

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

O.O.S.NO. 4 OF 1989  
(Regular Suit NO. 12-61)

The Sunni Central Board of  
Wakfs, U.P. and others .....Plaintiffs

Versus

Gopal Singh Visharad  
and others .....Defendants

STATEMENT OF P.W. 24  
PROF. D. MANDAL

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

O.O.S.NO. 4 OF 1989  
(Regular Suit NO. 12-61)

The Sunni Central Board of  
Wakfs, U.P. and others .....Plaintiffs

Versus

Gopal Singh Visharad  
and others .....Defendants

STATEMENT OF P.W. 24  
PROF. D. MANDAL

Prof. Dhaneshwar Mandal s/o Late Shri K.N. Mandal, aged about 69 years, occupation: Professor (Retd.) Deptt. of Ancient History Culture and Archaeology, University of Allahabad, Allahabad R/o Bajrang Bali Road, Nayagaon, Post Jamalpur-811214, Distt. Munger (Bihar) solemnly affirm on oath as under-

I passed my high school from Patna University and thereafter passed my graduation and M.A. from Allahabad University. My subject in M.A. was Ancient History Culture and Archaeology. I didn't do Ph.D. myself but many obtained Ph.D. Degree under my guidance. After obtaining M.A. degree I was appointed as Exploration Assistant in Ancient History Culture and Archaeology Deptt. of University of Allahabad and retired from the service after serving in as Lecturer, Reader and Professor. My appointment took place in 1960 in Allahabad University and retirement took place in 1993.

Archaeology is called Puratatva in Hindi. I did the teaching and regional archaeology under the Ancient History Deptt. of the Allahabad University for about 33 years. And in the field of regional archaeology, the archaeological sites pertaining to all stages of ancient human development were duly excavated and with duly, excavation I mean the excavation based on scientific methods. The period includes Upper Paleolithic, Mesolithic, Neolithic, Chalcolithic and Historical. During my service period, I had the excavation done on at least 5 important archaeological sites and exploration work of about 200 sites.

Under archaeology we study the development of human and human society. Under this, the study mainly of material parts of living world is only made. Under this subject the study of parts relating to spiritual world is not only difficult but is impossible. The scope of this subject is very-very wide. Study of complete quaternary which includes Pleistocene and Holocene is made under this, from geology point of view. Archaeologically the Stone Age and Iron age is studied. The main modes of archaeological research include survey and excavation. Special training is mandatory for the excavation work because for this excavation work, complete preparation as like medical operation, has to be made. For determining the date of building residues, there are two methods, relative method and absolute method. Both, archaeological material and archaeological evidence are different. Humanly manufactured any thing can be an archaeological material but for the archaeological evidence, it is very essential that it is related to its reference. The thing related to its reference can only be counted under archaeological evidence. If the archaeological material is produced as

evidence, it is essential that it was procured through the scientific method. Its linking with the reference is essential.

Procuring a license is essential for undertaking archaeological excavation work and survey work. License is issued by Archaeological Survey of India. License is essential so that only trained persons undertake the excavation and survey work.

Recording plays an important role in excavation. Recording mainly include photographs, drawing and measurement etc. The excavated things must be taken on record. Photographs play the most important role in this. In Hindi in-se-to photograph can be called " Yathavat Chhayankan" and the role of in-se-to photograph in photographic recording is most important.

In Ram Janambhoomi Babri Masjid dispute, the archaeology has a very important role to play. Because if the dispute is linked with the material under the ground, it is difficult to resolve the dispute without involving archaeology. Regarding the disputed archaeology, we have written one book entitled Ayodhya, Archaeology after demolition. It has been published by Orient Longman. Its first publication came out in 1993 and again the reprint was issued in 1994. On this point the attention of the witness was drawn by the learned advocate of the Plaintiff towards paper No. 198 C-2/1 which is at page 1, annexure 242, and the witness after seeing the same stated that it is the same book which has been written by us. The book has been numbered as Exhibit 63. The book relates to the areas of the Babri Masjid and its nearby landed area. The source material of this book is a booklet entitled 'Ram Janambhoomi Ayodhya new Archaeological Discovery' published by Historian Forum. In this booklet, a photograph of excavation work on the southern side of the Babri

Masjid, taken by Hon'ble Shri B.B. Lal, is published. That photograph is an integral part of the source material, with regard to the source. (On this point the Advocate invited the attention of the witness towards the paper No. 118 C-I/35 filed in other original suit No. 5/89). On inviting attention towards the picture on back side of the title page the witness, after seeing that, stated that it is the same photograph, mention of which has been made by me above.

I have exhibited this picture in my book at page 34 by the name of plate-I, plate-II, plate-III and plate-IV. What has been exhibited in plate-IV is called Pillar Base. These Pillar bases are made of bricks. After studying this picture, we arrived at the conclusion that there was no temple under the Babri Masjid. As this pillar base is not completely made of bricks and because only pieces of bricks have been used in it, therefore, it was difficult for it to bear the burden of the stone pillars. In addition to this we found that these are not the pillar bases, these are components of the wall. (On this point the attention of the witness was drawn by learned advocate of the Plaintiff towards paper No. 118 C-I/35 page 1, filed in the other original suit No. 5/89). Seeing that the witness said that I have studied the page at 1, upto the end and I have called this archaeological material mentioned in the book as discovery No.2 and discovery No.3 respectively. Similarly I have called the photograph mentioned above, which contains the Pillar base in my book as discovery No. 1. I will consider discovery No.2 & 3 as archaeological material only and not as archaeological evidence. We would not call it a material duly excavated. Under discovery No.3, there is a brick wall and two pits. With the discovery of No 3 paper No. 118 C-I/35 written by some scholars, there were two loose sheets enclosed, and these were the archaeological section's drawing related to discovery 2 and 3, which are not enclosed with this book.

After seeing paper No. 118 C-I/95 filed in other original suit No. 5/89, the witness said that it was related to discovery No.3. That is it was the drawing of section of the material which was obtained from discovery No.3. After seeing paper No. 118 C-I/94 filed in this very case, the witness said that it was related to discovery No.2 but the drawing of section of discovery No.2 is not available here. I have produced the drawing 118 C-I/95 of the section relating of discovery No.3 at page 24 of my book. The section related to discovery No.2, the reference of which is given in my statement and which is not available in these papers, has been shown by me in the book at page 21. The learned Advocate of the Plaintiff invited the attention of the witness towards the book filed as paper No. 289-C-1, Appendix-B of page No. 289 C-I/211 in other original suit No. 589 and the witness after seeing the same, said it was the inscription shown in it. I have heard and read also about this inscription. When Babri Masjid was demolished on 6th December, 1992 and the materials understood to have been procured from there and the mention of which was made in the newspapers in India, those materials were called fresh discovery and I have studied this fresh discovery, the detail of which is given in our book, Exhibit 63, at page 49 to 55.

I presented a paper in "Asha" conference with regard to the record stated to be procured after the demolition of the Babri Masjid. This conference was held in Calcutta perhaps in 1998 or 1999. With Asha I mean "Association for the study of History and Archaeology". The above stated Inscription in my opinion is only an archaeological material. I have stated above that the material procured for the archaeological evidence must be related to its reference. The record which is being discussed here is not related to its reference hence that is only the material and not the evidence.

If any inscription is built in a wall, the mud, plaster on that inscription has to be there and if there is some dispute in regard to the inscription, the analysis of the mud, plaster is essential. The wall on which the inscription is stated to be built, the mud plaster of that wall should essentially be chemically analyzed to establish the identity of the mutual relation of the both which is very important.

The drawing of the section relating to discovery No.2, which was not in paper No. 118 C-I/35, has been shown in paper No. 289 C-I/206.

In my above statement in which I have stated about the methods of archaeological science, is originally based on the book namely " Archaeology from Earth", whose author is Sir Martimur Wheelor.

I am the member of the Indian History Congress. I was the President of Archaeological section in the conference held at Bhopal in December, 2001. The address I delivered in that session, in my capacity as Chairman, was also published.

