

**In the Hon 'ble Court of Judicature at Allahabad  
Lucknow Bench, Lucknow**

**Other original suit No.4 of 1989**

Sunni Central Board of Wakfs, UP ..... Plaintiffs  
& Others

**VERSUS**

Gopal Singh Visharad and Others ..... Defendants

**Statement of P. W. 14**

**Dated 16.02.99**

Jaleel Ahmed s/o Shri Mohammed Yakoob aged 78 years r/o KheerWali Gali, Faizabad, gave his statement under oath as follows:

I know Babri Masjid at Ayodhya. I had been there and I have also offered Namaz there. For the last time, I had offered the Namaz on Juma before placing of the Idol at the Masjid. I have offered both Isha as well as Juma Namaz at the Masjid. I also look after Jinnati Masjid located at Mohalla Nivava at Faizabad. I have been looking after this Masjid for the last 35-36 years. At the Jinnati Masjid all the five meetings of Namaz are offered there. Namaz of Tarabi is also offered. Namaz of Id and Bakrid is also offered. I know Hafiz Abdul Rehman. He is resident of village Ibrahimpur, Tehsil Sadar, Distt. Faizabad. Hafiz Abdul Rehman guided offering of Tarabi Namaz at the Jinnati Masjid nearly thirty years ago. I had called him there for this purpose.

Cross-examination by Ranjeet Lal Verma Advocate on behalf of Nirmohi Akhara, Defendant No.3.

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Our house deals in cloth and shoes. My sons do this work. My two sons Abrar Ahmed and Manzoor Ahmed reside with me. I am the original resident of Faizabad. My family had been staying there for many generations. My father etc. were residing at Mohalla Lal Bagh, Distt. Faizabad. I was

born there. Subsequently, I started living at Kheer Wali gali. At Lal Bagh, we were living in a rented house. When I came to reside at Kheer Wali gali, at that time my age would have been 15 - 16 years. When for the last time, I offered Namaz at the Babri Masjid at that time my age would have been 24 - 25 years. When I came to reside at Kheer Wali gali, at that time my parents and myself were living there. My father was doing a job. He was working with Dr. Shafiq. When I was staying at Lal Bagh, I used to visit Ayodhya. We used to go to Ayodhya on Shab-e-Rat and Jum-e-Rat and on Juma for reciting Fatia and offering Namaz. I used to go there to recite Fatia at the Mazars. When I used to go to recite Fatia, other people also used to accompany me. Three to four people used to go together. Those people who used to go to recite Fatia from Lal Bagh, none of them is alive now. Those people who used to go to recite Fatia with us, some of them were elder to me and some younger. The younger people who used to accompany me, the difference of their and mine age would have been 10 - 12 years. Those who were elder to me the difference of age of theirs and mine would have been 2-3 years.

I know only important Masjids and Maqbaras situated at Ayodhya. I don't know all. I know about 6-7 graves at Ayodhya. About graves, I can say that I know 10-12 graves. To my knowledge there would have been 4-5 tombs. This Mosque is Babri Masjid, I am telling this on hearsay basis. I have heard that Babri Masjid is located in Ram Kot Mohalla. I am not literate. I don't know names of all the Mohallas of Ayodhya. At Ayodhya, I know Mohalla Sutareti, Begumpura, Dorahi Kuan, Tedhi Bazaar Mohalla. I had been to these Mohallas. I have moved about in Ayodhya. But I don't know the names of other Mohallas except the one stated above. I don't know whether there

are Mohalla of Saidwada and Adgara at Ayodhya or not. I don't know whether there is any Masjid by the name of Sunehari Masjid in these Mohallas or not. Mosque is there in Begumpura Mohalla. There is one Mosque at Begumpura. There is only one Mosque. I have seen this Mosque. This Mosque is located on a mound at the road running from Golaghat. This would be on the eastern side of the road. This road leads from Sutahati to Golaghat via Begumpura. This Mosque is not very big. I can't tell its dimensions. This Mosque might be of the dimensions of approximately 30 - 40 feet. I had not gone inside the Mosque but I had seen it from outside. I had not offered Namaz at the Mosque of Begumpura. This Masjid had minarets. This Mosque had no domes but upper part is flat, it had two minarets, two in front and two small in size on the rear. The front minarets may be approximately 30 feet in height. These minarets may be 2 to 2.25 feet wide. I had visited outside of this Mosque two to three times. I had gone near this Mosque when I was staying at Kheer Wali gali. Thus I had visited outside this Mosque two to three times. I did not try to know and neither verified and I also don't know whether at this Mosque there was any Pesh Imam or Caretaker (mutvalli) or not. I also don't know the Attendant (khadim) there. I had never been near to that Mosque thereafter. First time, I had gone near this Mosque at noon. I don't know whether at this Mosque, Namaz of all the five times or at any time was offered and who offered Namaz. I cannot guess how far is this Mosque located from Golaghat road. Anees and Mohammed Hassan were brothers and their house was near this Mosque. I cannot give guess that how far was the house of Anees and Mohammed Hassan from this Mosque. I used to go to the house of Anees and Mohammed Hassan. When I had gone to their house, only then I had seen this Mosque. These persons were already known to me. My acquaintance with

them was because of the fact that at that time I was doing the work of making boxes, and they had a workshop of boxes. This workshop was located at their house at Begumpura. I started the work of making boxes at the age of 18 - 19 years. I was doing the job of making boxes at the place of others. I was a Craftsman of making boxes. I was doing it on wages. At Faizabad I was working at the workshop of Rahmat Khan. For the first time, when I met Aneesur Rehman and Mo. Hassan, my age would have been approximately 30 years. At that time the disputed site had been attached and the suit was going on. When I went to Aneesur Rehman and Hassan, I don't know how much prior to that the disputed site had been attached, I mean to say means when I had gone there for the first time. I met Hassan and Aneesur Rehman for the first time when I went there. Aneesur Rehman and Maulavi Hassan did not tell me at that time that it is they who were fighting the case relating to attachment. Even today I had no knowledge that Aneesur Rehman and Maulavi Hassan are also fighting a civil suit. Aneesur Rehman had left for Pakistan during the period when the Idol was placed at the disputed site. I don't remember the fathers' name of Aneesur Rehman and Maulavi Hassan. Maulavi Hassan had also left for Pakistan with Aneesur Rehman. It is wrong to say that Aneesur Rehman was fighting this case for four years and he submitted an application for transfer of the case to the Chief Court and at that time I used to accompany him for pursuing the case. I had never seen Maulavi Hassan after he left for Pakistan, i.e. he was not seen in Hindustan. I don't know whether Aneesur Rehman had any sons or not. I don't know their names. I don't know the son of Hazi Fekku, who is the resident of Tedhi Bazaar. Ahad is now alive. Younger brother of Ahad is Hazi Mehboob. I had been knowing Ahad since long. We have no interaction with them. Ahad used to come at Star Hotel at Faizabad for



taking tea and we had met there only. My first meeting with Mr. Ahad took place after we came to Kheer Wali gali. We had not much communication with each other. It was merely limited to exchange of good wishes. I have heard the name of Hazi Fekku, but have not seen him. I don't know whether he is alive or dead. When I met Abdul Ahad at the Star Hotel, we were of the same age. When I met Abdul Ahad at that time, my age would have been approximately 50 years. I had not seen whether Maulavi Hassan was staying with Abdul Ahad or not. When I met. Ahad Sahib, at that time the disputed site had been attached. I don't remember that how much time later I had met Ahad Sahib for the first time after placing of the Idol. I don't know when this property was attached at Faizabad, whether there was increased tension. At that time arms were recovered at Star Hotel and Star Hotel was attached. At that time the owner of Star Hotel was Hazi Bashir Sahib. I don't know whether at that time Hazi Bashir Sahib had any Bakery or Business in Bangladesh (Dhaka) or not. I don't know whether there is any Maqbara, Mazar or any other Masjid except this Mosque at Begumpura or not.

Verified the statement after hearing

Sd/-

Typed by the stenographer in the open court as per my spoken version. Be presented tomorrow the 17.2.99 for further examination in continuation.

Dated 17.2.99 (In continuation of 16.2.99, the statement of P.W.14 Jaleel Ahmed commenced under oath:-

I only know Maulvi Hassan and Aneesur Rehman of Begumpura Mohalla, Faizabad, Ayodhya and no other Muslim person. I only know Hazi Ahad and Hazi Mehboob at the Tedhi Bazaar. They reside by the side of a road at Terhi Bazaar. There is one Mosque near their house. I had seen this Mosque from outside but not gone inside. This Mosque has dome as well as minarets. Again stated that no dome but only minaret. This Mosque is adjacent to the road. I have not seen that in front of the Mosque and in the corner of the road, a stone might have been fixed on which *Dhanakshya Kund* is written. The distance between the Mosque of Tedhi Bazaar and the Mosque of Begumpura would be approximately two kilometers. I have not seen any Mazar at the Tedhi Bazaar. At a short distance towards north from Tedhi Bazaar is Dorahi Kuan located. There is one Mosque also at Dorahi Kuan. I don't know whether Namaz is offered at the Dorahi Kuan mosque or not. The Mosque of Dorahi Kuan is also adjacent to the road. Exactly in the east of the Dorahi Kuan Mosque, is the disputed site of Babari Masjid. The distance between the two would be approximately 100 yards. I don't know whether there is any Mazar or not at Dourahi Kuan. I don't know any Muslim at the Dorahi Kuan and there is no Muslim population. I don't know whether Brahm Kund is located exactly in the north-west of the Mosque of Dorahi Kuan or not. I don't know who is the Imam or Caretaker or who looks after the arrangements of the Mosque of Tedhi Bazaar or Mosque of Dorahi Kuan. I have been to Sutareti Mohalla. There is a Mosque at Sutareti Mohalla also. I have seen 3 - 4 Mosques at the Sutareti Mohalla. And there may be more. I had not been

to the Mosques of Sutahati Mohalla. There is Muslim population at Sutahati Mohalla. It has sufficient Muslim population. I don't know anybody there. I can't tell the name of anybody residing there. Even today 2 - 3 Mosques exist out of the Mosques mentioned by me. Mosque located at Sutahati is towards west, it is located on a flat ground not on a high mound. This western Mosque is very old. I don't know whether in this western Mosque, Namaz is offered or not, because I have never gone towards that side. There is a Mazar and a graveyard at Sutahati Mohalla. Nawabu Shah Mazar is also located at the Sutahati Mohalia. This is towards east of the residential area. When for the first time I went to offer Fatia at the Nawabu Shah Mazar, at that time my age was 28 - 30 years. At that time none else accompanied me. I was alone. I know Mohammed Hashim. Mohammed Hashim is a resident of Kutia Mohalla, Ayodhya. For the first time I had met him when he became a plaintiff in Babri Masjid case and he filed a suit. I got acquainted with Mohammed Hashim within a period of two years of the attachment of the disputed site. We came to know each other in the city. Mohammed Hashim is of my age. When I met Mohammed Hashim at that time his age would have been forty to forty five years. Mohammed Hashim is a resident of Ayodhya. I don't know whether Mohammed Hashim was a Caretaker or not of any Mosque at the time when I had met him. I have seen the house of Mohammed Hashim. In front of Mohammed Hashim's house, there is a Mosque across the road. I don't know whether Mohammed Hashim had ever functioned as an attendant or an Imam at this Mosque opposite to his house. This Mosque is located just by the side of Ayodhya – Gorakhpur Road. I don't know who looks after the arrangements at this Mosque. Hence after, I had been meeting Mohammed Hashim regularly. I don't know whether Mohammed Hashim is chief of any Anjuman.

