.

Question : Can you identify 'public documents' out of the documents filed in this suit?

Answer : I can tell it after looking at the documents which have been filed.

(The witness was shown the documents filed in this suit on looking at which the witness stated) that a few documents attached with document No. 118 C-1 were public documents. I have used the word atirith (additional) in para 19 of my affidavit by which I mean the documents other

than the documents mentioned before para 19 and which have been listed in para 19. I have referred to document Nos. 107 C-1/10, 107 C-1/28, 107 C-1/35, 107 C-1/55 in para 14 of my affidavit and these are the extracts of the gazetteers attached therewith. I have referred to these documents in para 19 of my affidavit also. Reference of 7/111/10 in the second line of para 14 of my affidavit represents 10<sup>th</sup> sloka of chapter 111 of part 7 of Valmiki Ramayana. This has not been filed in this suit.” Later on he stated that as far as he remembered the complete Ramayana had been filed. The witness stated, “I have used the word ‘vijan ‘ (desolate) in the third line of para 14 of my affidavit which means a place where there had been no habitation. The first sentence starting from the second line of para 14 of my affidavit is based on only Valmiki Ramayana and the subsequent sentences extending upto second line on page 6 are based on Raghuvansh written by Kalidas. The matter conveyed in subsequent sentences, which start with hearsays prevalent amongst Hindus is based on the documents which have been mentioned in the same sentence. On looking at document No. 107 C-1/28 the witness that it was not a gazetteer but a settlement report.

Question : In your yesterday’s statement you had agreed to Skandgupta being called as Vikramaditya in the reference related to the travel accounts of Huientsang but in para 14 of your affidavit you have called the same Vikramaditya as Chandragupta – you will like to stick to which one of the two opinions?

Answer : There had been a mention of three Vikramadityas in both these descriptions. In my yesterday’s statement I had stated that ‘Chinese

sources refereed to the Vikramaditya who was called Skandgupta' and I had concurred with it. In other words Chinese sources regard Skandgupta as Vikramaditya. I agree with this statement. Apart from this there is a mention of two Vikramadityas on page 6 of my affidavit and it has been stated that a few historians were to two opinions with regard to identification of the above Vikramadityas with reference to Ayodhya – one group identified Maharaja Vikramaditya of Gardbhill dynasty of Ujjain who had founded Vikram era and the second Vikramaditya was Chandragupta Vikramaditya known as Chandragupta-II.

At this point attention of the witness was again drawn to para 5 (column 5) of page 6 of document No. 107 C-1/154 and a question was asked whether he agreed with the view mentioned therein that Vikramaditya, who had got 360 temples, built in Ayodhya was called Skandgupta by Chinese traveler or not? On looking at the above column 5 the witness stated that he did not agree with it. After discarding Skandgupta, two Vikramadityas were left but I cannot confidently tell as to which one of the two got 360 temples built in Ayodhya.

The two photocopied pages available at serial No. 6 of document No. 107 C-1/2 are the extracts of which book – Archaeological Survey report by Cunningham or Sharki Architecture by Fuherer is something which I can tell only after looking at the book. There is no mention the book 'Ayodhya' by Hans Baker in my affidavit but I have read that book and have given some references of the same in my book exhibit OOS-5-3. I have not provided in my

affidavit the basis of the fact mentioned by me in para 17 of my affidavit but it is based on the rock inscription retrieved from Ayodhya about which I have mentioned in my affidavit. I had completed the study i.e. decipherment and translation of the above rock inscription prior to my writing the book and have got the same printed and also written in my book. Now I do not subscribe with a part of the decipherment and translation of the rock inscription after the decipherment and translation by Dr. K.V. Ramesh has become available similarly my statement that 'I fully affirm the facts contained in the book written by me (exhibit OOS-5-3)' needs to be amended i.e. there are facts which I do not affirm and I have mentioned about such facts in my earlier statement. I have mentioned the names of such books in third line from the bottom in para 18 of my affidavit which I have read and references of which have been given at the end of every chapter and also in the original bibliography (document Nos. 289 C-1/227 to 232 – in continuation) given at the end of the book and also in document Nos. 289 C-1/233 to 242 (in continuation). I have personally read some of the books referred in my book and have referred some other books by lifting from other books. I have personally read the books in respect of which page numbers have been given. There is a mention of the book Tabqat-ai-Nasiri under the heading catalogue of my book available at (document No. 289 C-1/236) but not in the original bibliography of my book (document Nos. 289 C-1/227 to 232 in continuation). There is a mention of Tabqat-ai-Nasiri on page Nos. 92, 103, 105, 112 of my book. The reference of Tabqat-ai-Nasiri in 5<sup>th</sup> line of the last para of column-I of page 92 of my book has been taken from the book of Dr. Motichandra. I have not gone through the original books in respect of the facts mentioned in 8<sup>th</sup> to 10<sup>th</sup> lines of para 1 of column 1 of page 105 of my book but have lifted them from some other book.



My statement given above that I have personally gone through the books in respect of which page numbers have been given has proved wrong in the present context.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

30.04.2003

Typed by the stenographer in the open court as dictated by me. Present yourself before Commissioner Shri Narendra Prasad at 2.00 p.m. today.

Sd/-

30.04.2003

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**Dated:30.04.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

Before : Commissioner Shri Narendra Prasad, Addl.  
District Magistrate/ OSD, Hon'ble High Court,  
Lucknow.

(Appointed vide order dated 30.04.2003 of the Hon'ble Full Bench).

[Cross-examination on oath of O.P.W. 9 Dr. T.P. Verma continued by Shri Zafaryab Jilani, Advocate after the recess in continuation to 30.04.2003 (pre-recess)].

On looking at page No. 107 document No. 289 C-1/130 of his book exhibit OOS-5-3 the witness stated that he had indicated page Nos. of Tabqat-ai-Nasiri in his footnote Nos. 68 and 69 from some other book and without ascertaining from the original book and as such there was a possibility that the facts mentioned in my book OOS-5-3 in reference of above page numbers of Tabqat-ai-Nasiri may not be found on those pages. On looking at page numbers 92, 105 and 112 of his book the witness stated that the facts mentioned in these pages in reference to Tabqat-ai-Nasiri were wrong and these facts had not been mentioned in Tabqat-ai-Nasiri. It has been indicated on page 214 of my book under the entry Tabqat-ai-Nasiri that it should be available on page 103 of the book which is wrong. The facts mentioned in my book in reference to the book Tabqat-ai-Nasiri were in reference to the book 'Kashi ka Itihas' written by Dr. Motichandra. On looking at document No. 107 C-1/2 to 107 C-1/16 (in continuation) the witness stated that these were the extracts from the report of Cunningham which had been filed in the court. Mention of