The cross-examination on behalf of Nirmohi Akhara Respondent No. 3 by Shri Ranjit Lal Verma, Advocate.

xxx            xxx            xxx            xxx'

My subjects in B.A. were History, Philosophy, English. I got the education of Ancient History in B.A. I do not remember if or not I had studied 6 Darshan Shastra in Philosophy but as far as I remember I had taken education in modem philosophy. I do not remember if or not I had offered the subjects Vedant in Darshan Shastra and Boadh

Shastra. After B.A. and till to date, I didn't acquire any knowledge in the subjects of Vedant and Boadh Darshan Shastra. I do not remember, which of the Philosophers theory in modern philosophy was studied by me. I didn't read philosophy of "Principal Co of Doubting" which was written by Philosopher Laipneez. I possess the knowledge of two languages i.e. Hindi and English. In Hindi I know Devanagri script and in English I know Roman script. Except these two scripts, I do not possess knowledge of any third script. In addition to English literature I have also read Hindi literature though a little bit. I have intensively studied the Ancient Culture and Civilization of India and the development of primitive mankind. In culture, the eating habits, living and thinking etc. are included. The study of literature, poetry and buildings etc. is also included in the culture. The language and script of that time shall both be included in culture as well. Culture shall also include the method of wearing cloths and ornaments. I have not studied any ancient literature of India. I have heard the name of Vedas in ancient literature but have not studied them.

I am completely an Atheist. My parents are theist. I have heard about Ramcharitmanas by Tulsi, Ramayana by Balmiki and Mahabharata by Vyas but I have not read them. My parents are Sanatani Hindu. I was brought up under their care. The day I grew to understand, I saw my parents reading Ramayana and Satya Narayan Katha, but I didn't have any interest in them. Therefore, I listened only a little bit but I didn't read them. I have heard the name of Rama. I passed my B.A. examination, as far I remember, in 1954-55. I passed high school in 1950. I passed M.A. in 1957. From high school to M.A. in one of the years, I didn't sit in the examination. That one year's period I spent in Allahabad only. The period during which I passed my M.A. whether or not Dr. Ishwari Prasad was the Head of History

Deptt. I do not properly remember. Ancient history culture and Archaeological Deptt. had been separated from the History Deptt. since very long. When I did my M.A. (Late) Prof. G .R. Sharma was the head of the Ancient History Culture and Archaeology Deptt. As far as I remember Dr. Ishwari Prasad had retired from service before I passed M.A. It is correct to say that Dr. Ishwari Prasad is considered to be a great historian. I had never been his student. I have learnt many things from Prof. G .R. Sharma rather our training in Archaeology has been obtained from him only. Prof. G .R. Sharma has been the Archaeologist of world famous. During the regime of Prof. G.R. Sharma, I was appointed as Exploration Assistant in Allahabad University. As far I remember my appointment on the above post took place in 1960. From 1957 to 60 for three years, I was undergoing training as a Research Scholar in Kaushambi Excavation Project. The excavation work of Kaushambi Excavation Project from the very beginning was continuing under the supervision of Prof. G.R. Sharma. I do not know, who sponsored that excavation work. As far as I remember the said excavation work continued upto 1965. In the above Excavation Project there was no other established Archaeologist except Prof. G.R. Sharma. The Kaushambi Excavation work was undertaken vide License issued by the "Archaeological Survey of India". I remained linked to the Kaushambi Excavation Project till the end from 1957 to 60 in the gap of two-to four months. I do not remember exactly that what was my subject for research in the above excavation project. It is correct to say that the Kaushambi excavation work has been very important part in my life. I have not written any article independently on Kaushambi Excavation. In my yet another book "Radio Carbon Dates and Indian Archaeology", mention has been made about the dates of carbon C-14 during Kaushambi Excavation. That book of mine was published in 1972. I

have not Exhibited any picture of the Kaushambi Excavation in my book nor have I made mention about any picture.

Prof. G .R. Sharma has written two books relating to Kaushambi excavation. In one of the books, the name of which is also "Excavation of Kaushambi", the mention of my cooperation has been made. As far as I remember, the first book of Prof. G.R. Sharma was published in 1972 or 74 and the 2nd one in 1980 perhaps. The subject of Prof. G.R. Sharma, was also the Ancient History. It is correct to say that Prof. Sharma possessed knowledge of many languages and many scripts. He possessed very good knowledge of Sanskrit. He also had the knowledge of mythological literature such as Veda, Vedant, Purana etc. I didn't learn from Prof. G .R. Sharma about Veda, Vedant, Purana i.e. mythological literature as well as about the script. It is not correct to say that I was doing only supervisory work in Kaushambi Excavation Project rather I used to take part in the excavation activity there and my work was related to the survey and getting excavation of the archaeological sites and study the things extracted out and prepare a report of the same.

The survey included the survey of archaeological site and also research of new archaeological sites. With survey I mean inspection and not merely measurement etc. only. If the excavation work is undertaken little far of a building, the distance from that building of the excavation site, if considered necessary would be measured. The survey of the archaeological site is done with some objective, it has its purpose and that purpose is called the objective. Any site which is excavated, the objective of the same must be close to the purpose. Said again, the archaeological site which is excavated should be in conformity with its purpose.

I was doing my research work, in Kaushambi Excavation Project under the supervision of Prof. G.R. Sharma. He was my guide. It is wrong to say that there was no relation of the subject of my Thesis i.e. "Early Potteries" with that of above excavation project. In 1980, I have written a book alongwith Prof. G.R. Sharma which has been written on the excavation report. As far as I remember Prof. G.R. Sharma retired in 1984. I worked as Exploration Assistant for about 10-12 years. I was appointed on the post of Lecturer in 1972. As far I remember my appointment was made on ad-hoc basis and not against the promotion quota. To say that my ad-hoc appointment was made by the Education Commission is not correct rather it was done by the University and Prof. G.R. Sharma was the Head of Archaeological Deptt. at the time of my above appointment.

My appointment as Reader took place sometime perhaps in 1980. I cannot say if my appointment on the post of Reader was done direct or by promotion. Probably in 1985 I was promoted as Professor. Volunteer: - my memory with regard to dates is weak. My memory has gone weak for the last two-three years. As far as I remember, I worked on the post of Professor from 1985 to 1993.

I became the member of "India History Congress" in 2001. During my tenure as Professor, there used to be seminars in the department on Ancient History subjects but these were not held on mediaeval period history.

Statement certified after hearing  
Sd/  
D. Mandal  
20.2.2002

Dictated by us in the open court and typed by the stenographer. For further cross-examination on 26.2.2002. Witness be present

Sd/-

**Dated 26.2.2002**

(In continuation of 25.2.2002 P.W. 24 Shri Dhaneshwar Mandal's statement on oath begins)

Amongst the great scholars of Indian Culture are Ram Sharan Sharma, Romila Thapar, Govind Chandra Pandey etc. Dr. Govind Chandra Pandey has also written a book on Indian Culture. It is correct that Dr. Govind Chandra Pandey has attributed the source of the book to Religion Philosophy, Art, Literature Education and the organisations connected with it.

Question: Do you agree with it or not?

Answer: I am unable to express my opinion on this point.

Question: Is lack of knowledge is the reason for your inability?

Answer: No.

Question: What is the other reason of this inability?

Answer: The main reason for this inability is that I am basically the student of regional Archaeology and the area of my works basically is archaeological excavation and our main study part has been the stratification in the field of Archaeology.

I have never taught culture as a subject in Allahabad University. During my service period I taught Ancient History in the beginning and basically archaeology to the students of B.A. and only archaeology subject the students of M.A. I have studied culture as a subject. In the process of human development sophisticated mental development is also included.

Question : Will the sophisticated mental development of any person, be the study of Religion, Art, Literature and science?

Answer: It is correct that the basis for sophisticated mental development of a person will be religion, Art, Literature Philosophy, Education but the basis of all these is economics i.e. basic basis is economics.

The Historian has many sources for knowing history but the main source is Archaeology. Apart from this there are descriptions etc. of the travelers. The main bases of the Archaeologist are the evidences procured from excavation and surveys. Except this, there is nothing else. It is correct that for an Archaeologist, the knowledge of History, Inscription, Epigraphy and script may be essential but not mandatory.

Question : What is needed as a resource to know the ancient history?

Answer: If with the resource you mean sources then I have already answered the question as above that its main source is archaeology.

Question : Is the Vedic Literature the first basis or not, for knowing the ancient history?

Answer: It is not the main basis for knowing ancient history but I agree that it is a secondary basis.

Question: Which material comprises the Vedic Literature?

Answer: I do not possess any special knowledge for the same.

Question : Does or Does not the Shatpath Brahaman come after Rigveda in Vedic Literature?