Since this pertains to Ayodhya, therefore, I don't know. In this case, I have come to give witness on my own volition. Mohammed Hashim did not tell me anything. This case is being pursued by Mohammed Hashim on behalf of Muslims. I have never offered any Namaz along with Mohammed Hashim at Ayodhya. In other words I have not offered any Namaz at any Mosque. I am not familiar with the name of Zahoor Miyan of Ayodhya. I know Mohammed Farookh but I don't know whether he is the son of Zahoor or not. I came to know him at the courts because he used to come to the court in connection with the cases. I had also been going there. In the court, we used to have only limited interaction with Mohammed Farookh regarding disputed site. Only last week, I had met Mohammed Farookh at Faizabad courts. Farookh did not tell that he had already given his witness in the case. My first meeting with Farookh was approximately six to seven years ago at the house of Mohiddin. Mohiddin used to look after the cases of myself and Farookh, both of us. There are Mazars at the Kutia Mohalla but I don't know the name of any of them. Shop of Farookh is in Shringar Haat Mohalla. I have seen it. This shop is a little beyond from Ayodhya Kotwali. There is a Masjid adjacent to his shop and Kotwali. I had been to this Mosque. This is known as Kewade Wali Masjid. I have offered Namaz there. I have offered Tanha Namaz there. Jamati Namaz is offered at Kewade Wali Masjid. I don't know who looks after the arrangements of this Kewade Wali Masjid. This is a very old mosque. I don't know how many hundred years old it is, but it is old. I don't know whether Jamati Namaz is offered at Ayodhya only at this Mosque i.e. Kewade Wali Masjid. At Ayodhya, Naugaji Mazar and Mazar of Baba Ibrahim Shah are famous. This Naugaji Mazar is near to Kewade Wali Masjid. When for the first time, I recited Fatia at the Naugaji Mazar, at that time my age would

have been 29 - 30 years. Mazar of Baba Ibrahim Shah is located at Mohalla Saragdwari. At the Saragdwari Mohalla near the Mazar of Baba Ibrahim Shah, there is a Mosque constructed by Aurangzeb. This is located towards north. This Mosque is in a dilapidated condition. I don't know whether the Muslims of Ayodhya are taking care of this Mosque. I have not seen whether there are Hindu Deities or not, around this Mosque. Then stated that there are some Temples. Nobody offers Namaz at this dilapidated Mosque. Towards north of this ruined Mosque there is a river. This river is known both as Saryu and Ghaghra. When for the first time I had been to the Mazar of Baba Ibrahim Shah for reciting Fatia, at that time my age would have been 28 - 30 years. I had been reciting Fatia at the Mazar of Ibrahim Shah for the last 29 - 30 years.~ I had also been to Ayodhya for reciting at the Mazar of Sheesh Paigamber. This Mazar is located at Ayodhya near Mani Parbat. During the month of Shravan a Fair of Hindus is held at the Mani Parbat. Hindu people climb the Mani Parbat and perform *puja - path*, and there is a Temple also. I don't know who constructed the Sheesh Paigamber Mazar. I don't know whether Sikander Lodhi wanted to construct a Mosque near the Mazar of Sheesh Paigamber, but as the same could not be constructed, it was made a Mazar. There is a Mosque. I have seen this Mosque. This Mosque would be towards the west of the Mazar of Sheesh Paigamber at a distance of approximately 50 steps. This Masjid might be 40 - 45 feet long and 30 - 35 feet wide. This Mosque also had dome and minarets also. I had been to the Sheesh Paigamber Mazar, for the first time to offer Fatia 28 - 30 years ago. Thereafter, I had been going to recite Fatia there continuously on Shab-e-Rat. During this period I did not offer Namaz at the Mosque located near Sheesh Paigamber Mazar. I myself never saw anybody offering Namaz there. It could be wrong to say that there

are no Mosques located near the Mani Parbat and the Sheesh Paigamber Mazar. It is wrong to say that the Mosque which is being described by me near the Sheesh Paigamber Mazar, might be located near Ayodhya station. I have seen Ayodhya railway station. I don't know whether in the south of the railway station and towards the east of the house of Hashim Sahib at Kutia Mohalla, there is any Mosque or not. In Ayodhya Muslim population is more at Sutareti Mohalla and Tedhi Bazaar Mohalla and it is nominal in other Mohallas. At the age of 28 - 30 years I had known the topography i.e. where the Mazar is located, where is Ayodhya and where is located the Masjid. And then only at the age of 28 - 30 I had been to Ayodhya. I don't know that when at the age of 28 - 30, I had been to Ayodhya, Muslim population of Ayodhya would have been 100 - 150 Muslims. I know that previously and even now the Hindu population is 95% in Ayodhya. In Hindu population at Ayodhya, are included Bairagis and Sadhus also. What is their percentage is not known. It is also not known whether they are 2/3rd of the Hindu population. There are many Temples in Ayodhya, but I can't tell their number. There are some famous Temples at Ayodhya, like Hanuman Garhi. But I don't know Kanak Bhawan, Ram Janam Bhoomi. I never saw any Idol inside a Temple because I have never gone inside a Temple. It is correct that Hanuman Garhi is a Temple of Hindu Deity and Hanumanji is a Deity of Hindus. I don't know whether majority of the Temples at Ayodhya are of Ram Chandraji or not. I know the circumstances of the case of this disputed site. I don't know that Hindu people call the disputed site as Ram Mandir or not. Muslims recognize it as Babri Masjid.

I have seen the disputed site. This is located towards south of Sutareti Mohalla. This is at a distance from

Sutahati Mohalla. I can't tell the approximation whether it is 2 kms or 4 kms away. I had been to the disputed site also 28 - 29 years ago. Courtyard of the disputed site i.e. main gate is towards east. There is no building towards east but there is a graveyard. It has pucca graves. There would have been approximately 100 - 200 graves in this graveyard. I can't say by guessing what is the length and breadth of the graveyard and what may be its area. Graves start at a distance of ten steps from the eastern gate of the disputed site. I can't say even by guessing upto how far they have been stretched towards east. I also don't know what else exists at the end of the graves in the east. I don't know whether there is any well where these graves end, which is known as Sita Koop. I don't know that at the end of these 'graves Ram Charit Manas Trust Temple and Amava Temple are located there. I don't know whether there is any building or not towards the east of the graveyard. There is a road towards the north of the graveyard, which runs from Durahi Kuan to Hanuman Garhi. I don't know what is towards south of this graveyard. I don't know whether towards south there is a mound named Kuber Tila. I also don't know whether there is any place named Laksbman Tila. I don't know Kuber Tila. There is a graveyard towards the south of the disputed site. I have seen the southern wall of the disputed site. It might be 7-8 feet in height. This southern graveyard is also pucca graveyard. This graveyard has more graves in comparison to the number in the eastern. side graveyard. The graves of the southern graveyard are adjacent to the southern wall of the disputed site. The graves are spread upto a far distance but I can't approximate the length and breadth of the same. I can describe the boundaries of the southern graveyard. Towards the south of the graveyard, there is street. Towards the west of the graveyard there are fields.

Towards the east there is eastern side graveyard. Towards the north of the disputed site i.e. north of the main gate there are 10 - 12 graves. These graves are adjacent to the northern wall of the disputed site. Towards the north of the graves there is a road. Towards the west of the graveyard there are fields and some houses. These are of Muslims. These Muslims call themselves as Chikwas. There is no Temple near the houses of these Chikwa people. The distance between western wall of the disputed site and houses of the Chikwa people would be of 10 - 12 steps. I don't know that adjacent to the houses of . Chikwa people, towards north there is any Mali Temple, whose dome at the top is round. It is correct to say that at a distance of 2 - 3 feet from the western wall of the disputed site there is also a small wall constructed. This place was left for doing whitewash. This small wall is like a parapet and would be one foot high. I myself have seen that this was being whitewashed, therefore I know that the small wall was left for the whitewashing. While commencing from the eastern gate of the disputed site, one can't have a complete round (Parikrama). Towards the east, i.e. towards the east of the disputed site, 10 feet space is vacant, this is the passage and people use it for movement. There is also a big gate towards the north of the disputed site. For whitewashing of the wall towards north, 3 -4 feet space has been left. Similarly, towards south also a two feet wide space has been left for keeping staircase. It is correct to say if a person wants to move around the disputed site he can do it without any obstacle, there is no grave towards the north of the road leading from Durahi Kuan to Hanuman Garhi. There is one Temple just after the road to the north of the disputed site. The structure of the disputed site was made on a mound, almost on the same height on which this temple is made. I don't know the name of this Temple. I don't know whether



it is Sita Rasoi Temple. I had seen the disputed site being whitewashed with the help of a ladder, about 50 year's back. At that time two to three persons were engaged in whitewashing. I can't tell their names. I had seen it from down the road and not from a close range that whitewash being done. It is correct that I had seen the whitewash being done from the road located to the west of the houses of Chikwa people. It would have been 10 - 11 O' clock during the day. I don't remember, for what purpose I had gone to that side. When it was being whitewashed, that was the month of Ramnavmi. Then I was alone there. At that time my age would have been 18 - 20 years. Whitewashing was being done of the western wall. While going inside from the eastern gate of the disputed site there comes a wall through which one enters inside, the distance between these two walls would be approximately 30 - 35 feet. The length of both these walls from north to south would be approximately 100 feet. The outer passage is 35 X 100 feet and its floor is made of cement. This 35 X 100 feet space is towards the west of the outer gate, i.e. towards the west of the outer wall. Towards the north of this space, Chulha, Chakki were made on the ground. On this very space there was a shed and there was a raised platform for sitting of the people. All people used to sit on it. This shed was located towards the south of the eastern main gate. This shed was standing on the pillars made of bricks. The shed was of 5 - 6 hands long and 5-6 hand wide. One Momajimm (not clear) used to sleep there. (Stated himself) This shed was standing on four pillars of bricks. These pillars were made of single brick. This shed was not covered from all the four sides. I can't tell whether these pillars were touching the wall or some space was left in between. This raised platform fell towards the south of the inner gate while entering from the main gate. This raised platform was

approximately between one and a half feet high. I can't tell the dimensions of this raised platform. This platform was made of Lakhauri bricks and they were fixed with the help of lime. Some bricks were visible in the corners and the rest were covered with the plaster of lime. I never sat on this raised platform. I saw many people sitting at this raised platform. At this platform there was a space for sitting of two to four persons. I do not know that the persons I had seen sitting on the platform, belonged to which sect. Those days Hindus were not going there. Obviously then Muslims might be sitting there. I don't recognise the signatures of Aneesur Rehman. I don't know whether Mohammed Hashim and Aneesur Rehman might have been treating this raised platform as of Hindus and might be telling that Hindus performed puja at that place. A disturbance took place at Ayodhya in 1934. I can't tell whether Muslims were killed at Ayodhya or graves were broken because at that time I was very young (Stated himself) that at that time my age would have been 12 - 14 years. I don't know whether this disturbance was confined to seven Mohallas, viz. Kaziana, Dorahi Kuan, Sutahti, Begumpura, Bawaitola and Saidwada. I don't know anything whether in the 1934 disturbance Muslims were killed or not. I also don't know whether in the 1934 disturbance any damage was caused to the disputed site or not. It is wrong to say that there existed any Temple to the east of the disputed structure. I also don't know whether in the small Temple any *puja - path* was being performed. I don't know whether there was any shed or not on this raised platform. The inner wall of the disputed structure towards east, northsouth might be 100 feet long. This wall might have been seven to eight feet high. This wall would have been one foot or 1.25 feet wide. This wall was also made of Lakhauri bricks. This had three gates to

enter in. These three entrances had iron gates. These gates were fixed on the iron angles. This gate used to be closed and locked also. On the closure of these gates, the inner part was not visible from this area of 35 X 100. Towards the west of this wall with three gates the inner structure from east to west may be approximately 45 - 50 feet. The entire flooring of the inner side was pucca. I won't be able to tell of what material it was made of.

The inner side of 45 - 100, which I have mentioned now, had a ceiling and there was also a dome. In the outer part towards the north there is gate and there is Rasoi. From the northern wall of this 45 - 100 space, the outer gate may be at a distance of 8 - 10 steps, viz. There may be a space of 8 - 10 feet. This 8 - 10 feet middle space might be 80 - 90 feet, again stated might be 110-115 feet. The floor of this inner space of outer part was made pucca. This floor was not made of marble but it was pucca. I can't say whether the floor was made of cement or lime. I had never seen any tree in this inner space. Where there was Rasoi, it had Chulha, Belan and Chowka. No footmarks were made. I can't tell that what material the Chulha, Chakla or Chowka, Belan were made of. All these things were made on the base of the floor. There was no raised platform. This Chulha, Chakla and Belan were attached to the floor, thus fixed with the floor. This Rasoighar was slightly away to the western side while entering from outer northern gate. I don't know whether towards the west or near the Chulha there was any woodapple (Bel) tree. Towards the north in the northern inner wall there was a small gate. It was made of iron. This was fixed on an iron angle. Slightly away to the north of this small gate, Chulha, Belan Chowka, Chakla were made. I don't know who got made this Chulha Chakla Belan. The small gate might used to be locked but I never gave any attention.

There might be approximately a distance of 100 feet between the outer wall towards south and the inner wall. At this place floor was pucca and member was raised on which Imam used to stand and deliver Khutba. There was no construction other than this. The open space, where member was constructed, was eastwest approximately 45 - 50 feet. Southern part of the inner wall had no gate. Inner Southern walls height might be 20 - 22 feet approximately, which supported the roof. If anybody wanted to go towards south from the outer eastern main gate or the three gates in the inner wall then he will have to go via the raised platform. There was no gate in the southern outer wall of the disputed site. There was no pipal tree in the east south corner of this raised platform. There was no raised platform in the corner of outer eastern and southern wall of the disputed site. There was no such place in the shape of high mound of earth, which had stones etc.- placed thereon. I used to come and go through a road towards the east for reaching the eastern main gate of the disputed site. This eastern road is the same which leads to Hanuman Garhi, i.e. this joins the road leading to Hanuman Garhi. The road leading from the Hanuman Garhi road to the eastern gate of the disputed site was kuccha. This kuccha road joins the northeastern corner of the disputed site with the Hanuman Garhi road. For approaching the disputed site, entry could be had from the northern gate also in addition to the eastern gate. Northern gate of the disputed site opened at the road which led to Hanuman Garhi and from there were only two ways which led to the disputed site. Where this kuccha road meets towards the northeast road leading to Hanuman Garhi road, there I have not seen any construction or Temple. I also don't know that where this road meets the road leading to Hanuman Garhi, whether there is any road or not for going to the north. I don't know

whether there is any other way from this kuccha road or from HanumanGarhi for going to Sutahati Mohalla. One way leads to Terhi Bazaar. I can't tell whether the Sutahati Mohalla is located at the same height at which the disputed structure was. I can't tell this also whether location of Mohalla Ram Kot was slightly higher or lower. I have never seen any stone fixed outside the eastern main gate. A black stone was fixed outside the eastern main gate and the wall was based on it. This black stone was approximately of five feet height. Ten to twelve feet above the stone, arches were made. There was no gate big in size. No paintings of animals or birds were made on the arches. Then stated himself that some Kalmas were inscribed. These Kalmas were written in Arabic. So far, I have no knowledge what was written in this Kalmas. In addition to these Kalmas, some Kalmas were written inside the disputed site also. Flowers and leaves were inscribed on these black stones. Shape of these flowers and leaves was very clear and I was also able to understand them. There were eight to ten stairs to approach the road from the northern gate. There was no stone fixed towards the southern gate. A door was fixed in the northern gate. This door was also of the similar size as of eastern door and above it arch was also made. There was no picture of peacock or leopard etc. even in that arch. I recognize peacock and leopard. The witness was shown the coloured photograph (picture in the album) no. 39 & 40 prepared by the Archeological Dept. and after seeing the witness stated that these pictures are not of leopard and peacock. The witness was also shown photographs no. 44, 45 and 46 of the same album and after seeing them he stated that in photograph no. 44 the stone plate shown in the picture was not at site i.e. it did not exist then. The stone which is shown in photograph no. 44, I had seen a stone of the same colour i.e. black colour at the site. After seeing

photograph no. 45 he said that it was eastern gate here. The black stone fixed in both the sides are the same, which I had seen. The witness were shown photograph no. 56, 57 and the witness saw them. After seeing the photograph no. 57 the witness stated that no raised platform is existing. I am not able to comprehend this photograph. No raised platform is visible in photograph no. 56 and it has the same status as that of photograph no. 57. The witness was shown photograph no. 66 of the same album, which was seen by the witness. Having seen it he stated raised platform is visible in this picture but it was not there then.