Ayodhya or Saket was found on other pages also of the report of Cunningham. The witness was shown the report of Cunningham entitled 'Four reports made during the years 1862-63-63-65 Vol.-I' and photocopies of cover page, contents, preface and page Nos. 293 to 296 and 317 to 319 (in continuation) and Plate No. 47 from document No. 322 C-1 were filed which were marked as document Nos. 322 C-1/1 to 322 C-1/22 (in continuation) and a question was asked whether there was a mention of Ayodhya on pages 293 to 296 and 317 to 319 of the 1862-63 report. The witness stated, "Photocopy of Plate No. XLVII of this book which is related with Kannauj has been filed today and which bears document No. 322 C-1/22. On looking at document Nos. 322 C-1/19 to 322 C-1/21 (in continuation) the witness stated that in these pages Cunningham had identified Sanchi of Fahien and Vishakha of Huientsang as Saket and Ayodhya and he agreed with it. On looking at document No. 322 C-1/15 to 322 C-1/18 (in continuation) the witness stated that in these the Chinese travelers had mentioned about the geographical location of Sanchi and Ayuto. Cunningham has accepted Ayodhya mentioned by Fahien and which is located at Ghagra near Faizabad and on the other hand Cunningham has identified Ayuto also as Ayodhya and based on the geographical travel accounts of Huientsang has accepted its geographical location of this Ayodhya elsewhere. On looking at document Nos. 322 C-1/11 and 12 the witness stated that names of places like Mathura, Kannauj and Allahabad, Banaras, Faizabad and Shravasti etc. were mentioned on these pages and these places were known by the same names even today. On looking at document No. 322 C-1/4 the witness stated that Mathura was mentioned at Sl. No. 2, Kannauj at Sl. No. 10, Allahabad at Sl. No. 13, Ayodhya or Saket at Sl. No. 17 in this document. On looking at document No. 322 C-1/6 the

witness stated that under the descriptive list of plates on this page map of Kannauj was given on plate 47 whereas map of Ayodhya was given on plate 47. On looking at document 322 C-1/22 is the photocopy of Kannauj available at plate 47. On looking at document 322 C-1/22 the witness stated, 'Sita ki Rasoi' has been shown in the center on this page. I cannot tell whether this place 'Sita ki Rasoi' is available at Kannauj even today or not. There is a possibility that Cunningham might have written something about 'Sita ki Rasoi' in his book under the heading Kannauj but I have not read about it. I have neither read nor heard anywhere whether there had even been or is any pious place like 'Sita ki Rasoi' at any place other than Ayodhya.

On looking at page 207, document No. 289 C-1/229 of his book the witness stated that the book Babarnama which had been mentioned as Hindi rendition of English translation of William Arsenen is in fact the book named 'History of India under Babar' written in English by William Arsenen. On looking AT Sl. No. 14 and 15 of document No. 107 C-1/3 the witness stated that these were marked as document Nos. 107 C-1/64 to 68 and document Nos. 107 C-1/69 to 107 C-1/70 respectively. The above document numbers were the photocopies of the English translation of Babarnama. The witness continued, "I have not found any mention anywhere in these document of Babar visiting Ayodhya and demolishing temples." On looking at document mention at Sl. No. 17 of (document No. 107 C-1/4) of list of documents, the witness stated that document No. 107 C-1/75 mentioned therein was a portion of Ayodhya Mahatmya of Skandpurana. On looking at document No. 107 C-1/75 the witness stated that the geographical position of the disputed building was given in slokas 17 to 19 (in continuation) in the document. It is mentioned in

these documents that there is a mention of Ram Janambhoomi in Ishankon (north-east) of Vighneshwar Mandir and it had also been stated that the birth place was located in east of Vighneshwar, north of Vashishtha and west of Lomash. Ishankon stands for north-east. There is not mention in this document No. 107 C-1/75 of the distance of the birth place from Vighneshwar Mandir, Vashishtha, Lomesh. On looking at document Nos. 289 C-1/202 and 289 C-1/203 of his book exhibit the witness stated that north was on the upper side and south on the lower side in both these maps. On looking at document No. 289 C-1/202 of his book the witness stated that a place named Vighnesh had been shown in between Kanak Bhavan and Ratna Mandap in this map. There is a possibility that this place with the name of Vidhresh would have been termed as Vidhresh Mandir. Structure of Ram Janambhoomi Babri was shown in the west of Vighnesh in this map. The direction of Ram Janambhoomi structure from Vighnesh as shown in Ayodhya Mahatmya did not match with this map. In my map Ram Janambhoomi Babri structure had been shown on the upper side of Vashishtha Kund which did not match with the relevant description contained in Ayodhya Mahatmya. On looking at document Bo. 289 C-1/203 the witness stated that in this map disputed structure had been shown in north west of Lomash Rishi Ashram which partially matched with the relevant description given in Ayodhya Mahatmya. On looking at document Nos. 289 C-1/202 and 203 the witness stated that the map available on 289 C-1/203 had been prepared on scale and thus this map was more authentic as compared to the one given on 289 C-1/202. On looking at document Nos. 107 C-1/76 to 107 C-1/94 (in continuation) the witness stated that he could not tell about the books whose extracts were given in these documents. The witness continued, "I

have never read these documents and cannot read them also because they are in Urdu and Persian and that I have affirmed the authenticity of these documents in para 19 of affidavit of my examination-in-chief relying upon the original plaintiff late Devki Nandan Aggarwal. By affirming I have meant that whatever has been mentioned in these documents should be true in so far as the suit is concerned. I believe that whatever might be written in these documents should be true and that is why I have affirmed them in para 19 of my affidavit. On looking at document No. 107 C-1/95 the witness stated that this document had been referred to Sl. No. 25 of the list of documents. On looking at document No. 107 C-1/95 the witness stated that there was a mention of the fort and houses of Ramchandraj in fourth, fifth lines of the document and thereafter details of Ayodhya had been provided in the document and that is why the document has been filed. There is no mention of Ram Janambhoomi or birth place of Rama in this document No. 107 C-1/95

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

30.04.2003

Typed by the stenographer in the open court as dictated by me. Present yourself before the Hon'ble Full Bench on 01.05.2003 in continuation.

Sd/-

(Narendra Prasad)

Commissioner

30.04.2003

**Dated:01.05.2003**

**O.P.W.-9 Dr. Thakur Prasad Verma**

(Cross-examination of O.P.W. 9 Dr. T.P. Verma by Shri Zafaryab Jilani, Advocate on behalf of Sunni Central Borad of Waqf, Uttar Pradesh before the Honourable High Court Full Bench in continuation of the cross-examination of 30.04.2003).

I am not aware as to who had retrieved the rock inscription, a photo of which has been given on pages 289 C-1/210 and 211 of my book. We were given to understand that the rock inscription had been retrieved from the debris of the disputed building. I am not aware whether the rock inscription had been recovered by some Government Officer or a non-Government Officer or any labour or by some one known to me. Intimation about recovery of this rock inscription had been received in December 1992 through a telephone from Dr. S.P. Gupta but I do not remember the week of December in which I had got the intimation. I had not read about the inscription in any magazine or newspaper until I got intimated on telephone from Dr. S.P. Gupta. I do not remember if I had read about this rock inscription in any newspaper or magazine in December 1992 or January 1993 after the incident of 6<sup>th</sup> December 1992. I do not remember if I had read about this rock inscription in 'organiser' and 'Panch Janya' maganizes after December 1992 or even later because I do not subscribe these magazines. I have definite information that this rock inscription had been retrieved from the debris of the disputed building on 6<sup>th</sup> December 1992 only. Dr. S.P. Gupta had passed on this information to me. I did not received this information from any one other than Dr. S.P. Gupta. I had met Shri Dvki Nandan Aggarwal 4-5 times