Answer.: I being basically an Archaeologist, my knowledge in literature side is very-very limited. Hence I am not able to answer this question. As I have not read Atharvaveda, I, therefore, can not say if Atharvaveda is essential for knowing the genealogy of history.

I am aware of the period of rule of Bimbisar. In order to know the history before the period of Bimbisar, the main sources are the evidences procured from the excavation of archaeological sites. In addition to this the period of Bimbisar in 6th century B.C. and the evidences procured from the excavation of archaeological sites before 6th century B.C., throw light on the period before Bimbisar. To know the history before the period of Bimbisar, a comprehensive survey was made during the period of Surveyor General Cunningham. I would not be able to tell as to when was the first survey conducted to know the history of that period but I only remember that this survey was conducted in North-India in Ganges Valley. I do not remember who conducted the first survey. I came to know through the study of reports of the Archaeological Survey of India that the first survey took place in North India in Ganges Valley. I do not remember correctly at present whether or not the Archaeological Survey of India was set up in 1934.

Question : After that survey, after the excavation, on the basis of excavation reports from Ganges Valley in North India, on the basis of the knowledge from excavation, did you, come to know about that period and the Ruler of that period by studying those reports?

Answer: Before 6th century B.C. there was very limited information initially in regard to the archaeology

of North India. At that time, there was very limited knowledge of the history of 6<sup>th</sup> century B.C. in North India. It was like a challenge before the archaeologist of the time. From this angle the excavation of the archaeological sites North India is important Ahikashatra, Hastinapur and Kaushambi all the three sites were important.

I have heard the name of Parjitor. He comes under the category of an Historian, he is not an archaeologist. I didn't read his book. I do not know if Parjitor first of all had drawn, the attention of the Archaeologist of India towards the historical importance of Purana.

I have heard about Smrities but I have not read them. I have not read Purana, therefore, I would not be able to tell if there is any mention of the Rama Mandir on disputed site. I do not remember if I have denied that in my book or not. I do not remember at this point of time whether or not I have denied the claim if or no Bhagwan Rama was the incarnation of Vishnu. May be that in casual discussion it would have been denied at some place. I have no definite information if or not any Archaeologist have determined the period of Ramayana.

There are many disputes about the period of Mahabharata, but I have intensive information in this regard. In my capacity as Archaeologist I have made efforts to know the period of Mahabharata. The facts which have come to light from the excavation of Hastinapur about the period of Mahabharata are controversial. From controversial I mean it is wrong or right both. It is correct that this controversy also exist amongst Archaeologist. Volunteer: – it is there amongst Historians also. The main controversy over this issue is whether or not excavation in

Hastinapur throws light on the period of Mahabharata. The period of Mahabharata can not be determined. I have no knowledge that any Archaeologist or Dr. B.B. Lal, has somewhere made mention to this effect that the period of Mahabharata was 500 years B.C. I do not know about Unani author Dayakraya Sostimyami.

The books and articles mentioned in my book have all been read by me. The article of Dr. B.B. Lal and Dr. S.P. Gupta, which have been referred by me in my book, have been read by me. The context in which I have mentioned the articles of Dr. B.B. Lal and Dr. S.P. Gupta in my book, does not contain any reference to Shri Ram or Ramayana. I know that Ramayana is a Mahakavya and Shri Ram is its main hero. It is correct that the period of culture is divided. I do not know if or not it includes ancient culture period and civil culture period. The culture period which has mainly got the recognition, has been divided into two periods, first is the - Stone Age culture of mankind and record - metal period culture. It is correct that in the word culture both History and Archaeology are included. I consider Dr. B.B. Lal as an established Archaeologist and a Historian. I have studied many books of Archaeology in order to acquire knowledge of Archaeology and these books are main books written by Prof. J. Desmand Clark, Sir Mortimur Wheeler. In addition to them I have also read the books written by Prof. H.D. Sankaliya, Prof. D.P. Agarwal and Prof. B.B. Lal. Prof. B.B. Lal is like a mentor to me. I do not know if or not Prof. B.B. Lal had written a book namely Archaeology to Indian Species, published by Anal Oriental Research Institute. As far as I remember, it is not the name of the publisher's but it is the name of a Journal and perhaps Shri B.B. Lal would have got an article published in that.

Bithoor is an Archaeological site located in Kanpur Distt. It is correct that in the excavation of Bithoor, Bichhiya and arrows made of copper have been found. I do not know

if or not Shri B.B. Lal has written that the arrows etc. of copper were of the era of Lav and Kush. Volunteer: - the excavation of Archaeological site Bithoor pertains to copper period. It is specially known as O.C.P. (Orcard Colour Pottery) and the things found from there belong to this Era only. I do not know that from which language the word Neolithic, has been evolved. It is correct that the word Neolithic is made of two words - Neo and Lithic but that both these word are of Greek language which is not known to me. I know as from which word the word Archaeology has been evolved but from which language it was evolved, is not known. It is correct that the Hindi version of Neolithic is Navaprastar period. Right before Navaprastar period is Mesolithic period i.e. medieval stone period. Before medieval Stone Age, it was pre-stone age which is called Paleolithic. In the context of India, the new stone age was from about seven thousand B.C. to two or three thousand B.C. It is correct that Navaprastar period was represented by the forefathers of those people who had the knowledge of metals and started maintaining order. It is correct that the metal Era was divided in Tamrayug and Louh Yug. It is also correct that Tamra Yug preceded Louh Yug. It is correct that Neolithic period ended about three thousand B.C. It is also correct that after the end of it, Tamra Yug started. I do not know that excavation work was conducted in Panihar and if or not the arrows of copper were found there also. I completely disagree with the concept that merely by locating the arrows of copper or copper itself, the existence would be determined of the three thousand years B.C. I also do not know that the Ramayan Era is established three thousands years B.C. and which is confirmed from Vaidic Sahitya, Janak Vrihdaranyak, Chhandopnishad and Shatpath Brahman Granth.

According to Archaeology Louh Yug is continuing at present Historical period is the part of Louh Yug. For

knowing the history of Tamra Yug, knowledge of History is not required but to know the history of Louh Yug, the knowledge of history in a particular situation is essential. In India the Louh Yug started in 1000 years B.C., on the basis of Radio carbon dating. In order to acquire knowledge of history, it is essential to know the history of 6<sup>th</sup> century B.C. Louh Yug because at that time the use of history as an evidence had started. I am unable to express my opinion on this point. For knowing history, the use of literature books, connected with 6th century B.C. is relevant to be known. It is correct to say that Gautam Buddha's history is recognised for the period 684 B.C. It is also correct to say that Buddhist literature is available in ample quantity. I have heard the name of Boudhayan Grihsutra but I have not read it. I do not know if or not the extracts of Shlokas of Geeta have been given in Buddhist literature. I have not read it that in the Jatak Kathas of Boudh, Dhasharath has been shown as Rama's father-in-law. I have simply heard it. I do not know, if or not Great Poet Bhashya has written three Epics i.e. Dootavakya, Karandhar and Panchratra. I do not know if or not the period of famous poet Bhashya was 450 B.C.

I do not know if Bhashya Kal is preceding Ramayan Kal and I also do not know if or not the mention of the (Patras) actors is available in the books of famous poet Bhashya. After Boudh period, it was Nand period and after Nand it was Maurya period which are found in sequence from history point of view. Patliputra city did not exist in Buddha period rather it was in Nand period and Maurya period. I have not read the Arathshastra of Kautilya. Chanakya was not the contemporary of Buddha. Similarly Raja Nand was also not the contemporary of Buddha. As far my knowledge goes, the use of firm bricks has been started for the buildings during around 100 years long period of Buddha. I do not know, if or not the period of Maurya is

known as the period of Shudra Sanskriti. After Maurya period, it was the reign of Shunga dynasty. It is correct to say that Pushyamitra Brahman had occupied the throne of Maurya by killing Raja Brihadrath the last king of Maurya period. Broadly the Shunga dynasty has been recognised as the period 2nd century B.C. It is correct that Yavans used to attack Pushyamitra regime. It is correct to say that Ayodhya was situated within boundaries of the kingdom of Pushyamitra. It is correct to say that Pushyamitra took over Patliputra by defeating the Yavan King Minaindar. I do not know if Pushyamitra, after this victory, had got an inscription installed at Ayodhya on which it was written that Ayodhya was defended from Yavanas.