Verified after hearing the statement

Sd/-

17.2.99

Typed by the stenographer in the open Court as per my spoken version.

May be presented in continuation tomorrow the 18.02.99 for further examination

18.02.99 In continuation of 17.02.99, the statement of Jaleel Ahmed P.W.14 continued under oath:

(Photograph no. 71 and 72 of the coloured album prepared by U.P Archaeological Dept. were shown to the witness) Witness has seen them. In photograph no. 71 and 72 Chakla, Chulha and Belan are visible. These Chulha, Chakla and Belan are the same about which I have mentioned above. After seeing the photograph no. 71 the witness stated that in this photograph, Chulha Chakla have been shown on the raised platform, but when I saw the same at the site, there was no raised platform. After

seeing the photograph nO.70 of the same album, the witness stated that Chulha is there or not in the photograph, I am not able to understand. In photograph no. 70 floor is visible. In photograph no. 70 whether there is any big platform or not, it is not understandable. In photograph nO.70 outer northern gate is also visible. The eastern wall towards the eastern gate of the disputed site was totally plain from outside. There were no raised segments on this wall. (Witness was shown photograph no. 12 of the same album). In photograph no. 12, outside the eastern wall embankment is visible which was long.

(Photograph no. 39 of the black and white album prepared by U. P. Archaeological Department was shown). (Witness has seen it). In photograph no. 39 Chakla, Belan and Chulha are visible. These are on the raised platform but this raised platform was previously not there . The witness was shown photograph no. 6 prepared by Bashir Ahmed Commissioner in record no. 154/9, filed in Additional original suit no. 1/89, Gopal Singh Visharad vs. Zahoor Ahmed and others. The witness has seen it). After seeing photograph no. 6, the witness told that this photograph pertains to the northern gate of the disputed site and outer part of the gate has been shown. I am not able to understand any picture above the gate portion, but it looks like some arch type shape. It is wrong to say that I am telling a lie to conceal the leopard type shape. The member constructed at the disputed site had three steps and it was two to two and a half feet wide. The steps of the member were 9 inches in height and 9 inches in breadth. All the three steps were of the same size.. This staircase like member exists in every Mosque. This is there in every Mosque in Ayodhya. This member is constructed inside of a mosque in one corner. He again stated that it is in the middle of the Mosque where the

Imam stands. It is constructed by that side. It will not be constructed in a corner of the Mosque.

(The witness was shown photograph no. 10 filed by Bashir Ahmed Commissioner in record no. 154/13, in other original suit no. 1/89 Gopal Singh Visharad *vis.* Zahoor Ahmed. The witness has seen the same). The three steps in this photograph have been seen by me in every Masjid. From the photograph, I cannot tell whether this member has been constructed in one corner. The member shown in this photograph has been constructed in the middle, it is adjacent to a wall which is western wall. In this photograph, I am not able to see the wall towards the north.

At Faizabad, the famous Mosques include Tatshah Masjid, Sarai Masjid, Jinnati Masjid, and Sunehli Masjid. At the Chowk, Ghantaghar Wali Masjid is also famous. At all these Mosques, I have offered Namaz in an assembly. I don't know Peeru s/o Barati of Faizabad, resident of Sarai Chowk, Faizabad. No person named Mohammed Izul Ismail s/o Sheikh Ansari resides at Sarai Chowk. Hazi Mohammed Kalim Sahib is the Caretaker of the T at shah Masjid. At this Masjid, Ahmed Ali is an Attendant. At Sarai Masjid, Aneesur Rehman is the Caretaker. Now I don't remember the name of the Attendant. At the Ghantaghar Wali Masjid, Nassir Sahib is the Caretaker. At this Masjid I have not offered Namaz in an assembly but I offered Namaz at odd hours. This Masjid belongs to Shias, but both Shias and Sunnis can offer Namaz here and they do so also. I had only seen once the whitewash being done on the wall of disputed site. At that time I was living at Kheer Wali Gali. At that time, having shifted from Lal Bagh I had been residing for the last about 15 years at KheerWali Gali. Before and after the whitewash, I had



gone to the disputed site for offering Namaz. I don't remember that how many days after my offering the first Namaz I saw the whitewash being done. I had offered the first Juma Namaz at the disputed site. I can't tell now the name of Islamic month of that time. Minor children also participate at the Namaz offered in an assembly. There is no restriction of age for offering Namaz in assembly. When I had gone to offer Namaz at the disputed site for the first time many people were present there. But I can't tell their approximate number. I cannot tell whether at that time people only from Faizabad or Ayodhya were there or who were the people from outside. I don't remember any such person who was there with me at the Namaz, as I could name. I also cannot tell any such person who knew me at that time and I knew him. I had gone alone from Faizabad to offer Namaz. On that day at the time of Namaz Maulvi Hassan, Aneesur Rehmani, Hazi Mahmood or Abdul Ahad did not meet me. At that time we had no interaction with each other and neither I knew them. 2 - 3 months after my first Namaz, I had met Aneesur Rehman. I met Maulvi Hassan along with Aneesur Rehman at that very time. My interaction with Abdul Ahad took place at Star Hotel after about 28 - 30 years of my offering the first Namaz. I came to know Hazi Mahmood also nearly during the same period. He is the real brother of Abdul Ahad. At that time only I had seen Hazi Mehboob Sahib also. When I met Abdul Ahad at that time he would have been 60 - 65 years of age. Hazi Mehboob Sahib is the younger brother of Abdul Ahad. Hazi Mehboob may be approximately 10 - 15 years younger. When I met Aneesur Rehman, at that time his age would have been 70 - 80 years. After about 50 years of my first meeting with Aneesur Rehman the disputed site was attached. I don't remember if Muslims had given the information of attachment of the disputed site over the loud speaker. 2 - 3 days after the attachment,

I had heard that the disputed site had been attached. I don't know whether some arrests of Muslims at Faizabad or Ayodhya had taken place. In between the period from offering my first Namaz at the disputed site and to the time when I saw the whitewashing being done, I had offered Juma Namaz there many a times i.e. on several occasions. During this period, no Muslim of Faizabad or Ayodhya came in contact with me. In between I had no new introduction with any unknown person. I cannot tell the name of any person whom I had been knowing from earlier time. I also don't remember the time gap between my first Namaz and the white washing. I can't even tell the approximate time in between the two. I don't remember that how many days after the whitewash the disputed site was attached. Between my offering the first Namaz and the whitewash I had offered the Isha Namaz there, once or twice, in addition to offering of Juma Namaz. At the time of offering Isha Namaz, 8 - 10 people were there in addition. These were not known to me. I don't know their names as well. I also don't know as to where they were residing. At the time of Isha Namaz also, Azan was held at the disputed site. I went there after hearing the same. In the Shringar Haat Bazaar at Ayodhya there was a shop of boxes of a Bania, I used to go there. Being aloof and isolated place, I used to take this route only. From Faizabad, Shringar Haat Bazaar is located at the straight main road. While going from Faizabad via Shringar Haat, distance is short but being aloof and isolated, this route was more convenient to me. on the main road, there used to be rush of the Fairs viz. Fair of Chaitra, Fair of Shravan etc. The day I went to offer the Namaz of Isha., on that day there was a rush of Fair. At the time of Isha Namaz, Imam must have been present, but I can't tell his name. At that time there was no tap at the disputed site. Water was kept in the pitchers. I did not see any well near the

disputed site. There two to three large pitchers of earthen pots were kept. I don't remember that whether I had gone to offer Namaz at the disputed site after the whitewashing. I have heard the name of Ikhlak Miyan at Faizabad. But I don't know him. From now about 28 - 30 years ago I came to know Hashim Sahib, when he had become the plaintiff in the Babri Masjid case. He himself told me this thing. He did not tell me who other Muslims of Faizabad were plaintiffs besides him in this case. I know Shahabudin slo Hazi Banne Sahib of Mohalla Chowk, Faizabad. I know him since childhood. He is very famous man and one of the biggest businessmen of Faizabad, dealing in shoes. I had been meeting Shahabudin Sahib after the attachment of the disputed site. I only knew Hazi Shahabudin Sahib, but I had no interaction with him. When he told me that he is a plaintiff in this case, at that time I had seen him. At that time Shahabudin Sahib was an elderly person but I can't tell his exact age. Shahabudin Sahib was much older to me. I can't tell whether at that time he was of forty years or eighty years. Even today I don't know that Shahabudin Sahib is a plaintiff in this case.

I did not offer any Tarabi Namaz at the disputed site. Tarabi means that during the month of Ramzan Hafiz Sahib recite Quoran Sharif. I am not aware whether any Tarabi Namaz was recited by any Hafiz or not at the disputed structure. Prior to attachment and in addition to Fridays, I used to visit Ayodhya. I don't know whether there was any tension among Hindus and Muslims before one to two months of the attachment of the disputed site. At that time, I have not heard the name of any Baba Raghav Dass. At that time I have not heard the name of Acchan Miyan of Ayodhya, there was complete peace. On the previous Friday prior to the attachment, when I had

gone to offer Namaz at the disputed site there might be 250 - 300 Muslims present in the Mosque. I cannot tell the name or identification of any of them. I had entered disputed site that day from the eastern gate. On that day, after entering from the eastern side, the shed was in existence towards the north. This shed was for the Moajjins to live in. The shed was not being used as Rasoighar. I don't know the name of Moajjin who was residing under the shed. I am not aware from where his food was being arranged. I can't tell the name of the person who was the Imam on that day. While entering from the eastern gate, there was a raised platform towards south. At that time two to three persons were sitting there. I don't know who were they. They might have come after offering the Namaz, the moment I entered for offering the . Namaz. The northern gate of the disputed site was not open on that day. Near the northern gate where Chulha, Chakla are made, people were not sitting there. I had reached that day to the disputed site from the Kuccha road leading from Hanumangarhi. All the people might have come taking the way from eastern side. I might have reached there :Approximately at 02:00 PM. Azan had been completed before I reached there and offering of Namaz was also over. To onwards the east and south of the disputed site, graves in the graveyard had also some *Turbat* made on them. And the graves towards the north side of the disputed site had *Takia* made on them. There was no *Takiadar* in the graveyard at that time. Towards the south of the disputed site, Mazar of Khwaja Hatti was located. I had seen that. There were no black stones of kasauti in that Mazar. I don't know that who was looking after the disputed site till today.

Where Jinnati Masjid has been constructed, that area is inhabited. This is a very old Mosque. This Mosque is

located in Dyodhi Zaffruddola Mohalla. The Namaz of Juma is regularly offered here. People come to offer Namaz here from distant places. The Jinnati Masjid would be approximately fifty feet long and hundred feet wide. There is a well outside the Mosque. To reach the Mosque there is an approach road joining at Faizabad – Gorakhpur main road. This road starts from the south of the Faizabad Gorakhpur road and leads to the Jinnati Masjid. Jinnati Masjid is located towards the west of this road. There is a well in the outer courtyard of this Mosque. I am the Caretaker of this Mosque. Muslims have made me the Caretaker. Prior to me there was no Caretaker of this Mosque. I am the Caretaker of this Mosque for the last about 35 - 36 years. There is nothing in writing about my appointment as a Caretaker. I was made Caretaker by the Muslims of Faizabad. The names of some of them are : Hazi Bashir Sahib, Hafiz Bhola, Hazi Gaffar and many others. Hazi Bashir Sahib is the resident of Mohalla Chowk Faizabad. There is no income to this Mosque. I used to manage through collection of donations. Whenever any Hafiz is to be called for performing Tarabi, at that time I used to collect donations. At the time of Tarabi Namaj arrangements for electricity etc. have to be made. I neither keep receipts (records) of the donations collected, nor any records for the expenses incurred. There is no Attendant separately in this Mosque. I am the Attendant too. On the occasion of Id, in addition to the Idgah near the bus station, Namaz is offered at other Mosques also, at Faizabad. This Namaz is not offered at all the Mosques. In addition to the Idgah, Id Namaz is offered at Sunehli Masjid, Belali Masjid, Gudri Masjid, Moghul Pura. This Namaz is also offered at Lahori Masjid. At the Jinnati Masjid also Id-Bakrid Namaz is offered. Thousands of people offer Id Namaz at Jinnati Masjid. If people do not get accommodated in the Masjid then they queue up at the

footpath or road outside the Mosque. The outside place, on account of the Namaz being offered there, shall not be deemed as Masjid but the Namaz will be deemed to have been offered at the Masjid. For a Mosque, it is necessary that it should be a building. At the time of offering of Juma Namaz at Jinnati Masjid, the Imam remains present. His name is Sohalin. Prior to him, the Imam was Abdul Shakur, who has left. Abdul Shakur was Imam from the beginning and after he left Suhalin became the Imam. Suhalin is the Imam at this Mosque approximately for the last 20 years. This Mosque had become a ruin, but I got it constructed. It has minarets and dome. I know Abdul Rehman of Ibrahimpur for the last 40 years. Abdul Rehman had a shop of ghee at the Chowk 40 years ago. I used to bring ghee and oil from there. When I met Abdul Rehman Sahib for the first time. I was not aware that he is Hafiz because he was known by the same name. Abdul Rehman's shop was at the Chowk at the foothold of the Mosque. He belonged to Mohalla Niyavan and resided there. When I met Abdul Rehman Sahib, he was young and I cannot tell whether he was 40 - 45 or 50 years of age. When I had met Abdul Rehman, at that time my age would have been 40 - 50 years. He himself stated that Abdul Rehman was of his age. When I had met Abdul Rehman for the first time, prior to that I had not heard any Tarabi recited by him at any Mosque. At that time I had only known that Abdul Rehman Sahib recited Tarabi but I don't know at which Mosque. No certificate is required for being a Hafiz. I don't remember that how many days after our first meeting, I had invited Abdul Rehman Sahib for reciting Tarabi at my Jinnati Masjid. I had given invitation to Abdul Rehman Sahib at the shop itself for reciting Tarabi. In other words I had extended the invitation to Abdul Rehman Sahib at his shop only. I had given this invitation verbally. When I had extended invitation to him to recite