from 6<sup>th</sup> December 1992 till 2002 during the time he was alive. I cannot tell confidently but I believe that I had possibly met him for the first time within a year after 6<sup>th</sup> December 1992. I do not remember precisely but possibly I had met him for the first time in Delhi and we had interalia discussed about the rock inscription. Before this meeting I had not fully deciphered this rock inscription but I was on my job of deciphering it. We did not have detailed discussion about the recovery of the rock inscription but there was definitely a mention of the fact that the rock inscription had been recovered from the debris of the disputed building. I had passed on the text of this rock inscription to Shri Devki Nandan Aggarwal through Dr. S.P. Gupta. Later on he stated that he had given it to Dr. S.P. Gupta and possibly he would have passed it on to Shri Devki Nandan Aggarwal. The witness continued, "I had a brief discussion, not a detailed one about decipherment of the rock inscription during my first meeting with Devki Nandan Aggarwal after 6<sup>th</sup> December 1992. He had not asked me to send the text of rock inscription to him. I am aware that Shri Devki Nandan Aggarwal had defended this case with full devotion till he was alive. Whatever documents have been filed in the suit on his behalf were filed by him only. I have not filed any document so far. I regard him to be a truthful individual. I had not gone through the statement of Shri Devki Nandan Aggarwal which he had given as a witness in this suit. I believe that whatever statement he might have given should be true." The attention of the witness was drawn to the statement of Shri Devki Nandan Aggarwal reading as, "In my view this rock inscription was recovered on 7<sup>th</sup> December 1992 from the disputed site" available at page 194 by the learned advocate cross-examining. On looking at this the witness stated that possibly this statement might also be true.



because the rock inscription had been recovered possibly during the night of 6<sup>th</sup> and 7<sup>th</sup> December 1992. The witness stated, "Dr. S.P. Gupta had informed me that the rock inscription had been recovered during the night of 6/7<sup>th</sup> December 1992. The statement of Shri Devki Nandan Aggrwal that the rock inscription was found by the officers of the Government of India might be true. I agree with the statement of Shri Devki Nandan Aggarwal, that the information about the recovery of rock inscription had reached Dr. S.P. Gupta and Sudha Mallaya for the first time in December 1992 on their visit to Ayodhya. As far as I remember I had seen the photo of the rock inscription for the first time in 'Frontline' magazine during December 1992 but I do not remember if the above magazine had been brought out in between 14<sup>th</sup> to 20<sup>th</sup> December 1992 or not. Dr. S.P. Gupta had sent a photo of the rock inscription to me after two months of the incident of 6<sup>th</sup> December 1992 and not earlier. I cannot tell the names of all the witnesses who have appeared so far in this suit on behalf of plaintiffs. As far as my knowledge goes evidence of Shri Ashok Chatterjee in respect of the recovery of this rock inscription has since been over. I did not know him prior to his deposition in the suit. I knew him only after his evidence. I am simply acquainted with him and not very close. This is correct that now a days Shri Ashok Chatterjee is looking after the excavation work of Ayodhya as our nominee and he is doing his work with much devotion. I had come here only when Shri Ashok Chatterjee was deposing as a witness in this suit and I had met him only then. It was only then that I came to know that he was a witness about the recovery of the rock inscription. Since I was not aware of the fact that he was a witness of the recovery of the rock inscription before my visit to this place I did not suggest his name as a witness. To my knowledge there is no other

witness who is an eyewitness to the recovery of the rock inscription. I was shown the list of witnesses of this suit and I had permitted them to file my power of attorney. I had met Shri Devki Nandan Aggarwal for the last time 6 months prior to his death but I do not remember the place of my meeting him. I had a discussion with him regarding this suit and he had told me that evidence on his behalf was going on in this suit. During this last meeting with Devki Nandan Aggarwal I had discussed with him about construction of temples during the Gharwal period. Shri Devki Nandan Aggarwal never told me that he had prepared his petition of the suit on the basis of facts mentioned in the book of Radhey Shyam Shukla. The petition filed by Shri Devki Nandan Aggarwal is based on other books also besides the book of Radhey Shyam Shukla.

Verified the statement after hearing

Sd/-

(Thakur Prasad Verma)

01.05.2003

Typed by the stenographer in the open court as dictated by us. Present yourself for further cross-examination on 02.05.2003 in continuation.

Sd/-

Narendra Prasad

Commissioner;

01.05.2003

Dated:02.05.2003

O.P.W.-9 Dr. Thakur Prasad Verma

(Cross-examination of O.P.W. 9 Dr. T.P. Verma by Shri Zafaryab Jilani, Advocate on behalf of Sunni Central Borad of Waqf, Uttar Pradesh before the Hon'ble High Court Full Bench in continuation of the cross-examination of 01.05.2003).

Shri Ram Vishwakosh about which I have referred in para 8 of my affidavit is a collection of various articles. I have edited this collection. The book might have been published after 6<sup>th</sup> December 1992 or earlier too. It would have been published about 10 years ago. The book contains more than 110 articles and I remember only two names of the writers whose articles are included in the book and the two names are V.S. Vakankar and K. Raghavachari. The former was a resident of Ujjain and the latter resided in Delhi. Both of them have since died. Neither this book nor its extracts have been filed in this court. The book contains around 800 pages and was published by Siddhartha Prakasham of Banaras. I had myself edited this book but its Chief Editor was Dr. Bhagwati Singh, Head of the Hindi Department, Gorakhpur University. Dr. Bhagwati Singh is no more there. Bhartiya Itihas Sankalan Samiti about which I have referred in para 8 of my affidavit is an Institute of IP. Provincial Institute was constituted around 1974-75. This Bhartiya Itihas Sankalan Samiti was not established by RSS. The other Institution is known as Akhil Bhartiya Itihas Sankalan Yojna which was set up jointly by Thakur Ram Singh, Devi Prasad Singh, T.P. Verma himself and Rajendra Singh Kushwaha etc. this Akhil Bhartiya Itihas Sankalan Yojna was established sometime around 1974-75. Bhartiya Itihas

Sankalan Samiti which was a provincial level Institute used to bring out a magazine by the name of Bhartiya Itihas Sankalan Samiti Patrika UP. The very papers which had been received during the six annual conferences of this Institute were compiled at one place and published in 6 volumes and I had edited them. I have mentioned in para 9 of my affidavit that I had written around 150 articles out of which about 50 articles were based on history. All these articles were relating to Ancient Indian History out of which 4 articles were related with Ayodhya and Ramchandraji. My four articles relating to Ayodhya and Ramchandraji was published in my Bhartiya Itihas Sankalan Patrika only and in no other magazine.

No article out of the 150 articles written by me is relating to Gharwal rulers of 11<sup>th</sup>, 12<sup>th</sup> century or mughal period of 16<sup>th</sup> century. No article of mine relating this period was published in any magazine. My history based articles were published in the magazine named 'Bharti Bulletin of ancient culture, Banaras Hindu Bishwavidyalaya' of Indian Council of History and Culture and some magazine of Madhya Pradesh whose name is not striking my mind at the moment. The witness stated of himself that his articles had been published in many more journals but the names of the journals were not coming to his mind then.