I have not read any book written by Great Poet Kalidas. I have heard the name of his book Raghuvansh. I have no knowledge that in great poet Kalidas's book 'Malvikagni Mitram' the mention of celebration of two Ashwamedh Yagna has been made and whether or not, two such inscriptions, are installed in Ayodhya. I do not agree with the reference of Hindu Era. In fact this Era is recognised the Era of ancient history which started from 6th century B.C. and continued upto 12th century B.C. It is not correct to say that all the kings from 6th century B.C. to 12th century B.C. were the followers of Hinduism. Rather some Rulers who came from outside did not follow Hindu religion and they believed in all the religions. During the above era, no such Raja came from abroad who might have established his rule in the entire India. The reign of Hoons was mainly spread in Ganges Valley and before them the rule of the Yavans was also spread upto Ganges Valley. In the history, I have not read the medieval period history of Sultanate dynasty and Mughal dynasty kings. I do not have the detailed knowledge of their rulers. It is only a little bit. I have not read about the Islamic culture in India. In my book Exhibit-63, para-2 of page 20. I have quoted Islamic

medieval glazed ware from other publication. The reference of these publications is given at page 19 para 3. From this quotation also I could not possess the knowledge of Islamic culture and this quotation was made only for referencing. I have read all the books from which I have given reference in my above book.

The Rule of Magadh existed between 6th century B.C. and 12th century B.C. Rule of Kaushal was also set up during this period. During this period the, reference of Kaushal Rule also come. The capital of Kaushal Kingdom was at Ayodhya also. Ayodhya is also called Saket. I have never been to Ayodhya but I know that river Saryu, which is also known as Ghaghara river, flows there. In addition to this the Ganges river and Tamsa river were also known from these names during the above period. It is correct to say that the places like Lanka, Rameshwaram in south and other places such as Hastinapur, Kaushambi are known by these names even today.

It is not correct to say that during this period i.e. from 6<sup>th</sup> century B.C. to 12th century B.C. the King was not the owner of the land. At what point of time during this period, the King became the owner of land is not known to me. I do not know that the King used to get the share of crop or produce, as produced on the land, from the occupant of the land.

I do not know anything about Islam Religion. I do not possess the knowledge either of the fact that the custom of procurement of crop or produce continued upto the last of Mughal dynasty. I do not possess information that if any Muslim King having won a battle in India, would not have distributed the land so acquired from his victory. The period of Mughal rule started from the 16th century. I have no particular knowledge about the history of the rule of Babar. I shall not be able to tell as to from where Babar hailed from. I also do not know either whether Babar was Shia or

Sunni. The common knowledge which I possess about Babar is that he was the Ruler of 16th century, except that I do not know anything about Babar.

The information contained in second para of the editorial preface by Romila Thapar, of my book Exhibit-63, that the Vishva Hindu Parishad, B.J.P. and R.S.S. first of all, raised the controversy that the Babri Masjid was built up at the same place which once was the birth place of Rama, is not known to me. I also have no knowledge about the mention made at page 10 of the above preface whether or not it is correct that Ayodhya has been the pilgrim place of Rama Nandiya sect.

I have heard the name of Adi Shankracharya but I do not have any more knowledge about him. I have heard the name of Kabir Das but I do not know if or not there was rule of Bakhtiar Khilaji during his time. I do not have the knowledge that Kabir Das was the disciple of Swami Ramanandji. I have no knowledge that Rama, Nandhiya Bairagi Sadhus consider Rama as their favored God and Sanyasi Sadhu Shiva as their favored God or not. The Draftsman of figure 1 in my book page 18, Exhibit 63, is Shri Laxmi Kant Tewari and he has made figure 2 at page 20, figure 3 at page 25, figure 4 at page 31, figure 5 at page 32 and figure 6 at 36. Shri Laxmi Kant Tewari was posted in University of Allahabad, in the Dept. of History when he made the above mentioned figures. I do not know his educational qualifications. Shri Laxmi Kant Tewari didn't make these figures by making on the spot visit, rather figure No. 1, 2, & 3 were prepared on the basis of figures attached to the book No. 118 C-1/35, filed in the court, which at present are not annexed to that book but two out of them are filed in this file as paper No. 118 C-1/93 and 118 C-1/95. in figure No. 1 the distance of the disputed structure has not been shown from places of discovery No. 2 & 3. Kuber Tila has been shown 220 mtr. away from the

disputed structure. There is no knowledge about the photography. I have read and written about the research conducted in Khambhaj Khari, which has not yet been published. It is not correct to say that the above research has generated controversy in the counting of period. From Archaeological angle, Indus Valley Civilisation is first big civilization. It is correct to say that Indus Valley Civilisation is 2500 years B.C. old and Mesopotamia Civilisation of Egypt 4000 years B.C. old. It is not correct to say that the invention of Khambhaj Khari has led to conclusion that the oldest civilisation today is 7000 years old. I know Dr. Jagat Pati Joshi, who was former Director General, Archaeological Survey of India. I am not aware of his saying that anything pertaining to archaeology cannot be said with any certainty. I am also aware of the contention of Dr. S.P. Gupta that nothing is permanent in archaeology and the time counting remains changing. It is not correct to say that the stone is subject to "Carbon dating". It is wrong to say that I had written any book - Exhibit-63, for earning money. It is wrong to say that I being an atheist, have come to stand witness against the followers of Hindu religion out of prejudice and it is also wrong to say that I have no knowledge at all, of ancient Indian History and Culture.

Statement certified after hearing

Sd/-

Prof D. Mandal

26.2.2002

On behalf of Nirmohi Akhara, Respondent No.3, the cross-examination of Shri Ranjit Lal Verma, concluded.

Dictated by us in the open court and typed by the stenographer. For further cross-examination on 27.2.2002. Witness be present

Sd/-

26.2.2002

**Dated 27.2.2002.**

(In continuation of 26.2.2002, P.W. 24, the statement of Shri Dhaneshwar Mandal begins, on oath).

(On behalf of Shri Umesh Chandra Pandey, Respondent No. 22 by Shri Vireshwar Dwivedi, Advocate).

xxx            xxx            xxx            xxx

As far as I remember the communist Party does not have any green card rather they have red card and one is in my possession. It is correct that I am not the believer of religion. The book - Exhibit 63, written by me though has not been written in series yet has been published in series and the name of the series is "Tracts for the Times". I have no knowledge to the effect that any publication brought out under the "Tracts for the times Series" is meant only for criticising the religious organisations. It is correct that a book namely "Khaki Shorts with Saffron Flags" has been published under this series but I have not read this book. I do not have any knowledge that this book was written for criticising some religion. It appears to me from its title "Khaki Shorts with Saffron Flags" that the book is related to (R.S.S.). In my opinion the (R.S.S.) is not a historical or archaeological organisation. It is correct that it is cultural organisation. Since I do not have any particular knowledge in this regard hence I shall not be able to tell whether this organization related to the culture of a particular country or cast. The meaning of faith in Hindi is (Astha). I have no knowledge about the book of the same series "The Question of Faith" and I have not read that. I know that under which series the above book has been published. There is no relation of faith with archaeological history. I do not remember correctly if or not under this series a book "Kashmir towards Emergency" has been published. I

remember the names of two members of editorial board of this series - First Prof. Romila Thapar and second Shri Neeladri Bhattacharya. I do not remember the names of other members. It is correct that one member of the editorial board is also SarvaPalli Gopalji. (Volunteer:). That he is the son of Dr. SarvaPalli Radhakrishnan. I do not know if or not Shri S. Gopal is a person of communist ideology but Prof. Romila Thapar is having Marxist leaning. But I do not know if or not she has any connection with the Communist Party and according to my knowledge, I have not seen her as a Pracharak of Communist Party. I do not know if or not Prof. Neeladri Bhattacharya has any leaning towards Marxism or his any relation with the Communist Party.

It is correct that the editorial preface of my book Exhibit-63 has been written by Prof. Romila Thapar. Prof. Romila Thapar was a Prof. in Jawahar Lal Nehru University. Shirin Ratnagar was also in the same University. She was a teacher. I do not know if or not she is still working as teacher in the Jawahar Lal Nehru University. The name of my wife is Basanti Bose. It is wrong to say that she was earlier my student. It is correct that Ms. Basanti Bose is a Bengali Kayasth.

Question : Are you or are you not a member of scheduled caste community from Bihar?