Tarabi, it was month of Ramzan. Tarabi is recited only in the month of Rarnzan. It is not recited in other months. I had invited him to recite Shabina at night. Abdul Rehman Sahib had recited Shabina for three days. Abdul Rehman Sahib had recited 15 *pares* in three days. In addition to him, there were Hafiz Karimul Haq, Hafiz Lukman and two Hafizes from outside. These two outsider Hafizes were called by me from other Mosques. These two Hafizes were residents of Saidulla Nagar, Gonda. I can't tell the names of these Hafizes. When Abdul Rehman Sahib was reciting *Pares*, at that time the number of audience used to be 250 - 300.-1 did not give any expenses to Abdul Rehman Sahib. I did not give any gift also to him at the time of his departure. Abdul Rehman Sahib had come from the city and had gone back to the city.

Abdul Rehman Sahib has now migrated to Ibrahimpur and left the shop and his nephews are running a shop at Faizabad. I don't remember how many years before he had left for Ibrahimpur, but has been in Ibrahimpur since long. There is a Mosque in Mohalla Taksal also at Faizabad. Muslim population is more at Mohalla Taksal. I am the only person named Jaleel in Mohalla Taksal and no other person of the same name lives there. 16 years before I was living in Mohalla Taksal. I had shifted to Mohalla Taksal from KheerWali Gali. The house at KheerWali Gali was rented one and therefore it was left. Now I have constructed my own house at Kheer Wali Gali. I stayed as a tenant at KheerWali Gali for nearly 22 years. Thereafter, I shifted to Mohalla Taksal in a rented accommodation. I stayed at Mohalla Taksal in a rented accommodation approximately for 25 years. Thereafter I shifted to my own house at KheerWali Gali. I have been staying in my own house at Kheer Wali Gali for the last 16 years. I have not heard the name of any person named Jaleel of Tedhi

Bazaar of Ayodhya. I don't know whether Abdul Rehman Sahib had gone to Taksal Wali Masjid or not. Arrangements at the Taksal Wali Masjid were being looked after by Dr. Shafique. At Mohalla'Taksal my rented house was approximately 7 - 8 houses away from the Mosque. At Taksal Wali Masjid, Tarabi Namaz was offered but I am not aware whether Abdul Rehman Sahib had gone there or not. Hazi Bashir was the owner of Star Hotel. I am not aware whether Bashir Sahib had invited Rehman Sahib for reciting the Namaz at any Mosque or not. When I had invited Abdul Rehman Sahib to recite T arabi, he knew that I was the Caretaker of Jinnati Masjid. It is wrong to say that many Muslim people had taken Abdul Rehman Sahib for reciting Tarabi. The truth is that I alone had taken him for reciting Tarabi. When I had invited Abdul Rehman Sahib, he knew that I was the Caretaker of the Mosque. He had no knowledge about my profession. I don't remember whether I had invited Abdul Rehman Sahib for reciting Tarabi after or before the attachment of the disputed site. It is wrong to say that when Abdul Rehman Sahib came for reciting Tarabi, Jinnati Masjid was in a dilapidated condition. The truth is, by that time I had reconstructed the Mosque. When Abdul Rehman Sahib came for recitingTarabi, there was *Banskot* and pits on all the four sides of this Masjid. Again stated that bamboo plants (*Banskot*) was only on Southern side and there were no pits in the ground but the land was uneven. It is correct that this place appeared to be lonely one. This is WTong to say that people do not go to that place having a fear of Jins. This Mosque acquired the name of Jinnati Masjid because it was shadowed by Jins and again said that even today it is shadowed by Jins. By in I mean that they are the persons like us but are invisible.



By Mosque, I understand a place for performing prayer. I cannot go to any Mosque through a Temple. If there is any obstacle in the way of a Mosque, but one goes there forcibly to offer Namaz, then Namaz is not accepted. No Namaz can be offered in any Masjid without Azan. Azan is essential. A high place is not necessary for giving Azan. At some places, a high place used to be constructed and at some it was not. Azan (prayer-call) can also be given while standing at ground. Since I am not residing at Ayodhya, I cannot tell that Muslim population would be approximately one to two kms away towards north and south of the disputed site. I do not know that towards the west of the disputed site at Dorahi Kuan, excepting one Chikwa family, whether there is other Muslim population or not. Towards the east of the disputed site, there are Temples of Hindus, and no Muslim population. Towards this side whether there are any Akharas or not, I have not heard their names. I don't know that at Ayodhya, in addition to the disputed site, which are the other Mosques, where Juma Namaz used to be offered. Might be offered at every Mosque. I don't know that at Ayodhya whether there are 2 or 3 Mosques or not at places where there is Muslim population. It is not necessary that every Muslim offers his Juma Namaz at the Mosque of his Mohalla or a Mosque nearby. It wrong to say that at the disputed site the Temple of Nirmohi Akhara, Rasoighar, Sita Rasoi, Chulha, foot marks etc had been in existence since long. I am not aware whether any case was filed 150 years ago in this regard. I had heard about the dispute between Hindus - Muslims that took place in 1934, it was heard that the same was due to cow slaughter. This I came to know from my parents. At that time I had neither heard nor came to know that some damage was caused to the disputed site. I also do not know whether in this riot Muslims in large number were killed or not. It is wrong to say that the riot of

1934 erupted because Muslims wanted to offer Namaz forcibly at the disputed site and they were prevented by Hindus. This is also wrong to say that Muslims were killed in large number and as a result Muslims did not go towards the disputed site. I have rather heard this that after the placing of the Idol at the disputed site, Muslims did not go there to offer Namaz.

My three to four cases are going on at the .Faizabad Court. The cases are regarding the land of this Jinnati Masjid and the graveyards. These cases are against Chandsi doctor and others. The case against Chandsi Doctor is going on from 1979. In this case of Chandsi Doctor no statements have been recorded and no statements under oath have been taken. I am not a party in these cases. I have given a witness in the Faizabad Court in the case of Arman Ali - Ram Prasad. I don't remember whether I have got recorded my age there or not. I also don't know whether at the time of recording my witness the court had asked about my age or not. I was married at the age of 28 years. I was married only once. I don't remember that how many days after my marriage the civil suit started. My father had expired 18 - 19 years ago. I don't remember that how many years after my marriage, my father had expired. It is wrong that two years prior from today I had given my age as 62 years at Faizabad Court. It is wrong to say that I have never been to the disputed site. This is also wrong to say that disputed site is a *Math* of Nirmohi Akhara and a Temple and worship is being performed by these people and even today it is being performed.

Cross-examination concluded by Shri R.L. Verma Advocate on behalf of Nirmohi Akhara, Defendant nO.3.

Cross-examination by Shri Ved Prakash Advocate on behalf of Dharam Dass, Defendant no. 13.

It is correct that according to Islam religion pig is an unholy animal. It is also correct that no Muslim will offer Namaz before any picture of pig or of any other picture or before alive pig or dead pig. No Muslim offers Namaz before the photograph of flower or leaf also. He will not pray the flower and leaf. Namaz is not offered before the photograph of any flower leaf or picture of a tree. Namaz is also not offered before the picture of any animal or the Idol of any animal. This is also correct that any place where pictures of Chulha, Chakki, Belan are made, Namaz would not be offered there. It is correct to say that in no Mosque pictures of animals are made. flowers and leaves are made, but not in front side. Flowers and leaves can be made at the back side only. No pictures can be made inside a Mosque. It is correct to say that while constructing a Mosque no artist makes any pictures etc. of any animal within the boundary of a Mosque. It is impossible that the pictures of any animals etc. are made in any Mosque. Therefore Namaz also is not offered there. It is correct that where such types of pictures are made that place will be unholy for offering of Namaz.

When I had gone to the disputed site then I saw there 12 - 14 pillars. These pillars were of black stone. On these black pillars only flowers and leaves were made and nothing else.

(The witness was shown photograph no. 146, 147 of the coloured photograph album prepared by UP Archaeological Department. The witness has seen them). The pillars shown in the photograph no. 146, 147 did not exist at the site. The pillar, which is shown in the photograph no. 167, was also not existing at the site. It is correct if such pillars are shown in photograph no. 146,147,167 had existed there, no Namaz would have been offered there. The pillars shown in these photographs have the pictures of animals, therefore, no

Namaz can be offered there but none of these pillars existed at the site. This is also correct that had these pillars as in the picture, existed at the disputed site, I would not have offered Namaz there. Of the same album, photograph no. 139 alongwith (*Lagayat*) (not clear) 144 were shown. In photograph no. 139 alongwith (*Lagayat*) 144, the pillars shown are not of the disputed site. The pillar shown in photograph no. 145 was also not at the site. After seeing photograph no. 136 alongwith 138, the witness said that these pillars were not there at the site, again stated that coloured pillars were not there. None of the pillars shown in from photograph no. 115 to photograph no. 126, existed at the site. None of the pillars shown in photographs no. 104 to 114, or any pillar of the same type was existing on the site. None of the pillars shown in photograph no. 47 to 54 existed at the site.

(The witness was shown photograph no. 27 and 55 to 66, 71, 72, 73, 74, 75, 76 of the black and white album prepared by UP Archaeological Dept. The witness has seen them.) All the pillars shown in all these photographs were not there at the site. Photographs no. 89 to 91, 95, 96, 97, 98, , 99, 100, 101 to 106 of the same album were shown to the witness. The witness told that the pictures shown in these photographs cannot be of the disputed site.

Verified after hearing the statement.

Sd/-

18.2.99

Typed by the stenographer in the open Court as per my spoken version.

Be presented on 19.2.99 for further examination in continuation.

19.2.99 : (In continuation of dated 18.2.99 the statement of P.W.14 Jaleel Ahmed continued under oath):

(The witness was shown photograph no. 109, 110 of the black & white album prepared by UP Archaeological Dept., the witness has seen them)

In photograph no. 109 and 110 Shri Jeelani Sahib Advocate and Shri Mannan Sahib Advocate are seen in a sitting posture. By the side of Mannan Sahib, Hafiz Ikhlak Sahib is sitting. I had no discussion with these people viz. Shri Jeelani Sahib, Shri Mannan Sahib or Hafiz Ikhlak Sahib about the pictures shown in the album whether these were of the disputed site or whether these were taken in their presence: The pillar, which is shown in photograph no. 85 appears to be that of the site. Flowers and leaves are made there on. The pictures shown in photograph 86, 87, 88 appear to be the pillars that of the site. In photograph no. 88, a thing which is visible separately in the middle of the pillar, is engraving of flowers - leaves. In photograph no. 9 and 10, the pictures are not of pig but it appears that it is some broken embankment. This broken embankment I had seen at the disputed site. The embankment is the broken embankment outside of the disputed site towards the eastern side. This broken embankment was by the side of the eastern main gate. The wall, which was near the eastern gate, was 10 - 12 feet high. From the eastern gate the wall towards the northern side might be approximately 80 - 90 feet long. From this eastern gate, the wall towards south might be 10 - 12 feet long. It is correct that except the main gate, the northern southern outer wall was 10 -12 feet high. I had seen this wall in an erected position.

(The witness after having seen the photograph no. 20 in

black and white album prepared by the Archaeological Dept.) told that the arch type designing has been made in this for beautification purpose. It has been made in the gate. This is correct that above the gate cornice has been made. And above the cornice the visible thing is an arch, which is made for beautification purpose. It is wrong to say that above the cornice, two fish have been made. In a gate, a person can make as many arches as he wants to make for the purpose of beautification. It is wrong to say that I am misstating the fact that there are no fish above the gate but an arch.

(photograph no. 13, 14, 15 of the coloured album prepared by the UP Archaeological Dept. were shown to the witness, he has seen them) I am not able to comprehend photograph no. 13 in which some face, eye, feet, belly is shown as made, it appears to me the broken embankment.