The magazine with the name of 'Antiquity' is published from Americal and I am aware of it. It is related with World Archaeological Congress proceedings of which are also reported in this magazine. It is a reputed journal of international fame. None of my article has been published in this journal. Proceedings of the conference of Indian History Congress are published in a journal which is a collection of the articles read out during the conference and

none of my articles was published in this journal. I have also read my articles 4-5 times in this conference but the same was not published despite an assurance given to me to this effect. Worshipping of site has been prevalent at Kedarnath and Vishnupad Gaya about which I have referred in para 10 of my affidavit and the same pattern continues even today. No idol has ever been set up there. The word 'etc' has been used after the words Vishnupad-Gaya of Gaya in 2<sup>nd</sup> line for the bottom in para 10 of my affidavit but there is no mention of a third place besides two places. Kedarnath mandir and Vishnupad mandir – Gaya both are Vaishnav places. There exists a footprint of Vishnu in Vishnupad – Gaya and the same is worshipped. I have no knowledge of Kedarnath mandir as to why the site is worshipped there. I may not be able to tell since how long the worshipping has been going on at both these places but I believe that it has been going for more than 2000 years. As regards Ram Janambhoomi I believe that worshipping went on there till an idol and temple existed and after they were demolished only the site was worshipped.

The human figure as it existed 15-16 lakh years has not undergone any change till this day. My statement that Ramchandraji was born 15-16 lakh years ago is based on tradition only.

Verified the statement after hearing

Sd/-  
(Thakur Prasad Verma)  
02.05.2003

Typed by the stenographer in the open court as dictated by us. Present yourself before Commissioner Shri Narendra Prasad at 2.00 today.

Sd/-  
02.05.2003

**Dated: 2.05.2003**

**O.P.W. 9 Dr. Thakur Prasad Verma**

Before: Commissioner Shri Narendra Prasad, Addl. Dist.  
Magistrate/OSD, Hon'ble High Court, Lucknow.

(Appointed vide order dated 2.05.2003 of the Hon'ble Full Bench)

[Cross-examination of OPW 9 Dr. T. P. Verma initiated by Sh. Zafaryab Jilani, Advocate on behalf of Sunni Central Board of Waqf, Uttar Pradesh before the Honourable Full Bench in continuation of the cross-examination of 2.05.2003 (before recess)]

The witness was shown document nos.. 261C-1/1 to 261C-1/8 (in continuation) representing Part I of Valmiki Ramayana by the learned advocate cross-examining on looking at which the witness stated that the human figures were the same 15-16 lakh years ago as was available on the photographs in these pages. The type of human figures of Ramachandreja and his other associates shown in these photographs are almost similar to the human figures as would have prevailed during the time of Ramchandraj. The witness was shown document no. 261C-1/2/4 of part II of Valmiki Ramayana on looking at which the witness stated that two types of figures were available on these pages a few were of monkeys while others were of human beings. The figures of monkeys visible in these photographs would be similar to the figures of monkeys as would have prevailed 15-16 lakh years ago during the time of RamaChandraj. As per the theory of evolution of Darwin man has developed from the stage of rap tiles to jungle man i.e. orang-outang and then to human being. Monkeys would have been in this process of evolution but in so far as Indian shastras are concerned man has not undergone any change ever since the day he emerged on this earth and no change is noticed in man. This type of thinking has

been going on since the time of Manu i.e. features and form of Molu were the same as of the man of today. Manu is regarded as the first human being. The witness was shown photo available at document no. 261C-1/2 of the same book on looking at which he stated that figure of monkey and human being are shown in it and figures of monkeys and human beings some 15-16 lakh years ago would have been similar. On looking at document no 261C-1/2j3 of the same book the witness stated that the photograph was neither of a human being nor that of a monkey. Volunteer: that it was the photo of Hanumanji presented in human form. The witness continued, "According to me the features of Hanuman ji as shown in document No. 261C-1/213 is a human figure which existed 15-16 lakh years ago also." On looking at document nos. 261C-1/213, 261C-1/212 and 2/4 the witness stated that the large figure visible on document no. 261C-1/213 and the human figures visible in document no. 261C-1/214 belong to the same period i.e. they are the human figures of 15-16 lakh years ago. The figures of Hanumanji and Ramchandrajji as visible in the above documents differed only in external appearance. The difference shown in the figures of Hanumanji and Ramchandrajji is found even today amongst various communities in the world but the tail of Hanumanji visible in the above photographs is not found in the human beings of modern times and it is artificial. A human figure similar to Hanumanji shown in the above document is not found anywhere in the world. Palaeolithic and Mesolithic words are related with pre-history and I have no knowledge of it. Otherwise Palaeolithic is called 'Purapashan' age and Mesolithic stands for 'Pashan age' Palaeolithic is divided in two parts - upper Palaeolithic and lower palaeolithic. Mesolithicals falls under prehistoric period. Mesolithic is followed by Neolithic' which is known as 'Nav Pashan' age

in Hindi. This is again a prehistoric period. I cannot tell when did the upper Palaeolithic age start and when did it end. I do not know whether the period of upper Palaeolithic age was spread from 40000 years ago to 2000 years ago. Similarly I do not know when did Mesolithic period start and when did it end. I am aware of the word Homeosapiens but I do not know to which period they belonged. Sapien is not an independent term, rather the word Homosapien is used as one word. I am not aware as to which ancient period the earlier form of Homo Sapiens belonged. The species of homoerectus preceded Homosapiens. It was believed that the period of Homoerectus in Africa was one lakh thirty thousand years but now it has since been amended and ruins belonging to many lakh years old period have been found. As far as my knowledge goes around 2 lakh years old ruins of man made tools have been found in India and Pakistan. This is an information which I gathered from a book published sometime around the year 2000 but at this point of time I do not remember the name of the book or its writer. The shape of Homoerectus was very small as compared to modern man and is regarded as a link in between jungle-man and man. Homo Sapiens are akin to the modern man and are regarded as the latest stage of development. Homo Sapien and Homo Sapien are two independent species and Homo Sapien Sapiens are regarded as the latest stage of development. I do not know till how long Homoerectus would have existed in India. I do not know if any research has been undertaken on this subject. In India or not. I am not aware whether any report in this regard has been received from Unesco or not.

Verified the statement after hearing

-Sd/

(Thakur Prasad Verma)

2.05.2003



Typed by the stenographer in the open court as dictated by us. Present yourself for further cross-examination on 5.05.2003 in continuation.

Sd/-  
(Narendra Prasad)  
Commissioner

**Dated: 5.05.2003**

**O.P.W. 9 Dr. Thakur Prasad Verma**

Before: Commissioner Shri Narendra Prasad, Addl. Dist. Magistrate/ OSD, Hon'ble High Court, Lucknow.

(Appointed vide order dated 2.05.2003 of the Hon'ble Full Bench.)

(Cross-examination on oath of OPW 9 Dr. T. P. Verma continued by Sh. Zafaryab Jilani, Advocate in continuation 2.05.2003.)

It is correct to say that middle Palaeolithic period is placed in between one lakh fifty thousand years BC to forty thousand years BC and the human being in his present form reached fifty thousand years ago. The above views are based on modern expansionism which has been accepted by modern scholars also. Harappan civilization is regarded as the oldest civilization of India which has been dated as three thousand two hundred fifty years BC by Marshal whereas Wheeler has regarded it as 2500 years BC but Harappan civilization has been distributed in three parts. The period of early-Harappan age is regarded as 3500 to 2600 BC whereas period of developed-Harappan civilization is regarded as 2600 to 1900 BC late Harappan

civilization belongs to the period 1900 to 1300 BC. A few scholars have termed Harappan civilization as Vedic civilization. Maxmuller has held Rigved to be belonging to 1000 years BC whereas Bal Gangadhar Tilak holds that Rigved is 6000 years BC old.