Answer : I shall answer this question only if ordered by the court. (In the opinion of the Court this question is not relevant hence there is no need to force the witness to answer this question.)

It is totally wrong that I married second time despite a living spouse.

Prof. R.S. Sharma was initially Prof. in Delhi

University and he also became head of department later. Doctor Shirin Ratnagar was a teacher in Jawahar Lal Nehru University but I do not know if she is still there or not. Shirin Ratnagar being the holder of Ph.D. degree in Archaeology, is more intelligent than me. I have been in contact with her for 10 or 12 years. My wife Smt. Basanti Bose is not a scholar of any subject of history. I have expressed my gratitude to all such persons who have helped me in writing this book. When I was busy in writing this book, my wife Ms. Basanti Bose was helping me in her capacity as my wife. I have expressed my gratitude towards all the concerned persons in my book- Exhibit-63 who have helped me in writing this book. Except this she did not render any help to me in writing this book or making material available. It is wrong to say that I have put in my wife's name only for publicity sake in this book - Exhibit - 63.

I know the name of Prof. Suraj Bhan as an archaeologist. I have heard the name of Prof. Attahar Ali but I do not know him personally. I have also heard the name of Prof. Irfan Habib and I know him also. I have heard the name of Dr. Suresh Chandra Mishra and I know him also. He is a teacher in Satyawati College Delhi University. I have no knowledge that Prof. R.S. Sharma, Prof. Suraj Bhan and Ms. Romila Thapar claim themselves to be belonging to a group of historian or not. In my opinion all the three are independent historians. I have no knowledge about who are called independent historian. As far as I feel Dr. S.P. Gupta is not an historian, he is basically an archaeologist. I consider archaeology separate from history. Volunteer: - Both these are separate disciplines. Again said - Both are related also. History is a discipline in itself and, the question of there being any more disciplines inside it, do not arise. It is correct that of the different

organs of history, the archaeology is also an organ but archaeology is a discipline in itself. Numismatics is also a part of history as well as, also a part of archaeology. Similarly Epigraphy too is a part of history and also a part of archaeology.

The word meaning of archaeology is to study the old things. In the definition of archaeology, all material goods of the earlier times can be counted under the archaeology. It is correct that the time of the goods so procured is determined by the archaeologist. Which periods are included in it? The answer of this question has been given by me in my statement at page 2 but in addition to them there are middle Paleolithic and lower Paleolithic periods. To determine the period of any goods, their physical and scientific test are also essential. There are two main methods of determining archaeological period - relative method and absolute method. The relative method is directly concerned with stratification. It is called "Star Vinyas Vidhi". Under that Absolute method, first - Carbon dating method and 2nd Thermoluminescence method are the main methods. It is correct that the archaeological material is procured by digging, and that can be procured otherwise also.

Question : The stratification is neither done nor can it be done from the material procured from other than excavation methods because stratification is done in excavation?

Answer : It is correct to say so.

If any thing is procured through a process other than excavation, then whether or not its physical scientific test is essential, depends upon the nature of the material.

Question : If a 10 storied building falls down due to earthquake and any stone or inscription may come out from inside the ground, how would you determine its age?

Answer: We would like to know firstly that the particular inscription was procured or not from inside the land and thereafter we would excavate the land to determine the relation of that particular inscription or stone with the stratification of the area and on the basis of that relation, its age could be determined. I have not heard about the excavation of Saraswati Ghati Project. I possess knowledge of all specific excavations undertaken in India. No excavation has taken place in Saraswati Ghati but if any particular archaeological site at Saraswati Ghati area has been excavated, I shall be able to tell whether or not the excavation took place provided the name of that site is revealed. I have heard the name of Lothal, it is in Gujarat. It is an important archaeological site. At present it is not remembered by me in which Ghati it is located but it is certainly not located in Saraswati Ghati. It is not in my knowledge that excavation of Lothal was undertaken under some project or is it known by the name of some project. I agree that as a result of an earthquake a river get converted into a hill and the hill to that of a river. It is called tectonic movement. I have no knowledge if or not any such thing had taken place in Lothal or Saraswati Ghati.

It is correct that the rocks are of many kinds. I shall able to tell the names of some of them - Kwardgite, chalsadani; Quartz, sand-stone etc. In addition to this

Basalt and Chert are also there. The names of others are not remembered. I have not done any specific study about the stones to know as to how many colours the Basalt have. Apart from this it is entirely a subject of Geology. It is correct that these stones have great relations with the archaeological research. It is also correct that I have not undertaken any specific study of these stones but the study which is required to be undertaken by an Archaeologist, has been undertaken. There is difference between Chert and Basalt. Basalt is a volcanic rock and Chert is not a volcanic rock. Formation of Chert happens under the sedimentary rock and the formation specifically takes the shape of a module. I do not remember presently if or not Shishth is also a variety of stone. I do not know if or not Shishth is included in sedimentary rock. The colour of the stone is black also and has many shades. Basically it is black only and difference is just of a degree. It is wrong to say that I am hiding any facts over here. I shall not be able to tell the names of other shades except black basalt. I shall not be able to tell when was the use of black basalt made for inspecting a building first of all - said himself - Building architecture is a part of Art and Architecture and its experts are separate people. It is wrong to say that I am hiding some facts over here. I am aware that in the reputed building, the use of black basalt stone was made. It is correct that in constructing a building the use of rocks and large piece of stone is made. In my opinion rock and large piece of stone is the same word. It is correct that in such buildings some inscriptions are also written on stone and such written pieces are known as inscriptions. I knew that there had also been inscriptions in the disputed building.

I know where were the basalt and inscriptions in the disputed building. Volunteer: - This information I got through reading. It is correct that I have not seen the

disputed building till to date. The inscriptions put in the disputed building have not been physically tested by me and as such I have also not physically tested the basalt stone. From the archaeologist point of view the age determination of such basalt and inscriptions stone is made through scientific tests. It is correct that the age determination cannot be made in absence of tests. Before and after the demolition of the disputed building no stone or pillar of stone was brought before me physically for the scientific test. The conclusion in my book Exhibit-63 is not based only on some article. My conclusion is based on the material given in the book (118 C-1/36) written in this connection and filed in suit No. 5/89 and the original photographs (paper No. 118 C-1/35) which is related to the excavation made by Prof. B.B. Lal near the Babri Masjid. The basis of conclusion given in my book Exhibit-63 are the extracts of the report given by B.B. Lal from the book namely Ram Janambhoomi (paper No. 118 C-1/35) and resubmission of photos taken by him (paper No. 118 C-1/36). In addition to this it is based on the statements given in the book namely "Ram Janambhoomi and Marxist Historian" by Dr. S.P. Gupta the publication of which was done by Historian Forum and four booklets part 1, part 2, part 3 and part 4 of this series which are not here in original. It is correct to say that I arrived at my conclusions taking the brief report of B.B. Lal (paper No. 118 C1/35 - Ram Janambhoomi Ayodhya) and resubmission of photos taken by him as ordained by Veda. Volunteer. Three things are essential for conducting archaeological or historical research and these are first study area, 2nd source material. 3rd the objective. The conclusion of our research is mentioned in our book. In this the study area is Babri Masjid and its adjoining areas. In source material a book namely "New Archaeological Discovery" filed in original suit No. 5/89 (paper No. 118 C-1/35), published by Historian

Forum and the mention of which has been made above. My main objective, was to determine whether or not there was a temple under the Babri Masjid. It is not correct to say that my book, Exhibit 63, contains the criticism only, of the conclusions drawn by other archaeologists. It is also wrong to say that the basis of my conclusions is only secondary evidence, whereas primary evidence was existing. I have studied the report of Dr. B.B. Lal. I have studied the report of the excavation undertaken by him near disputed site in Ayodhya.