This is wrong to say that the photograph depicts the picture of a pig. In my understanding, in photograph no. 14 mouth, eye, feet, belly are not depicted. It is wrong to say that this photograph depicts the picture of a pig. According to my understanding, in photograph no. 15 no mouth, feet, belly, eyes are visible. This would also be wrong to say that in this photograph, picture of some pig has been depicted. In photograph no. 16 also no mouth, eyes are visible, feet and belly also cannot be seen. This is wrong that this is a picture of some pig, I am saying about these pictures that in these photographs, there is no picture of a pig. In photograph no. 131 of the same album, the picture in the middle is that of a carpet (Musalla). Musalla is also made on the floor and it is also spread on the floor. In photograph no. 131 the picture in the middle appears to be of a carpet made on the floor and not on the wall. This photo is of the disputed site. This is wrong to say that in this photograph Ram, Lakshman and Sita are

shown. This photo depicts three gates of the Mosques. The photograph no. 134 and 135 do not depict the photo of a lotus with eight petals, but these are the Kumkumas, which are hung for beautification, this is their picture. Kumkumas are round too. They are also in cut shapes. Kumkuma can be made of any type. This is wrong to say that this kumkuma has been made like a lotus with eight petals. I can't tell about the design of the kumkumas, which is shown in this picture. In photograph no. 174 of the same album, photo of kumkuma is shown and it is not a photograph of '*Ashtakamal*' (Lotus with eight petals).

I don't know that while reconstructing a broken Mosque whether money can be taken from the people other than the followers of Muslim religion or not, because I am not a Maulavi or Alim.

Cross-examination concluded by Shri Ved Prakash Advocate on behalf of Shri Dharam Dass, Defendant no. 13

Cross-examination by Shri Vireshwar Dwivedi Advocate on behalf of Shri Umesh Chandra Pandey, Defendant no.22

xx                      xx                      xx                      xx

I am about 78 years old. I can't tell that before placing of the Idol, for how long I had been offering the Namaz at the disputed site upto the day I had offered Juma Namaz for the last time. I can't tell it even by guessing that since how long I had been offering the Namaz there, i.e. since the last two months or the last five to six years. I had offered the Isha Namaz at the disputed site only once. I won't be able to tell that how much before the placement of the Idol there, I had offered Isha Namaz. I won't be able to tell by

approximation because I don't remember. I had gone to offer the Juma Namaz by watching the time and not after hearing the Azan. It is not like that when I went to offer Namaz at the disputed site bricks, stones or shoes etc.. were hurled and I had been bit by these Object. Before the incident of 1949, there was no lock at the Mosque. Before the incident of 1949, any Muslim could go to the disputed site and offer Namaz of all the five times. It is correct that I had gone to offer Namaz at the disputed site from the Dorahi Kuan road. The shop of making boxes of Aneesur Rehman Sahib was at Shringar Haat. But the work of making boxes was done at his house at Begumpura. This box-making workshop was towards the north of the disputed site. The shop at Shringar Haat was towards north east of the disputed site. Dorahi Kuan road was towards the west of the disputed site. This Dorahi Kuan road comes from Tedhi Bazaar. This Terhi Bazaar is towards south west of the disputed site. First I had gone to the disputed site for offering Namaz and subsequently I had gone to the box-making workshop of Aneesur Rehman. This is wrong to say that I have lied the above facts purposely and deliberately.

My statement to the effect that jins are like the human beings i.e. they are like us, is correct. But they are invisible. The presence of jins can be felt by the sound of their footsteps. I won't be able to tell that from the sound of footsteps, I can know their description. And I won't be able to tell that when and how I learnt this art. This is wrong to say that I don't want to tell it. Mutavalli (Caretaker) means the person who makes arrangements and looks after the affairs. I don't know *Tauliyat*. I know Wakf. What is Wakf, I won't be able to tell. It is not necessary that a receipt should be issued after accepting donation. I am illiterate. I have no knowledge that the receipt and expense account of the donations should be



kept in black and white. I have never taken the help of others for writing of accounts. I don't know who was the donor of Jinnati Masjid or who got it constructed. I have not got this Masjid registered with the Wakf Board. I also don't know whether this Mosque is already registered or not. I don't know that 10-12 years before, action was taken for registering all the Mosques of Faizabad Dist. as Wakf. I was taking the donation for the Mosque from the persons selling vegetables and now I also collect the same. I am not aware that vegetable sellers have got one Anjuman made whose name is Anjuman-e-Raeen. I don't know whether Raeen means the persons who are selling vegetables, but in common parlance, they are known as Kunjaras. I collect donations from butchers also. I collect donations from common Muslims of the town. One of them was Hazi Bashir. I don't know that Hazi Bashir was a leader of Jamat-e-Islami. I used to go to take tea everyday at Star Hotel of Bashir Sahib located near vegetable market. He loved me. I don't know whether Bashir Sahib had to go to jail in the year 1950 and 1975. My fellow Shahabuddin dealt in the business of shoes. He was our elder. I respect him. Ziaoddin is the son of Hazi Shahabuddin. We exchange greetings with each other but no personal contacts. Whenever, Ziaoddin meets at any place, we just exchange greetings, no personal contacts. I am not a wrestler, but I carry a stick as a matter of habit. It is wrong to say that I collect money from the people by threatening them. This is also wrong to say that no body asks me for the accounts out of my fear. This is also wrong to say that I have not got the Jinnati Masjid registered as Wakf deliberately.

Tarabi means that during the month of Ramzan Sharif, whole of the Quoran Sharif is read and complete reading of the Quoran Sharif is known as Tarabi. During the course of Namaz *Surats* of Quoran Sharif are read. *Surat*

means the lines written in the Quoran Sharif. I have not read the whole of Quoran Sharif. But I have read part of Quoran Sharif, which serves my purpose. The Quoran Sharif that I have read is in Arabic language. I have read Arabic language. I have read Quoran Sharif that much which serves my purpose. In the beginning I have said that I am not literate is correct. Because I have not read Hindi, Urdu. I have read Arabic to the extent that serves my purpose. Through the Arabic language, I am able to offer Nalnaz. I have read Quoran Sharif to the extent required for offering Namaz. I have read *Alham* - 2 and additional 6 - 7 *Surats*, which are essential for offering Namaz. I have read Arabic from a Maulvi Sahib for approximately a year. That Maulvi has since died. That Maulvi's name was Maulvi Basharat r/o Dal Mandi, Faizabad. It is wrong to say that I am deliberately and purposely telling a lie. Besides, the above *Surats*, I have not read Arabic.

I have no knowledge of Fatia as to what it is. I used to go to every graveyard and Mazar of Ayodhya for offering Fatia. I don't know the meaning of '*Marisan*'. The graveyard of my ancestors i.e. my father and his father are at *Tad Ki Takiya* in the town of Faizabad. I used to visit the graveyards of my ancestors on Jum-e-rat at any time to light a lamp, I did not know Fatia, and therefore I had not recited the same. In addition to the graveyards of my ancestors, I used to go to light a lamp at three-four Mazars also. I also used to light lamps at other graves nearby these Mazars. Mostly I used to perform this work on Jum-e-rat. Sometimes, I used to go to Ayodhya on Jum-e-rat, at times I used to light lamps here and sometimes I used to go to Ayodhya. It is correct to say that whenever I had been to Ayodhya on Jum-e-rat I was not able to go to the graves of my ancestors at Faizabad for lightening lamps. This is correct that there are many graves and Mazars at Ayodhya and I used to go there to light lamps at

these Mazars and graves. There was no specialty or any attachment for going to Ayodhya to lighten lamps, ignoring lighting of lamps at the graves of my ancestors. Towards the south of the disputed site there is a big graveyard where there may be thousands of graves but I can't tell their number by approximation. This is correct that from the north end corner of this graveyard, south end corner would not be visible. From the eastern end of this graveyard, western end was visible. I won't be able to tell even with guessing that what would be the length and breadth of this graveyard from east to west. I won't be able to tell by approximation whether from east west, length - width would be 25 yards or 400-500 yards. It would be wrong to say that I am telling a lie deliberately and intentionally. When I had gone to offer Namaz at the disputed site for the last time, all the graves existed in the graveyards at that time. I did not see any Hindu people or Bairagis sitting and performing Puja, to the east and south of disputed site. It is wrong to say that the place, which I am describing as graveyard, there having built a raised platform and after pitching up a flag, Hindus and Bairagis had been performing Puja for months together and singing Bhajans and reciting Ramayana. It is wrong to say that the time about which I am talking of going for the last time to offer Namaz, At that time no Muslim could dare to go to the disputed site. I won't be able to tell how far is, in terms of miles and kilometers or otherwise, Ayodhya from Faizabad i.e. from my residence. I don't remember that how many times I have recited Fatia or lighted lamps at Ayodhya before offering my Namaz for the last time at the disputed site. I had been to Ayodhya a number of times for lighting lamps before offering the Namaz for the last time at the disputed site. There is no grave of any of my ancestors at Ayodhya. This is wrong to say that in this matter also I am telling a lie deliberately and intentionally.

Since the time I grew up, I have heard the name of Mazar of Sheesh Paigambar and I have known it and I don't know and I can't tell even now how far the Mazar is off Sheesh Paigambar from Ayodhya. I also don't know who was the Sheesh Paigambar. I also don't know that which language the word Sheesh belongs to, whether it is Hindi, Urdu or Arabic.

I also used to go to lit the lamp at the Mazar of Baba Ibrahim Shah and at the Naugaji grave in addition to the Mazar of Sheesh Paigambar, which are in Ayodhya. I don't know who was Baba Ibrahim Shah. I know only this much that he was an elderly person. I don't know that of whom this Naugaji grave is. All these three places viz. Sheesh Paigambar, Baba Ibrahim Shah and Naugaji have a graveyard also. Near the Mazar of Baba Ibrahim Shah, there are three to four more graves, thus that is not a graveyard. Where there is Naugaji grave, there are 100 - 200 graves. Where there is Mazar of Sheesh Paigambar there are thousands of graves. There may be 1,000 graves near the Mazar of Sheesh Paigambar, may be more. If one goes from my residence in Faizabad to Ayodhya, there is no graveyard on the way. I have not seen any Mazar between Faizabad and Ayodhya i.e. I have not given any attention. I know Badi Bua. There is *Takia* at Badi Bua. I don't know the meaning of *Astana*. I also don't know the meaning of Dargah. While going from Faizabad to Ayodhya, towards the left of the road, across railway line is Badi Bua. This railway line is at a distance of more than one-furlong from the road. I don't know whether towards the left of this road, there is a graveyard, I have not seen any such graveyard. I don't know whether there is any other graveyard or not towards the left of the road. Therefore I can't say anything that on the road from Chowk Ghanta Ghar, Faizabad, leading to Dev Kali, at a distance of 1 km. from Ghanta Ghar, towards right of the

road there is a graveyard which has thousands of graves. Both Shias and Sunnis are buried in this graveyard. But the number of Shias is more. I don't go on Jum-e-rat at this graveyard for lighting the lamp. On other days also I don't go to light the lamp in the graveyard. I have seen Fatehgunj Chauraha at Faizabad. I don't know whether there is graveyard or not at a distance of one km towards left of the road leading from Fatehgunj Chauraha to Devkali. I have no idea that this graveyard would be  $\frac{3}{4}$  km away from Lal Bagh Mohalla, as I don't go to that side. I don't know whether there is any graveyard or not at a distance of one km towards east of Kheer Wali Gali. I have heard the name of Janab Munnavar Khan contractor of Lal Bagh. I don't know anything about the house of Munnavar Khan and his family. Towards the left on the road from Chowk to Rakabganj, there is a clinic of Dr. Shafique behind this clinic is Mohalla Taksal. My father was working as a sweeper at the clinic of Doctor Shafique. When I was 37 years of age, then I had come to know about Dr. Shafique. Dr. Shafique Sahib died at London and his brother Sharif Sahib died at Faizabad. Both these people died after I had known Shafique Sahib. One of his brother was named Sami Sahib. He was practicing as a lawyer. Sami Sahib died after I came to know him. All these three persons were buried at the Tad Takia graveyard. It is wrong to say that I am telling a lie in this matter also. I was going to the Mazars and graves of Ayodhya for lighting the lamp not with any specific purpose but sometimes I used to go to pledge offerings for fulfillment of wishes.

(The witness was shown photograph no. 13 attached at paper no. 154/16 prepared by Bashir Ahmed Commissioner in the original suit no. 1/89 - Gopal Singh Visharad vs. Zahoor Ahmed etc., the witness has seen the same.)

I am not able to comprehend this photograph. Therefore I cannot tell whether this is of the disputed site or not. (The witness was shown photograph no. 6 attached with paper no. 154/9 filed by Shri Bashir Ahmed Commissioner in the other original suit no. 1/89. The witness has seen it.)

I don't know who has taken this photograph, but this photograph is of northern gate and is that of disputed site. There is a tree visible in this photograph which is outside, i.e. outside the disputed site.