R. K. Mukherjee believes that Rigved is 2500 BC old whereas G. C. Pandey regards it as 3000 BC old. Most of the scholars are of the view that Harappan civilization is as old as Rigved. Stone age starts from Palaeolithic age and ends at Neolithic period and Neolithic period is regarded as 10,000 years old. In India it is believed that the period of the early phase of Palaeolithic period also known as early or lower palaeolithic period was between 5 lakh years BC to 50,000 years BC while the period of middle Palaeolithic period is believed to be between 50,000 years BC to 40,000 years BC and the period of upper Palaeolithic period was between 40,000 years BC to 10,000 years Be. In India first evidence of recovery of copper is found from Mehargarh and is believed to be 4000 years BC i.e. based on modern researches. Use of copper in India is 4000 years Be and by modern research I mean scientific research. Excepting this scientific research there has been no other research in respect of calculation of time of development of humanity and civilization. Scientific research has been undertaken about use of iron in India. The oldest evidence of use of iron in India based on archaeological excavation cannot be regarded as older than 1500 years BC. Besides, there have been researches in respect of use of other metals like gold and silver in India but I do not have any knowledge about them.

Question: Will it be correct to say on the basis of the aforesaid scientific researches that the features

and form of the man some 50,000 or llakh years ago were the same as we find today?

Answer: I do not have definite knowledge about it whether the features and form of the man of 50,000 or lakh yeas ago were. similar to what as we find today.

The witness was shown para 2 of page no. 60 of part I of the book 'Ayodhya' of Hans Baker document no. 120C-lj2 by the learned advocate cross-examining on looking at which the witness stated that he did not agree with the fact mentioned in the paragraph that it was during 200 to 400 AD that a view had floated that Lord Ram became incarnate as a prince in Ayodhya. On looking at para 2 of page 62 of this book the witness stated that he agreed with the fact that as compared to Gupta rulers Vakatak rulers were greater devouts of Shiva. On looking at para 2 of page 63 of part one of the same book document no. 120C-lj2, the witness stated that he did not agree with the view of Hans Baker mentioned therein but agreed with the phrase starting from third sentence of the same paragraph reading as 'The Jain temple embracing Sita.' Similarly the witness also agreed with the facts mentioned in the last sentence of this paragraph of this page. On looking at the last paragraph of page 63 the witness stated that he agreed with the first sentence of the para reading as, "In view of Sake of compliments." The witness was shown para 3 of page 64 of part I of the same book by the learned advocate cross-examining on looking at which the witness stated that he agreed with the first sentence of this paragraph reading as, "An inscription of AD 1145 Dashrath." Similarly on reading the first two sentences of the last para of page 64 the witness stated that he agreed with them because these were factual details. On looking at third para of page

66 of this book the witness stated that he did not agree with the views expressed in this paragraph. The witness continued, "I believe that evidence of beginning of worship of Rama from the first, second century of Christian era i.e. Kushan age have also been found because in a damaged record retrieved from Kaushambi there is a mention of setting up of the 'idol of Ram Narain.' There is also a mention of worshipping of Rama in Ramtek close to Nagpur in 5th century AD by a queen named Prabhavati Gupta of Vakatak dynasty. Besides, a mention is also found of worshipping of Sarangin i.e. idol of Lord Ram in the form of Vishnu 'Bheetri' record of Skandgupta of Gupta dynasty. Similarly worship of Rama was prevalent during the period starting from 1st to 4th, 5th centuries. I am of a firm belief that worship of Ramchandraji as incarnation of Vishnu had been prevalent amongst general masses in India even before the 1st century. The Bheetri record of Skandgupta had been recovered from a village named , Bheetri' near Saidpur in Banaras. On looking at the 5th para of page 69 of part 1 of this book document no. 120 C-1/2 the witness stated that he did not agree with the views of Hans Baker mentioned in this paragraph. It is mentioned in this paragraph that incarnations of Barah and Narsingh had preceded Rama whereas Krishna had become incarnate later on.

On looking at page 143 of part 2 of the book of Hans Baker document no. 120C-1/2 the witness stated that description of Ayodhya Mahatmya had been given under the heading 'Ayodhya' on this page. On looking at page 145 of the same chapter the witness stated that critical analysis of the three slokas of Ayodhya Mahatmya, which mentioned the geographical location of Ram Jatpnbhumi/birth place was given on this page. It is written on this page that " and

one is inclined to ..... 1835 “ and I agree with it and in the next para it is written in the last line “ the absence of this ..... conclusion “ and I agree with it. The witness said of himself that he agreed with para 3 of page 146 of chapter 2 reading as "Notwithstanding..... Janamsthan" and also with the subsequent para. On looking at Appendix I spread from pages 5 to 13 of part 3 of the book of Hans Baker 12OC-1/2 the witness stated that analytical study of the slokas of Ayodhya Mahatmya had been given on these pages and despite the fact that he did not have a deep knowledge of the subject he agreed with the analysis of Hans Baker. On looking at chapter 47 of part 2 of this book which starts from page 256 the witness stated that there was a mention of Vishnu Hari Mandir in these pages. On looking at page 256 of the same chapter the witness stated that it had been mentioned on this page that Vishnu Sharma had set up Vishnu Hari Mandir at a place known as Chakratirth but he did not agree with this statement because there was no Vishnu Hari Mandir at this Chakratirth. The witness stated, "I am not aware whether Vishnu Hari Mandir had ever existed at the place known as Chakratirth or not. I had never seen Vishnu Hari Mandir at Chakratirth. I am expressing my disagreement with Hans Baker on this point also because existence of Vishnu Hari Mandir there had been confirmed from the rock inscription recovered from the disputed site in Ayodhya and also the fact of construction of Vishnu Hari Mandir by Vishnu Sharma does not appear much reliable like many more instances of this type which cannot be fully relied upon. Description about Chandra Hari Mandir in Ayodhya Mahatmya is one such incident.