The cost of the book written by me Exhibit 63 is Rs. 40. I receive royalty for this book. It is not correct to say that I wrote this book, only for pleasure sake rather I have written it with a purpose. The purpose of writing this book was not to make the public aware, rather the correct version is that the misuse of archaeological science during the leveling operation on the disputed land which we had read on the newspaper was to be checked and for that purpose I wrote my above book and during that period only, I took interest about the disputed site. Since the basic source material had become available for the above purpose therefore, I didn't consider it necessary to go to the disputed site. This source material, booklet No. 118 C-1/35, I procured from my colleague in my departments in Allahabad University. That booklet I got it from Prof. Vidya Dhar Mishra. I considered this booklet as basic source material from archaeological point of view because I considered the photographs given at back side of title page and marked as 118 C-1/36 as the basic source material, I don't know if these photographs are the repetition of some earlier published photographs. It is correct to say that these photographs are original photographs. It is wrong to say that I am giving a misstatement regarding the originality of the above photograph. The above photograph is not a copy of the earlier photograph published by Prof. B.B. Lal. I was

not at site at the time of taking the above photographs. This photograph was neither taken before me nor under my directions. Even then taking these photographs as real basic source, I did research on it. It is also correct that I criticized the article written on the basis of these photographs. (Volunteer:). Any research undertaken of the duly excavated work, and its reports, photos and related material, forms part of basic source material. It is correct to say that there are ideological differences between me and Dr. S.P. Gupta with regard to the disputed site.

Many of my colleagues inspired me to write the book Exhibit 63. After writing it I showed the above book to my colleagues. It is also correct that I requested one of my colleagues to write the introduction of my book and that colleague is Ms. Shirin Ratnagar. That preface is included in my book. I didn't ask any editor to write the editorial preface. Dr. Shirin Ratnagar is also an archaeologist. She is a field archaeologist. I don't know if or not Dr. Ratnagar had gone on the disputed site. I also don't know if or not even Prof. Romila Thapar had gone to the disputed site. I have not heard till to date the terminology namely table archaeologist. I also didn't hear the terminology namely armchair archaeologist.

Question : Do you think there is difference between a person who does archaeological research after visiting a site and a person writing an archaeological article while sitting at home or in office?

Answer: If the archeologist writes an article while sitting in a room or office after having procured the basic source material then there is no difference between him and a person writing an article after going to the field and making research.

With field archaeologist, I mean to conduct research by going to the field. A person conducting research will be called field archaeologist. The person while sitting in a room conducting research or writing an article on archaeology is known as an archeologist. I will put myself in the category of an ordinary archaeologist on the basis of the book I have written.

It is correct to say that Laxmi Kant Tewari who prepared drawing of figures for my book was not my paid assistant. It is correct to say that he prepared the drafting as per my orders. Laxmi Kant Tewari was an expert draftsman in Allahabad University.

I didn't see the disputed site before or after the demolition of disputed structure. I never went to Ayodhya. I acquired knowledge by reading booklet 118 C-I/35 that disputed structure was a Masjid. My friend or any other person didn't tell me that the disputed structure was Babri Masjid. It is correct to say that I continue to say that disputed structure was a Masjid on the basis of studying the book 118 C-I/3 5. It is wrong to say that I am making wrong statement relating to the disputed site out of prejudice.

I have read many books of Martimer Wheeler the name of which are as under - Archaeology from the Earth, The Indus and civilization, Beyond Frontiers, Early India and Pakistan etc. On the subject of archaeology I have also read the books of some other authors the name of which are as under:

- 1) What happened in history by Garden Child
- 2) Paleo Environment and Pre-History in Sone valley by

Prof. J. Desmond Clark.

- 3) Indian Pre-history and Proto History by Prof. H.D. Sankalia
- 4) Excavation at Hastinapur by Prof. B.B. Lal.
- 5) Archaeology of India by Prof. D.P. Aggarwal etc.

I have heard the name of Sir Thon Marshal but not heard the name of Prof. Pitt, Prof. John Marshal has conducted many excavation works and written many books and reports. He has done he excavation works in India only. His research works relating to Indus valley civilization are outstanding. Except Prof. B.B. Lal none of the above archaeologist did the excavation work at disputed site. But Prof. S.K. Narayan who was in Banaras Hindu University, has done the excavation work on the disputed site and I have read his report. He did the excavation work before B.B. Lal. Prof. S.K. Narayan did the excavation work in the year 1969-70. Prof. B.B. Lal had gone to the disputed site in 1969-70 and had conducted the survey at that place but did not conduct excavation work. As far as I remember he had gone to the disputed site. We the historians have used the words B.C. I have no knowledge if or not the Historians have used the word C.E. I also don't have the knowledge that (Before Christian Era) has been used or not. When we the historians use the word B.C., we mean with that B.C.E. and when we used A.D. our meaning is after Christian Era. The complete meaning of A.D. is after death and full form of B.C. is Before Christian Era. When we make use of B.C. the use of E. is implied in that.

After conducting the Physical test of stone, its age can be determined. I am not aware of the method of conducting physical test of stone. Because determining age of stone is a subject pertaining to geology. I cannot tell the age of the salt stone and similarly I don't know how to determine the

age of buff stone. There is no stone as buff stone rather buff is a colour of the stone. I have made mentioned of an inscription in my book Exhibit 63. Because I have not conducted the physical test of that stone. I shall not be able to tell that which stone that is. I do not know its name. Because the language used in the article and engraved on above stone is in such a script and language that I cannot tell as to what is written there.

I have got this information through the newspapers that very important material has become available after the demolition of disputed structure. After getting the above information I became curious to know as to which material has been procured after the demolition of the disputed structure and I also became curious to know that in what context that material became available. The above curiosity emanated in my capacity as Archeologist. The meaning of the context with the material is IN-SE-TO photograph which means whether the material related to the wall, or dome or debris. The reference was not of the material that became available under the ground. Because it was stated that the debris became available after the demolition of Babri Masjid above the ground so the question of taking out debris from under the ground does not arise.

Statement certified after hearing

Sd/

27.2.2002

Dictated by us in the open court and typed by the stenographer. For further cross-examination on 28.2.2002. witness be present

Sd/-

27.2.2002

**Dated 28.2.2002**

(In continuation of 27.2.2002, P.W. 24 Dharmeshwar Mandal, statement on oath begins ).

It is correct that the conclusion drawn in my book Exhibit 63 has been drawn from the point of view of an Archaeologist. I agree with the viewpoint that an archaeologist has to take into account the residue material time and period for arriving at some conclusion. But I don't agree with the saying that he should simultaneously take into account the social wisdom. No matter whether it is the theory of Prof. Suraj Bhan or anybody else. In order to arrive at conclusion in Exhibit 63 I had the primary evidence of material stage. It is correct that the material residue was not available. That material residue of which the primary evidence was available with me, the evidence of the period of which it belonged to, was also available with me.

Question : Which evidence was available with you to determine the period of the so called material residue?

Answer: The stratification of that excavation.

The evidence procured in the form of photograph of the excavation is an open book for any archaeologist. This evidence was not given to me by anyone rather I had procured it myself through the study. This evidence became available to me from the material in the book which is paper No. 118 C-1/35 and about which I have given a statement earlier, as well as the material given in the booklet "Ram Janambhoomi and Marxist Historian" which has been published in four parts by Historian Forum. I have made the mention of that in my above statement. I have determined

the period of these residues in my book Exhibit 63. I have determined the period of discovery No.1 between 13th to 15th, 16<sup>th</sup> century in my book Exhibit 63. I have not determined the period of discovery No.2 in my book. Similarly no period of discovery No.3 has also been determined in my book. It is wrong to say that since there was no necessity from my point of view to determine the period of discovery No.2 and discovery No.3, hence, I didn't determine their period in my book.

Question: Was there any necessity for determining period of discovery No.2 and discovery No.3 before you and still you didn't do that ?