(The witness was shown photograph no. 10, 11, 12 of the coloured album prepared by UP Archaeological Dept., the witness has seen them.) In photographs no. 10, 11, 12, the inner wall, i.e. middle wall of the disputed site is visible. This wall had been seen by me from the inside i.e. in the inner portion of the disputed site, not seen from outside. In photograph no. 11, 12 a tree is visible. It appears to be towards left. (He himself stated). The tree is outside. According to me this tree is outside the outer wall. In this photograph towards right some branch of the tree is visible. These branches are the branches of the tree outside the outer wall of the disputed site. This is wrong to say that here also I am telling a all at once lie. I don't consider it necessary that Mosque should be a Wakf. Whether it is inside a house or for the general public. Jinnati Masjid is for the common public. The graveyard near the Jinnati Masjid is for the general public. I don't know that this graveyard is a Wakf or not. This is correct that when four persons told me that I had become the Caretaker, it means that I have become. These people included Hazi Shahabuddin and others. Shahabuddin was engaged in the business of shoes. Hazi Bashir is the same person at whose place I used to drink tea. These people alongwith their close friends made me Caretaker. There is no personal graveyard of Hazi Bashir or Shahabuddin near

the Jinnati Masjid. I have no concern with the graveyard. I am the Caretaker of the Mosque. When these people made me Caretaker, it was known to me that Caretaker can be appointed by the general body of Muslims, therefore I became the Caretaker. I did not consider it necessary to find out as to when this Mosque was made. By general Muslims, I mean the Muslims of Faizabad town. Pathan Tolia Mohalla is located outside the city of Faizabad. I am talking about the Muslim of Faizabad. I don't recollect that at the time of making me the Caretaker, Muslims of Rath Haveli were present or not. I don't remember whether any Muslim of Wazirgunj Mohalla was there or not. I also don't know whether any Muslim was there or not of Hasnu Katra. I only know that the common Muslims of Faizabad were there. Hazi Bashir Sahib is the resident of Bhadarsa. In 30-40 years, Bashir Sahib has constructed a house at Faizabad. Distance from Faizabad to Bhadarsa village would be approximately 10 miles. The vegetable sellers, who are known as Kunjaras were also present there. But I cannot tell the name of anybody. Among the butchers, Munna, Khalid Kamal, Badloo, Hafiz Bola, Mohammed Shafique were present. Many people from Niyawan were also present. I am a Halwai, I am Siddiqui. Siddiqui's are Halwai's. This is wrong to say that with the help of certain people I have taken possession of the Mosque i.e. Jinnati Masjid under my control forcibly and grabbed it. This is also wrong to say that this Masjid was located at a lonely place and I spread the rumour that jins visit that place, as a result of which people did not go there. I have neither seen nor probed whether Jinnati Masjid was registered with the Municipal Committee of Faizabad or not. It is wrong to say that I have got one tap installed in the Mosque forcibly. I have got the tap installed after taking permission from the municipal committee. This would be wrong to say that I am telling a lie in this regard.

I often used to go to Faizabad Court to pursue the cases and even now I go. It is correct to say that most of the cases pertain to the land of the Jinnati Masjid and graveyard which are being pursued by me. I collect donations also for making payment of fees - to the advocates and make the payment of fees to you. I also collect donations for miscellaneous expenses, in addition to payment of fees to the advocates in this case. I don't issue any receipt for collection of donations for the purpose of all these activities and I do not keep accounts of income and expenditure in respect of these donations. It would be wrong to say that the people who give donations to me do not ask for receipts because of my fear, but they give the same having faith in me. Since the Muslims have understood that I am the most respectable person, therefore they have handed over the arrangements to me I am not looking after the arrangements of any other Mosque except the Jinnati Masjid. I had got the Tarabi recited for the first time at Jinnati Masjid 35 - 36 years ago. I don't know whether there is any Mosque where both the Caretaker and the Attendant is one person. There is no Moajjin (a person who gives a call for the prayer - Azan) at my Jinnati Masjid. It is my work and as well as duty also to keep the Mosque in the good condition and to sweep and clean it. By duty I mean, it is a place of god and to keep it clean is our duty. I had asked the Alim that whether I could perform duties of both Caretaker and an Attendant. He had told me that I can perform both these functions. Tarabi is recited by one Hafiz only. At my Jinnati Masjid, Shabina was also recited for many years. The Shabina is recited for the whole of the night. It continues for three nights. It is recited on any three selected days of the month of Ramzan. Shabina is attended by 5 - 6 Hafizes. In the beginning for having organised Shabina for three years,' I stopped organising



Shabina in this Mosque. One of the reasons for stopping Shabina was its expenses. And the other reason being my physical incapability. I used to buy Ghee and oil according to requirement from Hafiz Abdul Rehman Sahib. After my acquaintance with Hafiz Abdul Rehman Sahib, I continued to buy ghee, oil from him for 10-15 years. So long as his shop remained in the city, I continued to buy the same from him. Thereafter he shifted to Ibrahimpur. After his leaving, his nephews are running the shop and they are residing at Niyawan. When Hafiz Sahib was running his shop, he was residing at Mohalla Niyawan. Hafiz Abdul Rehman Sahib recited Shabina once. Abdul Rehman Sahib came to attend the last Shabina. At the first Shabina, Hafiz Bhola, Hafiz Lukvan, Hafiz Karimul Haq were present. The first Tarabi was recited by the Hafizes invited from outside Faizabad and it was recited by them. Tarabi which was recited for the last time was by a Hafiz from Gonda. I don't remember his name now. I offered expenses for food and reciting of Tarabi to these Hafizes, but they don't accept it and, therefore purchase sweets with that money and distribute the same.

Verified after hearing the statement

Sd/-

19.2.1999

Typed by the stenographer in the open Court as per my spoken version.

Be presented on 20.2.99 for further examination in continuation.

Sd/-

19.2.1999

Dated 20.2.99 (In continuation of 19.2.99 the statement of Jaleel Ahmed P.W. 14 commenced under oath):

When I had gone for the last time to offer Juma Namaz at the disputed site, I had not gone towards the graveyard. I don't remember that how many days before the placing of the Idol I had been to the graveyard. I had been to the graveyard on the Shab-e-rat falling prior to the placing of the Idol. Shab e-rat is known as Shab-e-kadar. This is also called as Shab-e-brat. Shab-e-rat fell one or two years before placing of the Idol at the disputed site. In the graveyard the graves were at places touching each other while at some places there was a space in between. It would be wrong to say that the graves in the graveyard were touching each other. I can not tell even by guessing that how big is the graveyard, located to the south of the disputed site. It may be one thousand feet, may be ten thousand feet. The graveyard to the east of the disputed site may be 250 - 300 - 400 feet long and of the same width. There was a gap of 2 - 3 feet between the graves at this graveyard. I can't tell even by guessing that how many graves would be in this graveyard. This graveyard may have approximately above 100 graves, not less than 100 graves. These graves were pucca and would be roughly 100 in number. In the southern graveyard the particular grave was of Khwaja Hatti Sahib. In the eastern graveyard I don't know about any specific grave. After the inquiring about the Khwaja Hatti Sahib, I came to know that Khwaja Hatti Sahib was an elderly person and wishes also get fulfilled here. Nobody had told me this thing. This is wrong to say that I had never been to any of these graveyards. I can't tell whether to the east of eastern graveyard there is any house, road, jungle, garden or not. I also don't know whether towards the east of the southern graveyard there was any garden, road, building or forest (jungle).

I don't know whether after my acquaintance with Hashim Sahib, he was beaten by the police and was put in the jail Hashim Sahib was engaged in the work of tailoring and it was his source of livelihood. Hashim Sahib was doing tailoring work at Ayodhya. He is doing stitching work at Mohalla Shringar Haat. It would be wrong to say that Hashim Sahib is not doing any tailoring work. Near the Mazar of Shish Paigambar, there would be above 2000 graves. I can't tell the area of the graveyard even by guessing.

I had become the Caretaker of Jinnati Masjid 35 - 37 years ago. I had dreamt somebody taking me away and telling me to set right the Jinnati Masjid. One person had taken me away by catching my hand. I don't know who was that person and whose son was he or where was he residing. On the suggestion of that single person, I took up the work of reconstruction and improvement of Jinnati Masjid. And when I had done some work, I told the people that this much I had done and the balance is yet to be done. Then all the people told me that you would be the most suitable Caretaker and take care of it. I had met Hashim Sahib only two to three days back but we had no interaction. This interaction took place in the premises of High Court here. There was no special reason of my not having any interaction with him. It is wrong to say here also I am telling a lie or Hashim Sahib had brought me to Faizabad duly tutored for tendering witness. I had received summons from the Court for giving witness. The boys had given me summons at my house which was sent from here. On seeing the date mentioned in the summon, I had come here. Before coming to the Court, I had not been to the house of Advocate of Hashim Sahib. I do not know that who are the advocates here of the plaintiffs and I had not been

to their houses also. When the lock at the disputed site was opened, Hashim Sahib told me that he is a plaintiff in this case. I came to know from the munshi of Jee]ani Sahib that in which Court I have to give my witness at the High Court. He told me the rest of the things and I came here. As I have already told, during this period I had a talk with Hashim Sahib once and thereafter I had not met Hashim Sahib. I had met his advocate, Jeelani Sahib. This is wrong to say that in this case also I am telling a lie as usual. I have been knowing Hafiz Abdul Rehman for the last 28 - 30 years. I had no interaction for the last many years with Hafiz Abdul Rehman. I had no interaction with Hafiz Abdul Rehman for last 5 - 6 years. There is no special reason of this non-interaction. I occasionally meet Ziauddin and just exchange pleasantries and then we take our own course. Now also I go to the Hotel of Hazi Bashir for tea. I have been meeting Ahmed Sahib son of Hazi Bashir almost daily for the last nearly twenty years. I have lot of affection for him. To some extent it is correct to say that my Caretakership is continuing with the help of Bashir Sahib and Shahabudin Sahib and their family members. As they are well to do people of the city, therefore, general Muslim community supports them. Hazi Bashir Sahib and Shahabudin Sahib are rich persons of Faizabad. They have many shops at Faizabad. Bashir Sahib has a Bakery at Lucknow also. This is wrong to say that I am fighting this case and giving witness after taking money from these people. I have not heard the name of any such society or Anjuman which looks after and maintains graveyards, Mosques and graves at Distt. Faizabad i.e. Ayodhya. I have not heard the name of any Anjumane-tahaafuz Masaajid and Makaabir at Faizabad or at Ayodhya. It is correct that Farookh Sahib and myself have been fighting cases about Mosques and graveyards of Ayodhya. I don't know the meaning of Makaabir. Masaajid means Masjid. I happen to

meet Farookh Sahib at Faizabad Court 5 - 6 times in a month. We do not talk anything about our cases. It is correct that he arranges his funds himself and pursues his cases. Similarly, I also arrange my funds and I pursue my cases. There is no special reason that why we do not talk with each other about our cases. It is wrong to say that I do not mention about my cases to him for the reason that he would approach otherwise those people from whom I collect donations. I know Hazi Mehboob of Ayodhya son of Hazi Fekku for the last 7 - 8 years. I had no interaction with him regarding the cases of Masjid, graveyard or Makbara. Hazi Mehboob or Farookh Sahib did not tell me that the above cases were being fought by Mehboob Sahib also. I don't know whether the Mosques, the graveyards at Ayodhya are being managed by different people or not. Mosques and graveyards at Faizabad are being looked after by different people and not by any Anjuman. Jumma Namaz is offered at Tat Shah Masjid in Mohalla Kothaparcha near Chowk Ghantaghar. This is the biggest Mosque of Faizabad Distt. and is known as Jama Masjid. The Masjid of Tat Shah has been known as Jama Masjid for hundred of years. The cleanliness etc. and all other arrangements at this Masjid are quite good. The day 1 have offered the Juma Namaz at the disputed site at Ayodhya, on that day 1 did not offer Namaz at the Jama Masjid at Faizabad. Since there was a Fair at Ayodhya on that day and the shop where I was working was shifted to Ayodhya on that day, therefore, I was present in Ayodhya and I offered Namaz at Ayodhya. This Fair was of Chaitra Ram Navami. This is wrong to say that on this issue also I am telling a complete lie. This is wrong to say that I had not been to Ayodhya. This is wrong to say that I am one of the very bold persons of Faizabad and therefore I have been listed here as a witness in this case.

(Cross-examination by Shri Vireshwar Dwivedi on behalf of Shri Umesh Chandra Pandey, Defendant No.22 concluded.)

Verified after hearing the statement.

Sd/-

20.2.1999

Typed by the stenographer in the open court as per my spoken version.