I am stating the fact of existence of Vishnu Hari Mandir in Ayodhya on the basis of the rock inscription but

there is- no mention of the location of that Vishnu Hari Mandir in the rock inscription. I have stated it only because of the recovery of rock inscription. I do not know the point from where the rock inscription had been retrieved, I have simply heard of it. I am not a witness to its recovery also I am not convinced of the sources mentioned by Hans Baker in his book in support of the existence of Vishnu Hari Mandir at the place known as Chakratirth. It is correct that a quadrilateral idol of Vishnu had been set up since 11th - 12th centuries in a temple 350 metres in the north from the Chakratirth column \ but it cannot be said confidently that this idol was recovered from the old temple of O1akratirth stated to have drifted away in the stream of Saryu. The witness was shown page 266 of chapter 48 of part 2 of the book of Hans Baker document no. 120C-1j2 on looking at which the witness stated that the location of Chakratirth described on this page was correct. The witness continued, "I am aware of the existence of only one temple by the name of Vishnu Hari in Ayodhya." The witness was shown para 3 of page 125 of chapter B of part I of the same book of Hans Baker looking at which he stated that he agreed with what had been stated in the para. On looking at the first sentence of the first para of this page itself the witness stated that he agreed with that and also with the last two sentences of the same paragraph reading as, "The few idols found at the earlier." On looking at the third paragraph of just the next page 126 the witness stated that he agreed with the complete paragraph and also with the complete 2<sup>nd</sup> paragraph of page 130. The witness stated that he also agreed with the facts mentioned in all the three paragraphs of pages 130 and 131. On looking at para 132 the witness stated that he agreed with th~ details of places of pilgrimage given below in the form of Table-2. Facts mentioned about the history of Ayodhya in the second para

of page 133 were correct. The witness also agreed with the facts mentioned about Babar's visit to Ayodhya in the last para of this page. The witness was shown page 154 of chapter 9 of part 2 of the book of Hans Baker document no. 12OC-I/2 by the learned advocate cross-examining, on looking at which the witness stated that he agreed with the details relating to bath-charity mentioned in the first two paras of this page. On looking at both the tables of page 161 the witness stated that both these tables were based on Ayodhya Mahatmya and both were correct. Similarly on looking at table nos. 3, 4, and 5 given on page 162 out of which table no. 5 extended upto page 163 the witness stated this was again based on Ayodhya Mahatmya and were correct. Table 6 A on page 164 described about Panchkosi journey whereas table 7 A on page 165, described about 14-Kosi journey and Table 8-A thereunder described Darshan-Yatra and all were correct. These tables contained details of facts relating to worship, bath charity, pilgrimage and philosophy and were based on Ayodhya Mahatmya and were correct. Same type of worship - adoration and journeys have been going on there for many centuries. The Table 1 given on page 161 provides details of pilgrimage performed on the occasion of Ekadshi (eleventh day in the fortnight of a lunar month.) The table has been divided in three columns on the basis of various manuscripts of Ayodhya Mahatmya. Janamsthan and Chakratirth - both are mentioned in column 3 of the table and Vishnu Hari and Chakratirth - both are mentioned in column 1 of the table. The word 'Chakratirth' mentioned in the table is the name of a place where a 'Ghat' is located for taking bath. Vishnu Hari Mandir is independent of Chakratirth but I cannot tell about the distance in between these two. Possibly Vishnu Hari Mandir is not at a distance of 100 metres from Chakratirth Ghat. According to my view

Vishnu Hari Mandir and Janamsthan were one and the same but in due course possibly during the muslim period different sites were allocated for both. On looking at the last table 8A on page 165 the witness stated that it was mentioned in the table that whatever had been written about Janambhoomi could be applicable in case of new Janamsthan Mandir also and there could be some truth in it. Vishnu Hari and Chakra Hari are two different temples but I am not aware whether they are located at one place or at a distance from each other. I am also not aware whether Chandra Hari Mandir and Vishnu Hari Mandir are close to each other or away from each other but there are two different temples by the names of 'Chandra Hari' and 'Vishnu Had'. In some parts of my book exhibit OOS-5-3 I have made certain findings of Hans Baker as the basis whereas I have challenged some of his findings at other places. This book of Hans Baker vide document no. 120C-1/2 is not a book of history but is an extract of his analytical study of Ayodhya Mahatmya. Some chapters of Part I of the book are based on history and I agree with certain findings contained therein and disagree with others. I have mentioned in my book exhibit OOS-5-3 that it is only because of the existence of fourteen pillars of Kasauti in Babri masjid that it could be identified as Janamsthan mandir and Hans Baker is the prime source of this view of mine. My book exhibit OOS-5-3 is basically on the history of Ayodhya spanning from ancient period to modern age. Janamsthan mandir of Ayodhya and incidents and facts related thereto have been given in chapter 11 but it cannot be termed as the main summary of my book. Chapter 3 to chapter 10 of my book exhibit OOS-5-3 have been written by me and chapter 10 has been written under the heading 'Shri Ram Janambhoomi Sangharsh (struggle)' and it is explained in this chapter that the so-called Babri Masjid



was constructed after demolishing the mandir located at Ram Janmasthal. Other chapters i.e. chapter 1 to 9 of my book are based on general history which do not have much bearing on the fact of construction of Babri Masjid by demolishing the temple.

Verified the statement after hearing

-Sd/

(Thakur Prasad Verma)

5.05.2003

Typed by the stenographer in the open court as dictated by us. Present yourself for further cross-examination on 6.05.2003 in continuation.

Sd/

(Narendra Prasad)

Commissioner

5.05.2003

**Dated: 6.05.2003**

**O.P.W. 9 Dr. Thakur Prasad Verma**

Before: Commissioner Shri Narendra Prasad, Addl. Dist.  
Magistrate OSD, Hon'ble High Court, Lucknow.

(Appointed vide order dated 2.05.2003 of the Hon'ble Full Bench.)

(Cross-examination on oath of OPW 9 Dr. T. P. Verma continued by Sh. Zafaryab Jilani, Advocate in continuation of 5.05.2003.)

While deciphering and translating the record a photo of which is given on document nos. 289C-I/210 and 289C-I/211, I have compared it with other records of Gaharwal period. Volunteer: that he was preparing a corpus of the records of Gaharwal period which would comprise around 100 records of Gaharwal period and that is how he had an opportunity "to compare the script and language of this record with other records of Gaharwal period. This project of mine has been going on for the last 6-7 years. Script and language-wise there is no difference in between this record and other records of Gaharwal period and they differ only an account of contents and descriptions and also whereas this record is on a stone, most of the records of Gaharwal age are on copper plates. The records with which I have compared the above record includes a record retrieved from Samath and which is on a stone and is related to Kumari Devi of Veen of Raja Govindchandra of Gaharwal dynasty. The Samath record comprises 20-25 lines. It can be inferred that Kumar Devi evinced faith is Buddhism and that is why she had donated for Buddhist math as mentioned in the above record of Sarnath. I have not

compared the above record (shown on document nos. 289C-1/210 and 289C-1/211 of my book exhibit OOS-5-3) with any record other than the stone-based record of Sarnath. I cannot tell as to which of the two records - record related to Kumar Devi and the record shown in my book is older and which one belongs to later period. Jaichandra was the grandson of Govindchandra and all the records of the period of Jaichandra would have been got written after Govindchandra. The period of Jaichandra extends from 1170 to 1194 AD whereas the period of Govindchandra had ended sometimes after 1154 AD. The record shown in my book should belong to the period of Govindchandra and there could be two reasons behind it. Firstly ANaichandra Naichandra was made the king of Saket Division by the grace of Govindchandra and secondly it is mentioned about Ayushchandra that he was there as an arm for the stability of the rule of Govindchandra which meant that stability of the rule of Govindchandra depended on his arms. I can say with confidence that the record shown in my book (record shown on page document nos. 289C-1/210 and 211 and which as a matter of convenience could be called the disputed record) had been written during the rule of Govindchandra.

Question: My submission is that there is no such mention or description in the disputed record on the basis of which it could be said that it was written during the rule of Govindchandra - What have you to say about it?

Answer: I do not subscribe with this view.

Question: The name of the ruler who got the record written is not clear on the record and an inference has been drawn only on the basis of certain letters

which could be wrong also - What have you to say about it?