Answer: To say so is also wrong because discovery No.2 and discovery No.3 was not the material duly procured from excavation and the status of those materials is simply material and not evidence because the reference of these materials is not available. The in-situ photograph of the various stages of the excavation of the materials too are not available. Because of this reason, this was not required. All my above statements are correct. The word "in-situ" is used in a particular sense in archaeology and it reveals the status i.e. in situation. I agree with the saying that any stone is at least three dimensional. I had the three dimensional photograph of discovery No.1. Volunteer: that the available photograph revealed the complete picture of three dimensions. Three dimensional photograph of discovery No.2 and 3 were not available with me. The primary material for discovery No.2 and 3 became available to me from the material given in paper No. 118 C-1/35, 93, 94, 95 filed in (original suit No. 5/89). Volunteer: the figure

related to it is not available in the file but I have made the mention of that in my statement given above. In paper No. 118 C-I/93, 94, 95 measurements have been given. It is wrong if somebody says that measurements are not given. I have read about the constructions related to figures mentioned in paper No. 118 C-I/93, 94, 95. The source material of which I have mentioned earlier is contained in booklet namely "Ram Janambhoomi Ayodhya - New Archaeological Discovery" which in paper No. 118 C-I/35. Except this I have not read it anywhere. It would not be correct to say that I have criticized that book in my book Exhibit 63 Volunteer. I have not only criticized it in my book rather I have made research of the evidence obtained from it from archaeological point of view. It is correct that I found my book 118 C-I/35 researchable document and I researched it. It is correct that I have not studied any other book except this book that is 118 C-I/35 on these subjects. Again said that the books studied or the research paper studied are the written material used with regard to this research, have all been mentioned in my book Exhibit 63 as reference. I have also read the report given by Prof. B.B. Lal on this subject. It is correct that I read that report after it had been published. I don't remember correctly at present that I have expressed regret in my book saying that had the book of Prof. B.B. Lal published earlier I would get more help. That is an archaeological evidence. It is wrong to say that I have not read those books of which I have given reference in my book. I have myself read my

book after it was published. It is correct that there are printing mistakes in it but I don't remember at present as what kind of mistakes these are. It is also correct that I have not felt the necessity of rectifying them. (On this point the learned advocate cross-examining the witness drew the attention of the witness towards the acknowledgement of Exhibit 63 filed in other original suit No. 4(89) seeing the same, the witness said that Ms. has been printed instead of Mrs. which I didn't know. Ms. have been written there for Mrs. As per my knowledge Mrs. can be written as Ms. also. It is correct to say that there are some printing mistakes in my book. The list of the books I have referred to in my book Exhibit 63 is given in my book. This list is given at page 66-69 in my book. It is correct that I have given them under the caption notes. NAD is not an archaeological abbreviation. I have explained NAD in the beginning of my book from NBP abbreviation I mean Northern Block Polish ware and this terminology has been fully recognized in archaeology. In this research of mine, NBP ware was not found. Volunteer: its reference had come. Ware was found without N.B.P. It was Islamic glazed ware. In my research this ware of other variety too was not found physically. It is correct that the material or source, from which I got the second variety of ware, has been made in my book and in the statement given above. It is correct that I got the mention of it in 118 C-1/35.

It is correct that I had tried to write a thesis with title "Early Potteries". After registration when I joined the

service I could not do any work on the subject. I don't remember when did I got the registration for my thesis. I joined service in 1960 and I don't remember after how many days after joining the service I left my research work. What I only know is when I left the research work I was an Exploration Assistant. As far as I remember I was appointed Lecturer in 1972. I don't know correctly at present how many years before becoming lecturer I left the work of writing of thesis. I got the registration done for the thesis after doing my M.A. but I don't remember after how many days after doing M.A. I had the registration done for the thesis. At present I don't remember when did I get the registration and when did it lapse. Any researcher when does some survey he makes his objective the basis for the research and when he draws the conclusions he makes the evidences procured as his base. It is correct that the person doing research makes the base of the materials, inscriptions, written articles and coins found during research for arriving at his conclusion, but it depends upon the nature and the objective of the research. It is wrong to say that I made my research on the book which is paper No. 118 C-1/35 rather I have made it the source material for my research. The main objective of my research was to find out whether or not there was a temple under Babri Masjid. I have already told that I have made the mention of source material in the above statement. I have made research on this subject for about one year (On this point the learned advocate cross-examining the witness drew the attention of the witness towards paper No. 118 C-1/35 filed in original suit No. 5/89). After seeing the same the witness said that the paper didn't contain the date of its publication. After reading it I didn't arrive at the conclusion that the publication was after 6th December, 1992 rather it was of the earlier period. In my book I have made the mention of such materials as are also mentioned in paper No. 289 CI.

The materials used by me have already been published in paper No. 118 C-1/35. I know some of the persons and don't know the others mentioned in paper No. 118 C1/37. These persons are Dr. Y.D. Sharma, Ex-Deputy Director General and Dr. K.M. Shrivastav, Ex-Director, Dr. S.B. Gupta former Director, Allahabad Museum, Prof. K.P. Nautiyal, Vice Chancellor Awadh University and Ex-head of Department. Ancient history and Archaeological Department, Gharwal University, Prof. H.R. Srivastav Ex-Director ICHR, Shri Devendra Saroop Aggarwal and Dr. Surendra Mukherjee, Delhi University and Dr. Mrs. Sudha Malaiya, Bhopal. Dr. A.K. Srivastav, Dr. Surendra Mukherjee are not known to me. Shri Surendra Swaroop Aggarwal is the scholar of Lipi Shastra. I don't know if or not Dr. Sudha Malaiya is the scholar of Lipi Shastra. Dr. Sudha Malaiya has done some work in the area of archaeology about which I don't have sufficient information. It is correct that Dr. Y.D. Sharma is a famous archaeologist. It is also correct that Dr. S.P. Gupta is a famous scholar of musicology and archaeology. Dr. Noutiyal is an archaeologist. The book which is a paper No. 118 C-1/35 has the contribution of all the above persons and the above mentioned 8 persons are its authors and it is important because of these reasons. I have written many books on archaeology. Book namely "Radio Carbon Dates And Indian Archaeology", "Excavation at Mehagada", "Neolithic Site in the Belan Valley" were jointly written by me and Prof. G.R. Sharma. Apart from this "Beginning of Agriculture" which have many authors including me. "Paleo Environment and Pre-history in the Sole Valley" (the editor of which are J. Desmond Clark and G.R. Sharma). My article etc. is also published in it. I have also made research in less populated area. The name of that archaeological site is "Mahadha and Sarai Neha Rai". It is located in Pratap Ghar District of U.P. I conducted this

research with and under the direction of Prof. G .R. Sharma. I have done most of the archaeological work under the direction of Prof. G.R. Sharma. It is correct that I was the favorite student of Prof. G .R. Sharma. It is also correct that I was the student of Prof. G .R. Sharma. I joined the service during his time and became the Lecturer and Reader also during his period. It is also correct that I had gone for the excavation of Kaushambi along with him. The period of Kaushambi has been determined. It is correct that I don't determine the age of material excavated there because I was not in a position to determine the age and arrive at the conclusion but I got the education as to how the age is determined and also got the experience at the time of excavation of Pratapghar. I had become adequately mature and also was in a position to give advice and that I gave also. All the persons who worked in this excavation work, I rendered my co-operation to them collectively to arrive at the conclusion. It is wrong to say that during the excavation of Pratapghar I was not in a position to give my conclusion with regard to the determination of period. I was Lecturer during the excavation of Pratapghar. I don't remember now as to when that excavation work was conducted probably it was conducted in 1972. I had done the stratification of this archaeological site. Volunteer:. Whichever excavation was undertaken by my department and in which I was involved, the stratification of that place was done by me.

The meaning of stratification in excavation is basically section which is related to interpretation of the section. In brief the meaning of stratification is to determine the level of the place with a special scientific method and archaeological method.

The attention of the witness was drawn towards

Exhibit 63 page 56, filed in other original suit No. 4/89 and after reading para 2 said, I agree with it and my opinion is also same". Volunteer: further for its interpretation please read the words written before and after. I have written the following sentence about the report of B.B. Lal. "These finds will certainly throw light on the issue when published with all including the smallest details. I have read the report of Shri B.B. Lal in this regard. The report of Shri B.B. Lal has not been published so far in detail. It is wrong to say that some other person has got the report of B.B. Lal published and I have read that

Question : Have you read the report prepared by B.B. Lal in original?

Answer : I have read the report by Prof. B.B. Lal published in Archaeological Survey of India journal - Indian archaeology -A Review.

The report of Prof. B.B. Lal read by me is also the basis of my research. It is also correct that had the full report of Prof. B.B. Lal been procured by me, more light would have been thrown on mine research. I understand that the report prepared by eight scholars, the reference of which has been given above and on the basis of facts given in that I have conducted my research. That report is an original report and contains original photographs. It is wrong to say that I wrote my report Exhibit 63, for publicity.