Be presented on 17.3.99 for further examination in continuation

**Dated 17.3.99:** Witness of Jaleel Ahmed, P.W.No.14 commenced under oath in continuation of 20.2.99:

(Cross-examination by SOO Madan Mohan Pandey, Advocate on behalf of Paramhans Ram Chandra Dass, Defendant no.2)

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Chowk Mohalla (Chowk) is 2 - 3 furlong away from my residence at Faizabad. By furlong I mean 30 - 40 steps. Chowk is at a distance of more than 100 steps from my house. I can't tell even by guessing that how many steps away is Chowk from my house. I can't tell the measurement of a mile and km. There is a Mosque in front of Chowk Ghantaghar. I don't remember whether this Mosque is known as Hassan Raza Masjid. I know Nassir Hussain. He is a Caretaker of Chowk Wali Masjid. Nassir Hussain is a Shia. This Mosque is not for Shias only but all the people offer Namaz there. I have also offered Namaz there once or twice. Imam of this Mosque is also a Shia. I am a Sunni. When I had offered Namaz at this Mosque I had not followed the Imam, but had offered it independently. This is correct to say that under the guidance of Shia Imam, Sunnis do not offer Namaz but Shias can offer Namaz under the guidance of a Sunni Imam. There have been instances when Shia had offered Namaz under the guidance of a Sunni Imam. I can't tell name of any Shia person who has offered Namaz under the guidance of a Sunni Imam. But at the Sarai Mosque located at Mandi, Shias offer Namaz often under the guidance of a Sunni Imam. I know the meaning of Imambara. There is no Mosque of Imambara at Faizabad. I have heard the name of Tat Shah Masjid and I also know that this Mosque is

located at Kothaparcha. Both the Imam and the Caretaker of this Mosque are Sunnis. This Tatshah Masjid might be at a distance of about one furlong from Chowk Wali Masjid. I regularly visit the Tat Shah Masjid. According to my memory the Caretaker of Chowk Wali Masjid is Nassir Hussain and Caretaker as well as Imam of Tat Shah Masjid continues to be Sunnis and the same persons have been continuing since the beginning. Between my Mohalla Kheer Wali Gali and the Chowk there are about three more Mosques. I have been visiting these three Mosques. All these three Mosques too have Sunni Caretakers and Imams. According to my information, the Imams and Caretakers of these Mosques continue to be the same persons. I have no information whether there is any Jinnati Masjid or not near Makbara. I have also no information whether there is any Jinnati Masjid at Rath Haveli. Any Mosque can be called Jinnati Masjid and all are Jinnati Masjids. This is correct that whatever Mosques are there at Faizabad, they are visited by Jins. This is correct that only that Mosque is famous as a Jinnati Masjid of which I am the Caretaker. I can't say that the Mosque of which I am the Caretaker, only that Mosque is famous as Jinnati Masjid. This is wrong to say that the Mosque of Nassir Hussain Sahib located at Chowk is also famous as Jinnati Masjid, but this is my view. In my view Hassan Raza Mosque at Chowk is not famous as a Jinnati Masjid. The Mosque of Nassir Hussain Sahib at Chowk is a big Mosque. Towards the north of my Jinnati Masjid, is Hasnu Katra Mohalla of Muslims. Hasnu Katra Mohalla is mostly inhabited by Sunni Muslims. There are many Mosques in Hasnu KatTa Mohalla. There is no such Mosque there which has a Shia Caretaker or Imam. I don't know whether there is any Jama Masjid at Rath Haveli. I had support of Muslims of Hasnu Katra Mohalla for making me the Caretaker. Nassir Sahib used to pay visits but at the time of my appointment as



Caretaker. he was not present. I had no grudge against Nassir Hussain. There is no such case in which myself and Nassir Hussain are opponent to each other. I have not filed any complaint or Suit etc. against Nassir Hussain. I am aware of the procedures of the court. I have been visiting the court for the last 25 - 30 years and fighting cases. I have had litigation with Isshak Takiyedar. It is wrong to say that the case which I have filed regarding the land of that Takia, I have lost that case, but this case has been dismissed in the lack of pursuance. It is wrong to say that in the case of Nassir Hussain v/s. Illias, which is in the court of Munsif Sadar, I am a party. This is wrong to say that I have followed up this case or given witness on behalf of Illias, even I don't know Illias. I don't know any Mohammed Omar of Taksal. I know Mohammed Farookh who is a resident of Ayodhya. I pursue the cases of Mosques and Makbaras of Faizabad. I also pursue the cases of Graveyards. The cases of Mosques, graveyards or Makbaras at Ayodhya are being pursued by Mohammed Farookh. I am pursuing the cases of one Mosque and 3 - 4 graveyards in Faizabad. I don't pursue the cases of other Mosques, graveyards. In addition to the above cases, there are some of my personal cases going on in the courts. These personal cases would be 2 - 3 in number. All these personal cases relate to ownership. There is no case of mine regarding tenancy pending or continuing. This would be wrong to say that I have lost one case recently regarding tenancy and have filed an appeal in the court of Distt. Judge, Faizabad. The case of this Jinnati Masjid has been going on in the court for the last 20 years. The people, against whom I have filed the case, have constructed their houses at the land. All these cases, I have not filed in my personal name but I have filed these on behalf of the committee. The committee on whose behalf

these cases have been filed is named as Quresh Committee. This Quresh Committee is unregistered. The president of this committee is Khalid Kamal and the Secretary is Badlu. I am holding no office in this Committee. This committee did not make me the Caretaker. I was made the Caretaker by the general public. These cases are being pursued by the Committee. I just follow up. This is correct to say that all those cases that are connected with the Jinnati.. Masjid are being pursued by the committee. I just follow up. This is also correct to say that whatever the expenses are incurred in these cases, are being met by the committee. This is correct to say that it is the committee which has engaged the Advocates and their fees is also being paid by the committee. This is correct to say that except one case, all the other cases have been filed by the committee. I have not filed these on my behalf and the only case which I have filed on my behalf, that too has been with the permission of the committee. The case, which I have filed as personal i.e. against Dr. Chandsi. In this case Quresh Committee is not a party. In this case there is nothing pertaining to the ownership of the committee but it is in my personal name. This case I have filed showing my parentage and the residence of Kheer Wali Gali. I have knowledge about the documents of the Jinnati Masjid. I have obtained the information about the documents which pertain to the ownership of the Masjid. I have neither seen nor read in whose name this property is entered. I have verified the entries in the govt. records. I have seen them and the entry is in the name of a Mosque and a Graveyard. This is correct to say that there is no entry of this property either in the name of a committee or in my name. This is wrong to say that I have filed these cases in my personal name with the intention to grab the land of Jinnati Masjid and land of other graveyards. This is also wrong to say that I want to

grab the land by showing this land as my personal land in these cases. This is wrong to say that common Muslims of Faizabad have got registered a complaint against me in Sunni Wakf Board. This is also wrong to say that I have made any complaint against Nassir Hussein or other Caretakers. The donations which I have collected remained in my personal custody and they were not given to the committee but were spent with the permission of the committee. The committee does not collect any donations and the expenses of the committee are met from the donations collected by me, and the persons of the committee accompany me. I am the Caretaker of the Jinnati Masjid but its Imam is Salheen. Shia people have also offered Namaz at my Jinnati Masjid, one or two persons come daily. Shias don't come for offering Namaz in the Jamati (group) Namaz. I know how to offer Namaz. It is correct to say that there is a little difference in the way of offering Namaz by Sunnis and Shias. What is the major difference I can't tell. I have no knowledge about the difference in offering Namaz by both these groups. We Muslims have a principle that Namaz is offered in a group.

Namaz offered in a group gives more reward. This would be wrong to say that Namaz is offered in a group so that there may be no mistake in offering the same. If some mistake is done by the Imam at the time of offering of the Namaz, the same can be pointed out by the persons who are offering Namaz. Sunnis pray by bowing their forehead during offering of Namaz. I have no knowledge whether Shias offer Namaz of Juma at every Mosque or not. Their Imam helps them in offering the Namaz. There is no difference in the festivals of Shias and Sunnis. Moharram is observed by both Shias and Sunnis. I follow Rasool Sahib. There is no difference of opinion among Shias and Sunnis about his birth and death. An expenditure of Rs. 5 – 6

thousand is incurred in arranging Shabina. This level of expenditure pertained to the time nearly 28-30 years ago when I organized Shabina and today it would be much more. This expenditure is incurred on eatables (foods and drinks). By drinks I mean, tea, milk, water, sharbat etc. It is correct that now Shabina is not held at any Mosque. When I invited Hafiz Abdul Rehman Sahib, at that time he was residing at Niyawan and his shop was at the Chowk. I don't know whether Shias have Hafizes or not. To my knowledge, there is no Shia Hafiz. At my Jinnati Masjid, any Muslim can come and offer Namaz at any time, in addition to the offering of Namaz in a group. Jins are not visible but they can be felt. I have also felt that they are present here. Jins are there in Jinnati Masjid. People come at Jinnati Masjid at times other than the time of Namaz also and now they don't feel any fear. Since I became the Caretaker there is no question of fear. Before my becoming the Caretaker, people did not use to come because there was complete silence and the Mosque was in dilapidated condition. I don't know that in any Jinnati Mosque near the Makbara at Faizabad, there was some trouble. Caretaker of each Mosque performs his duty independently and separately.

Ayodhya is approximately at a distance of 2 kos from my house. I don't know how many furlongs are there in 2 kos I also don't know how many miles, kms or furlongs are there in a kos. How far is Naya Ghat at Ayodhya from my house, I can't tell. The disputed site also might be approximately 2 kos away from my house. The distance from my house to the disputed site can be covered on foot approximately in 45 minutes. By motorcar it would take 10 - 15 minutes. I had been to the disputed site on foot as well as by bicycle. Journey by bicycle may take approximately half an hour. After the attachment of the disputed site, I had never gone to the disputed site. I had never gone to the disputed site

for last 50 years. But I go and come through that route. I know the length and breath of the disputed site. North to south it would be about 100 - 110ft., again stated, may be 130 ft. east west would be nearly 90 ft. I had been to the disputed site via Hanuman Garhi by Lucknow - Faizabad - Ayodhya - Gorakhpur Highway. The disputed site is far away from this highway, again stated, a little far away, how far away I can't tell even by guessing. It is correct to say that while going to the disputed site from the highway there are many Temples on both sides of the road. While going to the disputed site from the highway, there is no Mosque and there is no Muslim population on this road leading to the disputed site. Towards the north of the disputed site, on the bank of the river, there are Temples as well as Mosques. Towards the north of the disputed site is a road and after the road there is a Temple and after the Temple there is a Mosque which is situated at the Sutahati Mohalla. The Temple which is to the north of the disputed site, there is no Mosque to the north of this Temple. The only one Mosque of Sutahati Mohalla is there. I don't know the name of the Temple which is located towards the north of the disputed site. I am not aware of a series of Temples beyond the Temple which is located towards the north of the disputed site, because I had not been to that side. Towards the west of the disputed site there are some fields and thereafter some houses of Chikwa people. Towards the east of the disputed site there is a graveyard. This is correct to say that the road from the disputed site joining the highway leads from west to east. Towards the east of disputed site there is a graveyard and there is no Temple. I am telling this position obtained at the time when I had been to the disputed site before attachment. I don't know about the present situation. It is correct that the disputed site is on a high mound and the fields in the west lie much below. The northern road is also at much lower level when

compared to the disputed site. The disputed site is at a height but I can't tell how many hands high it is. I have not heard whether there is any site Gunj Shahida located near the disputed site. At a distance of ten steps towards the south of the disputed site there is one high and very big mound. I have not heard the name of Kuber Tila. Disputed site could be approached through two directions. From both the routes i.e. from North and East there were no stairs. Stairs were only in the northern side. Towards east there was plain land which extended upto the road. To the east of the disputed site was a road. This eastern road of the disputed site was connected with the entrance leading to the door of the courtyard and further it joined the main northern road. This road did not lead towards south and there was no way in that direction. This eastern road might be approximately half furlong long, this was not motorable. I have not seen whether there was any raised platform or not to the east, outside the disputed site. Towards the eastern side there is no Temple adjacent to the eastern way but there is a graveyard. While entering the disputed site from the eastern gate, there was a raised platform towards the left. This raised platform would have been 4 feet long and one and a half feet wide. This raised platform would not lie towards the left side while entering the disputed site from the eastern gate. There was no raised platform towards the left. Towards the north of the three domes of the disputed sites there was the site of Chowka, Belan, Chulha etc. Towards the south, inside the disputed site there was a raised platform used for Vazu (washing of hands etc. before offering Namaz). I don't remember that in the east south corner of the disputed site in front of the Gumbad Wali building there was any raised platform or not. The place of Chulha, Chakla, Belan might have been 10 – 12 ft. away from the base of the dome. Eastern side of the place where Chulha, Chakla, Belan were placed, and the

eastern side of the dome were in a straight line. To my knowledge there is no Mosque where Chulha, Chakla, Belan etc. have been placed. Muslims also used to go towards the side of Chulha, Chakla, Belan. I have not seen whether Hindus were going or not towards Chulha, Chakla etc. Towards the east of the place where Chulha, Chakla etc. were placed there was a neem tree outside the wall. There was peepal tree in the south east corner of the disputed site. There was enough space all around the disputed building where people could come and go. It would be wrong to say that after leaving some space at the back of the disputed site there were trees of peepal and pakad. There might be a space of 15 - 20 ft. between the northern wall of the disputed site and the northern road. There was no raised platform at this vacant land, 10 - 12 graves were there. I don't know whose graves were these. I had not seen any Hindu performing puja, kirtan etc. near the disputed site. Disputed site was attached approximately 50 years ago. I don't remember that how many days earlier I had been to the disputed site before going to the disputed site for the last time. I can't tell that how much before, 1 - 2 months or how much before. When I had gone for the last time, it was a Fair and besides visiting the Fair I had gone to offer Namaz. It was a Ram Navami Fair. I was selling the goods at the shop of my proprietor in the fair. This shop was at Ayodhya. There was enough crowd at the Fair. The Ram Navami Fair attracts huge crowds. I had put up my shop at this very bRam Navami Fair.

(The witness was shown plans attached to paper no. 136/5 and 136/6 filed by Shiv Shankar Lal, pleader / commissioner vide report dated 25.05.1950 in the file case of O.S. No. 1/89 Gopal Singh Visharad vs. Zahoor Ahmed etc. The witness has seen them.) After seeing this plan, the witness stated that he is not able to understand the same.