Answer: Ayushchandra has been identified as the writer or maker of the disputed record whose name appears in the 16th line. Besides, three letters of his name viz. 'Aayushcha' appearing in 20th line are fully legible and only letter 'ndha' has been added (supplied). Therefore the word 'Aayushchand' cannot be termed unclear. Names of Ayushchandra, Anaichandra and Naichandra are not found in the book 'the History of Gaharwal Dynasty' written by Roma Niyogi.

The witness was shown the last paragraph of page 52 of part I of the book of Hans Baker document no. 120C-1/2 on looking at which the witness stated that there was a mention of a record belonging to the year 1184 AD of the period of Raja Jaichandra of Kannauj about which he had already made a statement. The record of 1184 AD is said to have been retrieved from Ayodhya. This record of 1184 AD belongs to the period of the third generation ruler after Govindchandra of the same dynasty and there is a mention of the construction of a Vaishnav temple in Ayodhya by Jaichandra, the last ruler of Gaharwal dynasty in this record. According to the book of Hans Baker the record of 1184 AD is stated to have been kept in the state museum of Lucknow during 1986. I had tried to locate the record of 1184 AD in state museum sometime around 1993-94 but I did not personally visit the state museum to have a look on it.

Question: Despite the fact that the period of this 1184 record had been very close to that of the

disputed record and also because it had been got written by the same dynasty and reported to have been set up in Vaishnav mandir in Ayodhya, why did you not yourself try to have a look at this record and compare it with the disputed record?

Answer: I had requested the Incharge of Records section of the state museum Lucknow to find out about this record.

Those days I was also a member of the Purchase Committee of Lucknow museum but when they told that excepting this 1184 record, other records had been traced, I believed those people. Moreover everyone was not permitted to enter this section of the museum where records were stocked. That is why I could not myself locate this record. I had not sought permission to visit the place in the museum where records were kept and I would have got such a permission if I had asked for it because I was a member of the Purchase Committee. I believe that such a permission could have been granted to any other research scholar on his asking. Officers of Lucknow museum told me that they did not come across the entry indicating the shifting of this record from Paizabad to Lucknow. Entry of every item received in a museum is made in a register and the entry no. is also indicated on the item. Moreover there is a catalogue also which is different from entry register. I was told that there was no entry of this record even in the catalogue. This was something told to me by the Incharge of Records Section of the museum. His name was probably Shailendra Rastogi. I did not report this matter to the then Director of the museum. The name of the then Director of the museum is not striking me at the moment. As far as my knowledge goes there is no system of storing stampages of

records in Lucknow or Faizabad museum and that is why I did not try to find out if the stampage of 1184 record was available in Lucknow museum.

Question: Some people hold that the record of the year 1184 (which is mentioned on page 52 of part I of the book of Hans Baker and in respect of which it is mentioned in footnote no. 4 that it had been kept in Lucknow museum) is the same record which is stated to have been retrieved subsequently from the debris of Babri Masjid - What have you to say about it?

Answer: I do not at all subscribe with this view because there is not even a single mention of the name of Jaichandra in the 20 lined record retrieved from Ayodhya whereas Cunningham had found the name of Jaichandra in the record of 1184.

Question: Misplacement of such an important record from a museum would be termed as a normal incident or on important incident?

Answer: I have no comments to offer in this regard.

Question: Will you in the capacity of a historian and archaeologist and also being a plaintiff in a suit concerning Ayodhya not take the incident of misplacement of such a record (of the year 1184) as a very important incident because by decipherment of such a record would have had an effect on the disputed matter.

Answer: I quite appreciate the importance of the record of the year 1184 and I also agree that recovery of this record could bring a vital twist to this suit

but I have no knowledge of the circumstances under which this record got misplaced.

To my knowledge there is no other record as large as that of the year 1184 and would have been misplaced from any museum. I being a historian and archaeologist and also being a plaintiff in this suit would try to locate the record of 1184.

The witness was shown document nos. 299C-1/2 and 299C-1/3 by the learned advocate cross-examining on looking at which the witness stated that Ayodhya was written under the heading Sirsa on serial no. 914 on the left side of the map of Allahabad given on document no. 299C-1/2 and similarly some telephone numbers under the heading Ayodhya were indicated on document no. 299C-1/3 which represented page 241 of the Telephone directory of Allahabad district. This could be the name of some village or shown document no. 299C-1/4 by the learned advocate cross-examining on looking at which the witness stated that Sitamarhi shown on the document was alright but he had no knowledge about the note given therein. This, Sitamarhi should be a part of Allahabad district. Description of Chitrakoot is also found on the same page which is correct and this is the same Chitrakoot about which there is a mention in Valmiki Ramayana. There is also a mention of the place named Bhardwaj on this page and the note given thereunder is also correct. The witness was shown document no. 301C-1/1 to 301C-1/3 (in continuation) on looking at which the witness stated that these were the extracts lifted from the book - 'The Shark Architecture of Jaunpur' by Fuherer. Extracts of the same book of Fuherer can also be found on document nos. 107C-1/31 and 107C-1/32. The witness was shown document nos. 300C-1/1 to 300C-1/4 (in continuation) on looking at which he stated

that these were the extracts of the book "Society and Culture Northern India" written by Dr. B. M. S. Yadav. The witness was then shown para 3 of page 356 of document no. 300C-I/2 by the learned advocate cross-examining on looking at which the witness stated that he agreed with the facts mentioned therein. Looking at the earlier paragraph also the witness stated that facts mentioned therein were correct. There was a mention of the record of the year 1184 AD of Jaichandra in the last sentence of para 2 of the above page 356. There was a mention of construction of Vaishnav temple by Jaichandra. The witness was shown page 359 of document no. 300C-I/3 by the learned advocate cross-examining on looking at which the witness stated that facts were mentioned under the heading 'Rama cult' in para 3 and all the facts mentioned were correct. On looking at the facts under the heading 'Krishna cult' on the same page the witness stated that he agreed with the portion reading as 'In the Chamoly plate their own ways." On looking at document nos. 302C-I/1 to 302C-I/9 (in continuation) the witness stated that these were the extracts of the book 'Temple of India' brought out by the Government of India. There was a mention of temples located in central India in document nos. 302C-I/5 and 302C-I/6 whereas there was a mention of temples located in western India in document nos. 302C-I/7 and 302C-I/8. the temples mentioned in the above documents belong to the period between 10th to 13th centuries. Krishna Dev ji has written a book about temples located in northern India and he too has mentioned about such temples in his book as belonging to 9th, 10th to 13<sup>th</sup> centuries. It is clear from these books that temples in the name of Ramchandraji had been built in 11th and 12th centuries but there is no mention of any Ram Mandir of Ayodhya in any of these books.



Question: It is clear that during 11<sup>th</sup> , 12<sup>th</sup> centuries temples were built in the name of Shri Ram even in district like Etah, then why the socalled mandir at the socalled Ram Janambhoomi in Ayodhya was not named as Ram Janambhoomi mandir?

Answer: Ayodhya is a famous pilgrimage and hundreds of temples relating to Ram would have existed here but during the muslim age which started from 1206 AD. Ayodhya had been their main target to see that no religious temple remained intact in Ayodhya and that all the temples mentioned in the above three books are existing in some or the form even today. Mention of dilapidated temples is not made in these books because there is a tradition of giving their architectural features in these books. That is the reason that there has no mention of any temple of Ayodhya.

Question: My submission is that there is a mention of three types of temples in the above referred three books i.e. the temples which were intact at the time of writing of the book and temples which had mined at the time of writing of book and the temples which were demolished or waned out of their own. What have you to say about it?

Answer: I have not been able to completely read the three books but as far as my knowledge goes they only describe the architecture of the temples and therefore there should be no mention of mined temples in these books.

The witness was shown the last paragraph of document no. 304C-1/3 which ends on document no. 304C-1/4 and later on para of the same document no. 304C1/4 by the cross-examining advocate on looking at which the witness stated that both these paragraphs were written by Dr. Swarajya Prakash Gupta with which he broadly agreed but he could not affirm most of the facts mentioned therein. There is also a mention of meeting with Shri. Lal Narain Sinha in these paragraphs but the same is not in my knowledge and I could know it any after the publication of the book. On looking at the text " inmey Sri Ram Janambhoomi Mandir ..... Baad mein dakhil hai" , appearing on page 5, para 13 of his affidavit in connection with his examination in chief, he stated that amongst the facts mentioned therein only the fact that 'devout Hindus came in crowds on 24th day of Chaitra month every year i.e. Ramnavmi in Ayodhya was mentioned by Typhen Taylor. I am stating it on the basis of document nos. 107C-1/19 to 107C-1/8 (in continuation) filed in this suit but these documents are not the original text of the book of Typhen Taylor but are the English translation of the French translation of his book. I have stated earlier that I do not know French and therefore cannot comment upon the quality of translation. I have mentioned of Martin in the above para of my affidavit relating to my examination-in-chief only with reference to the fact mentioned by Martin that Babar had demolished this temple and got a masjid constructed thereon. On looking at para 14 of his affidavit in relation to his examination-in-chief the witness stated that the documents referred therein were related to construction of 360 temples in Ayodhya by Vikramaditya. My inference indicated in the end of the para that Shri Ram Janambhoomi mandir must have been included in these 360 temples was based on my own study and not on the

documents mentioned in the above para 14. As I have already stated I now do not agree with my statement in para 15 of the affidavit of my examination-in-chief that 'Salar Mahmood had come to Ayodhya in 1032-33 and had damaged Janamsthan mandir.' On looking at his statement, 'It was required to be constructed because it had been devastated some 70-80 years ago' of para 16 of his affidavit the witness stated that as he had already stated about Salar Masood his above statement also now stood repealed. I am quite confident that Meer Baki army commander of Babar had demolished the temple in the year 1528. There is no mention anywhere about demolition of the temple in 1528, it is my own guess.

On looking at the last two sentences of the last para of his affidavit related to his examination-in-chief the witness stated that he had mentioned that figures of deities were engraved on the pillars of Kasauti but he could not tell the number of pillars which carried the figures of deities and also the -names of deities whose figures had been engraved.

Shri Krisha Dev was a renowned assayer of the art of construction of temples and he possessed a great knowledge as to how a temple should be built and how the things have been going on. According to me there is only one gate for getting into 'Garbh Grih' (shrine) of the temple but in certain cases two or three gates are found. There is very low light in 'Garbh Grih'. The disputed building with three entrances had been built as a mosque and hence the question of existence of a 'Garbh Grih' therein did not arise. The temple by the name of 'Kandrya MahaDev' is one amongst the largest temples of Khajuraho which is 30 metres long and about 20 metres wide. It is built of stones.

All the temples of Khajuraho are built of stones and all of them were constructed in between the period 10th to 12th centuries. I am not aware whether a temple had been got built by Chandra Dev a ruler of Gaharwal dynasty.

Dr. H. D. Sankaliya is known as a 'grand old man' of Archaeology in India. His lectures have been published under the title 'Ramayan, myth or reality.' I do not agree with the view of Dr. Sankaliya that 'Ramchandrajai was not a historical figure." I also do not agree with his view that Ramayan was prevalent in India in the 5<sup>th</sup> century. I am not aware whether there is a mention in the critical edition of Ramayana of Baroda that Ramayana was prevalent in India in 5th century.

Roma Niyogi has mentioned of demolition of a number of temples by muslims in her book entitled 'The history of Gaharwal dynasty'. She has included the temple of Banaras and these are the references of 11th and 12th centuries. She has however not mentioned about demolition of any temple in Ayodhya during **11th or 12th** century. On looking at document nos. 107C-I/163 and 107C-I/164 the witness stated that these were the extracts of the book 'Clash of Cultures: Avadh, the British and the Mughals' written by Michel Fisher which was published in 1987 for the first time. The book is available in market. On looking at document nos. 107C-I/186. A to 107C-I/190 (in continuation) the witness stated that it was some article or lecture of Swarajya Prakash Gupta and he was not aware whether it had been published or not and also the source from where it had been lifted. The document did not bear signatures of Dr. Gupta. On looking at document nos. 107C-I/198 to 107C-I/205 (in continuation) the witness stated that he was not aware of the source from where this

material had been lifted. He was also not aware whether the article had been published somewhere or not. The witness stated that he could not even tell whether his article had been personally given by Dr. Sinha to Devki Nandan ji or not. On looking at document nos. 107C-1/218 to 107C-1/225 (in continuation) the witness stated that he could not tell the books from which the extracts had been lifted. On looking at document no. 107C-1/226 to 107C-1/250 (in continuation) the witness stated that he had read a few of these documents but he could not tell about the sources from which they has been lifted and also the source from which they had been procured.

This is incorrect to suggest that the disputed building was used by muslims for offering prayers (Namaz) during the period 1529 to 1949. This is also incorrect to say that five times Namaz and Friday Namaz were performed in the disputed building till the 22nd December 1949. This is correct that no idol had been placed in the disputed building till 22nd December 1949 and that an idol was placed there on the night of 22/23rd December 1949. This is incorrect to suggest that the mosque was built in 1528 without demolishing a temple. This is also incorrect to say that no evidence in history is found in respect of Ramchandrajji taking birth at the disputed site or existence of Ram Janambhoomi Mandir there. This is again incorrect to suggest that my book exhibit OOS-5-3 has been written to boost the cause of Vishwa Hindu Parishad and that the book is not based on historical evidences. This is also incorrect to suggest that I being influenced by the thinking of Rashtriya Swayamsevak Sangh am deposing falsely. It is again incorrect to suggest that I have given my statement not as a historian but as a Supporter of the thinking of RSS.

(Cross-examining by Shri. Zafaryab Jilani on behalf of Defendant no. 4 Sunni Central Board of Waqf, UP. Over.)

(Cross-examination by defendant nos. 4, 5 and 6 adopted by Shri. S. Irfan Ahmed Advocate on behalf of defendant no. 26.)

(Corss-examination by defendant nos. 4, 5 and 6 adopted by Fazle Azam, Advocate on behalf of defendant no. 6/1 and 6/2 in suit no. 3/1989).

Cross-examination on behalf of all the defendants/parties over.

Verified the statement after hearing

-Sd/

(Thakur Prasad Verma)

6.05.2003

Typed by the stenographer in the open court as dictated by us.

Sd/

(Narendra Prasad)

Commissioner

6.05.2003