I can't tell whether the plan is of the disputed site or not. There was tension among Hindus and Muslims of Ayodhya. on the issue of attachment of this disputed site, I can't say from how many days tension was there. The dispute was among Hindu and Muslims with regard to the placing of Idol at the disputed site. The tension arose after placing of the Idol. I don't know whether any Muslim had gone to the disputed site or not after the attachment of the disputed site. It is wrong to say that the Idol always existed at the disputed site and Hindus used to perform Puja there. It is also wrong that while entering the disputed site, towards the right there was a raised platform and Hindus were performing Puja and Kirtan etc. there and it was also wrong that there were some Idols of Hindu Deities placed. It is wrong to say that around the disputed site, there was a passage for performing Parikrama. It is again wrong to say that I have never been to the disputed site and I am telling a lie. I know Ghosiana, Kasab- Bara and Hasnu Katra and Kheer Wali Gali Mohallas of Faizabad. Ghosiana Kasab Bara, Hasnu Katra are mostly inhabited by the Muslim population and Kheer Wah Gali and Purani Sabzi Mandi are also Muslim dominated areas. It is correct that there is no mental tension and no discrimination among the Hindus and Muslims at Faizabad and they have interaction amongst each other. I too have Hindu friends. It is not correct to say that whenever there was tension at Faizabad, it started from Ghosiana, Kasrab-Bara or Kheer Wali Gali. It is wrong to say that there had been any tension at any time among Hindus Muslims at Faizabad or it exists now. It is wrong to say that at the time of demolition of the disputed structure, I was taken in custody by the Fatehgunj Police Post. It is also wrong to say that whenever there was any tension or curfew was imposed, then myself and other Muslims of Kheer Wali gali were taken into custody by the police. It is wrong to say that police had taken me into



custody for taking possession of the graveyard forcibly located near the Sahebgunj Eye Hospital. It is wrong to say that some committee was constituted for maintaining peace at Kheer Wali Gali. I don't know whether according to Islam religion, Namaz can be offered at a Temple or not. I can tell this after asking from the Alim. This is correct to say that if there is any picture of a person or animal, we won't offer Namaz in front of it. According to me a Mosque can be constructed at a graveyard and it has been constructed too. Stated himself that such a Mosque does not have roof and Namaz for the last journey is offered here. According to my information, if a Mosque is made after demolishing any Temple, then Namaz can't be offered over there. If a Mosque is made on a land which has been forcibly possessed Namaz can't be offered there also. A Muslim can construct his own personal Mosque with his own money. The land may be of his own property or purchased by him. It is correct that if there is any Mosque in dilapidated condition, any Muslim can get it repaired. After the Mosque is made, the question of appointment of a Caretaker pertains to the community. This is not correct that if any Mosque is located at an isolated place then any Muslim can get it repaired and become its Caretaker. It is wrong to say that I have not been made the Caretaker by the general public of Faizabad, but I have become so by myself. It is also wrong that common Muslim of that place is against me. The Jinnati Masjid, of which I am the Caretaker, towards the east of that there is road and there after there is population and not the garden. Towards the south of the Mosque there is a graveyard which has trees of different kinds. To the north of the Mosque there is barren land. Towards west there is a graveyard. This is wrong to say that there is no population towards north east - West - South of the Jinnati Masjid. It is also wrong to say that no common Muslim comes to offer Namaz at the

Jinnati Masjid. It is wrong to say that I have taken possession forcibly of that Jinnati Masjid and I am fighting its case treating its property as my personal property.

(Cross-examination by Shri Madan Mohan Pandey on behalf of Paramhans Ramchandra Das, Defendant No.2 concluded).

(Cross-examination by Shri Puttu Lal Advocate in Suit No. 1/89, Gopal Singh Visharad etc. vs. Zahoor Ahmed etc. on behalf of Rajendra Singh s/o Late Shri Gopal Singh Visharad, Plaintiff).

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There was no building up to a distance of 200 - 250 steps towards the east of the disputed building. I don't know whether there is any building beyond or not or what is its name. I can't tell whether any building was existing beyond this vacant land or it is existing. At a distance of one furlong towards the west there is a house of Chikwa people. On the rear of the house of Chikwas, there is a road, which is known as Dorahi Kuan. Towards the south of the disputed structure, buildings exist at a distance of 2 - 3 furlongs, I can't tell the name of that Mohalla. I can't name the Mohalla that exists towards the east. I don't know the name of the Mohalla near the house of Chikwas or beyond Dorahi Kuan. There was a road towards north of the disputed structure and in the north of the road, there is a Temple. I don't know its name. This road meets Gorakhpur - Faizabad highway via Dorahi Kuan, Hanuman Garhi. While going to the east from Dorahi Kuan towards Hanuman Garhi, first building is a Mosque. It is towards right and towards left is a Temple. There is no building in between the Temple and the Mosque from Dorahi Kuan. I

cannot tell where is gurudwara of Sikhs. I also don't know that how many houses of Sikhs are there. The road to the east from Dorahi Kuan is slightly ascending. The road is at an ascending position between the Dorahi Kuan and the Mosque and thereafter it is flat. The land towards the east of the disputed site and the Temple is flat and towards the west it is at a slope. I can't tell the level of the slope. While standing in the north at the road the disputed site and the Temple are at a height, they are not at the level of the plain. What is the height of the disputed site, I cannot tell but to approach the site 10 - 12 stairs have to be climbed and each stair is of 8 - 9 inches in height. The Temple is also at the same height. From the place on the road, where disputed site is located, the distance of Dorahi Kuan might be one and a half to two furlongs.

Verified after hearing the statement

Sd/-

17.3.99

Typed by the stenographer in the open court as per my spoken version

May be presented tomorrow on 18-03-99 for further examination.

**Dated 18-03-99** (Statement of Shri Jaleel Ahmed, P.W. 14 commenced under oath in continuation dated 17-03-99):

I don't know the name of that Mohalla in which Mohalla the disputed building was located, I have heard that Mohalla Ram Kot is in A vodhva. I don't know where Mohalla Ram Kot is located in Ayodhya. When I don't know where Mohalla Ram Kot is located, then I can't say whether the disputed site is located in Mohalla Ram Kot or not. I am also not aware of the name of Mohalla in which the Temple located to the north of the disputed site, referred by me. While standing at the western side road, the disputed structure from that level was at a height of 35 - 40 ft. There was one mound towards the south of the disputed site, he himself stated that on this mound the mazar of Khwaja Hitti was situated. I don't know whether that mound now exists there or not. I had not been to that site i.e. towards that mound for the last 50 years. This western mound may also be at a height of 35 - 40 ft., when observed from the lower end. There was no way from the western side for going up to the disputed building. The mound on which the disputed building was situated, that might have been approximately 35 - 40 ft. high from all the four sides. I have not heard and also do not know the name of the Mound on which the disputed was located. There would be about 18 to 20 stairs. These stairs was 9-10 inch high and their width would be three to three and half feet. If we enter (Masjid) the disputed site from the east then there was staircase towards the south for going up. These stairs might be 20 ft. high. If one wanted to go from the east to the disputed site, then he could reach the disputed site from the southern stairs. These southern stairs led to the roof of the disputed

site. If one entered the disputed site from the eastern road, then one could reach directly inside the Mosque. If one entered the disputed site from the eastern gate then one could reach the courtyard where after through the eastern gate one could enter inside the inner part of the building., For going inside there was only one door in the outer wall of the disputed site. This door in the eastern wall was at a place which left more space towards north. It was 20 - 30 ft. towards south. The eastern door in the inner wall was just in front of the outer eastern door. A black stone was fixed at the outer eastern door. There were no planks in the eastern door, only threshold was there. In the eastern gate there were iron doors fixed. For going to the north from the inner courtyard, the disputed building had no door. One could reach inside the building from the outer stairs located in north. From the outer courtyard one door opened towards north and two doors opened towards the east. The door in the northern outer wall was located at a place which left more space in the west and lesser space in the east. This door was made in the wall towards east at a distance of 35 - 40 ft. Towards the west, more space was left on the wallside. There was only one passage in the outer wall towards east. From entering the northern outer gate to the disputed site there was one gate in the northern wall also. There were 3 gates inside the disputed building. All the three gates were visible from the outer courtyard. The moment one entered from the eastern gate of the outer wall, all the three gates were visible. The middle gate out of the three was slightly bigger and the side gates were smaller and of equal size. While entering inside from the inner gate, there was a space which was approximately 60 - 65 ft. long and 20 - 25 ft. wide. This space was below the 3 domes. While entering inside

from the middle gate, the inside space was approximately 15 - 16 ft. long / wide. Black stones were fixed on all the three doors. These three doors had 4 pillars each of black stones. This would be wrong to say that I have neither ever seen the disputed site from inside or outside and I am tendering witness based on false facts. This would be wrong to say that I had never been near to this building. This is wrong to say that I had never been to this building and because of this. I am not able to tell its length / breadth and I am also not able to tell where are the doors located.

(Cross-examination by Shri Puttu Lal Mishra Advocate in Suit No. 1/89, Gopal Singh Visharad vs. Zahoor Ahmed etc. on behalf of Shri Rajendra Singh s/o Late Gopal Singh Visharad, Plaintiff, concluded)

(Cross-examination by Shri Hari Shankar Jain Advocate on behalf of Hindu Maha Sabha, Defendant No. 10 and Shri Ramesh Chandra Tripathi, Defendant No. 17)

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This is correct to say that the dispute commenced when lock of the Mosque, which I call Babri Masjid was opened. Before putting the lock, we used to offer Namaz at the disputed building. The disputed building was locked in the year 1949. Before locking I had been to the disputed building many a times. There was no Temple previously in the disputed building. No Bhajan, Kirtan or Puja-Paath was performed outside or inside or near the building. I had seen the marks of Chulha, Chakki etc. at the disputed site, there were no footmarks. When we used to go to offer Namaz at the disputed site, Hindus neither raised any objection nor put up any quarrel or did any brick-batting. At a distance of 2 furlongs from the disputed site, there

was a locality of Hindus. Where this locality of Hindus was I have no knowledge whether there were any Guest House, Sarai, Dharamshala etc. Disputed sites would be at a distance of 4 - 5 furlongs from Hanuman Garhi Temple. I have not seen Kanak Bhawan at Ayodhya. I don't know whether there is any Sakshi Gopal Temple within a distance of 1 furlong from the disputed building. I don't know anything about Sakshi Gopal Temple. There was no verandah outside the outer wall of the disputed site. There was no verandah while going inside from the outer wall to the disputed site. While entering the disputed site from the outer gate, there were 2 open courtyards. In the disputed site the inner building, which I call the Mosque, had three gates. There were no windows. There was no space for parikrama all around outside the building. The roof of building was four-sided and dome was round. The ceiling above had engravings. For entering the building from outside it had 2 main gates, one was in the north and other in the east. I won't be able to tell whether there is any other Mosque in Ayodhya older than the disputed site. I have also no knowledge whether there is any Mosque at Ayodhya or not which may be 2 - 3 hundred years old. I can't tell that in addition to the Mosque located at the disputed site how many other Mosques are at Ayodhya and what are their name. In addition to the Mosque at the disputed site at Ayodhya, I had been only to the Kewade Wali Masjid. This Kewade Wali Masjid is very old. But I won't be able to tell how many years old it is. The main gate of the Kewade Wali Masjid is towards south. It is wrong to say that the main gate of every Mosque is towards west. Building of minarets are not necessary at the Mosque. I have heard the name of the Babri Masjid Action Committee. It is wrong to say that I am tendering witness on the persuasion of Babri Masjid Action Committee. This is also wrong to say that I had never been

to the disputed site and I am tendering the false witness on persuasion. It would be wrong to say that I have been paid a large sum of money for tendering witness.

(Cross-examination by Shri Hari Shankar Jain Advocate on behalf of Hindu Maha Sabha, Defendant No. 10 and Shri Ramesh Chandra Tripathi, Defendant No. 17, concluded)

(Cross-examination by Shri Devaki Nandan Agarwal on behalf of Plaintiff Shri Devaki Nandan Agarwal {self} and Plaintiff no. 1 & 2 in Suit No.5 of 89)

The Fair of Chaitra Ram Navami continues for about 8 - 9 days. I had no knowledge about Hizri months. The moon of Bakrid may be sighted tomorrow or day after. When the moon of the Bakrid would be sighted, on the tenth day thereafter would Bakrid be celebrated. I don't know anything about the word Amavas. When the moon is not visible at night, that is called a dark night. Moon is sighted after two and a half to three days of the dark night. I have not paid attention as to whether dark night has already passed yesterday. I don't know the meaning of Puranmasi. The day when the full moon is sighted~ we don't give it any specific name. Chaitra is the name of a month. I don't know whether the month of Chaitra is running these days or not. These days according to English calendar the month of march is running and I know that today is 18th day. All people remain aware about the Ram Navami Fair in Chaitra at Ayodhya. I don't know whether Ram Navami Fair at Ayodhya has commenced from today or not. There has been no crowd etc. as yet. I have no information that the Ram Navami Fair would commence from 25th or not. All people come to know a month in advance about the holding of Ram Navami Fair at Ayodhya. I don't know as



yet that from when the Chaitra Ram Navami Fair will be held at Ayodhya. But the news is that it is going to be held. This time I have no information about the holding of the Fair. It is correct to say that I have not been to the Chaitra Ram Navami Fair for the last fifty years. I had also not been to the Shravan Fair at Ayodhya for fifty years. I had also not been to the Kartik Fair for fifty years. In this way I had not been to any Fair at Ayodhya for the last fifty years. By my going to the Fair means putting up a stall there. Thus I had not been to go to any Fair at Ayodhya for the last fifty years. I had not been to the Fair at Ayodhya but I have been making visits otherwise. I can't tell why Hindus celebrate Ram Navami. I also don't know whether there is any Ram birthplace at Ayodhya or not. I also don't know whether Raja Ram had ever been in Ayodhya or not. It is wrong to say that I have knowledge that Ram Navami is celebrated on occasion of the birth of Ram Chandra and Ayodhya was his birth place. I know that Hindus treat Rama as a God and worship him. I don't know whether Hindus celebrate or not the incarnation of Ram Chandra (Cross-examination by Shri Devki Nandan Aggarwal on behalf of Plaintiffs in suit no. 5/89 and on his own behalf and on behalf of other plaintiffs in suit no. 3 concluded)

Verified after hearing the statement.

Sd/-

18.3.1999

Typed by the stenographer in the open court as per my spoken version.

Sd/-

18.3.1999