Ms. Shirin Ratnagar didn't help me in writing original report (Exhibit 63). I have expressed my gratitude towards her for writing the preface. She has helped me in editing. It is correct to say that the preface written by Ms. Shirin Ratnagar is given in first fifteen pages of my book Exhibit 63. It is correct, that she has also given many figures in the preface written by her. It is wrong to say that a thing which

I could not make to understand in my book was clarified by Shirin Ratnagar in her preface. Volunteer: that Ms. Ratnagar helped in understanding the detailed facts written by me in my book in her preface. It is wrong to say that I, Ms. Shirin Ratnagar and Prof. Romilla Thapar wrote the book (Exhibit 63), its introductory and editorial preface for mere publicity sake only. It is correct to say that except book Exhibit 63, I didn't write any other book on disputed issue of Ayodhya but one article in Hindi has certainly been written. As per the research done by me through stratification the proof of there being the population from level 1 to continuously upto level 10 have been found. The symptom of population even below that are also available. During my research I have determined the period of level 10 as 13th century. On all the levels from level 1 to 10 the proofs of population have continuously been found. It is correct to say that the proof of the existence of population during the beginning of 16th century have been found and proof of existence of population on that site even before that have been found. In the 16<sup>th</sup> century proofs, mainly the Islamic Glazed ware has been found. The existence of population below that level is also based on the proof of Islamic Glazed ware. It is correct to say that the proof found for the existence of Islamic population below the level of upper level on the basis of Islamic Glazed ware, were Islamic only. It is correct to say that the proof of Islamic population found below the level of Islamic glazed ware in the beginning of 16th century were the proof before the 16th century. Further said - it is correct that constructions of the 16th century were made on the buildings constructed on the symptoms below the buildings found in the beginning of 16th century.

Question : Finding only of Islamic Glazed Wares does not prove that there was only Islamic population?

Answer: If non-Islamic Glazed Wares are not found along with Islamic Glazed wares then it is proved that there was only Islamic population.

I agree with the views that the life of glazed ware utensils is more than earthen made utensils. It is correct that indications are found for existing of other kind of population than wares of ordinary kind should also be available along with Islamic Glazed ware. In uncommon utensils the ware like cup, plate, etc. which are kept on the table are included. In ordinary wares earthen pots, Basin of earthen, Kulharh, Handi etc. are included. As per my research, in the study of stratification, only Islamic Glazed ware were found upto 10th level. I have given detailed account of this in my 63 chapter 1 & 2. On the basis of research done by me and the books book Exhibit I read and the sources I used, I acquired the knowledge that upto the 10th level of stratification there were found Islamic Glazed ware. The book from which I acquired this knowledge has been written by 8 scholars. Exhibit 118 C-I/35. According to my research the proofs of initial population in Ayodhya are available since 6th - 7th century B.C. With reference to period I know that since when there was population in Ayodhya but I don't have the information as in which period there had been Hindu population. I can't say correctly from which date to which date there was Hindu population. It is wrong to say that I am deliberately hiding the fact as during which period there was Hindu population. I have the knowledge that, the Islamic population existed from 13th century to 15th-16<sup>th</sup> century. This knowledge I gathered from my research and this knowledge I procured from the source materials I have mentioned above. The materials I have mentioned are archaeological material and some evidences. In my book what is written in respect of discovery No.1 comes under

the category of archaeological evidences and what is mentioned in respect of discovery No.2 & 3 and fresh discovery which are given from page 49-55 in the book, is related to archaeological material and not the evidence. Because it was a part of research, therefore, I have described the archaeological material in detail. It is wrong to say that since I was to controvert the facts mentioned in book 118 C-I/35 therefore, I considered it necessary to discuss the archaeological material in my book. I discussed the archaeological material in my book because anything manufactured by the human being could be archaeological material but it can not take the form of an evidence until and unless it is attached with its reference e.g. if at any point of time while ploughing the field, a coin or inscriptions are found then that is an archaeological material and not the evidence. I do not know if a person when demolishing any building out of rage, would be gathering or keeping the things found in debris or not?

I have seen the Amluk constructed in the temple. Generally the Amluk is constructed in the front side of the temple. I do not know if the construction of Amluk is the sign of completion of the construction of the temple. I also do not have the knowledge that if the shape of the Amluk is just like half fruit of Amvala. (The tree Emblic myrobalan). In the book 118 C-I/35, written by eight scholars, it is mentioned that an Amluk made of stone was found near the disputed site but it is not an archaeological evidence rather it is an archaeological material. It is wrong to say that the Amluk made of stone procured near the disputed site, will not come under the category of archaeological material because of its linkage with the reference of temple rather the correct thing is that the Amluk is an archaeological material and not the evidence. I have heard about the pillar made of black Basalt stone in the disputed

structure. I have read about the black Basalt stone pillars in the source material used for my research. I have also seen the photograph of those pillars in that material. Seen in that material i.e. in book 118 C-I/35. I have also seen that material which is engraved on the pillars. I have not seen engraved design carefully. I have not seen it carefully because I do not consider the engraved design is an evidence for my research. I consider it simply an archaeological material. I don't remember if or not I have described the above engraved design in my book under, the archaeological material. I have not seen the similarly engraved black pillar in any temple or in any Masjid because neither I have ever gone to Masjid nor I have ever gone to the temple. It is wrong to say that I do not go to temple and Masjid even in connection with excavation and research work. It is wrong to say that I go to such a site in connection with the archaeological research after demolition of temple or mosque. Rather the correct portion is that I have no objection in going if it is required to go to such a site for archaeological research. I say on the basis of source material, which I studied and used during my research that the disputed site was the Babri Masjid. I didn't do any research to know that it was Babri Masjid because it was not the subject for my research. It is correct to say that I recognized the disputed structure as Babri Masjid on the basis of the same source material. It is wrong to say that I called the disputed structure as Masjid out of prejudice.

I do not know if any structure or building is called Masjid. It is correct to say that I also call it Babri Masjid on the basis of that source material on which the other people call the disputed structure as Babri Masjid. For this reason I call it Babri Masjid otherwise Babri Masjids finding, is not the subject matter of my research. I have heard that some

people also call the disputed structure as Ram Janambhoomi. It is correct to say that I do not believe on those people who call the disputed structure as Ram Janambhoomi and because of this reason I have not called it Ram Janambhoomi and otherwise also it was not the subject matter of my research. It is wrong to say that my intention in this regard is malafide. It is wrong to say that I am favouring Muslims and disfavouring Hindus out of my prejudice. It is correct that I have stayed in Allahabad for many years and have seen Hanumanji's temple there. I do not know in which posture Hanumanji is in the Hanuman temple. The temple of Hanumanji is situated at civil lines. I know that Allahabad was earlier called Prayag and is so called even today. It is correct that later on the name of this city was changed to Allahabad: I do not know if or not the name Allahabad was given by any Hindu Ruler. I do not know either this name was given by some Muslim Ruler and I didn't try to know it as an historian although I got my education and also did service while staying at Allahabad. I have written the book Exhibit 63, myself. I have exclaimed myself both ways as per the context, as I or we. It is wrong to say that I exclaimed myself as I somewhere and we at some places, as per my convenience. I do not know in which context I have made the mention of new archaeological discovery. I, in para 3 page 17 of my book have made the mention of new archaeological discovery in the context of afore mentioned paragraph. In the same way the reference of fresh discovery has been made on the basis of sayings of other Archaeologists. In para 3 at page 17, my intention with hoard of stone of sculpture is with the stock of stones which has been mentioned in the book 118 C-I/35 written by eight scholars. I also agree with this terminology.

According to archaeological research if in any wall

small pieces of bricks are found or the pieces are found to be used then it is assumed as the re-used material. With re-used I mean those bricks which were used earlier and 2nd time also used.

Question by the Court - In your above statement you have said that in the stratification process, Islamic Glazed wares are found in the 10th lay or, these are, however, not seen in the photograph. On what basis you have said so?

Answer: The basis for my research is the same source material on the basis of which I have mentioned about the finding of Islamic wares in my book.

For example in para 3 of page 19 of my book, in the extracts of the report of the excavation works by Prof. B.B. Lal, a mention has been made that Islamic Medieval glazed ware with white base and blue floral paintings, were procured.

Statement certified after hearing

Sd/-

D. Mandal

28.2.2002

Dictated by us in the open court and typed by the stenographer. For further cross-examination, on 1.3 .2002. Witness be present.

Sd/-

28.2.2002

**Dated 1.3.2002**

In continuation of dated 28.2.2002, the statement of P.W. 24 Shri Dhaneshwar Mandal on oath begin.

I had seen the photographs of black stones in the book – paper No. 118 C-I/35. I didn't do any research on the photographs of these black stones. Apart from this the photographs of other stones are also given in this book. I had seen engraving of human being on them. The stones which have been mentioned, I had made archaeological research on some of them. I made archaeological research on the photograph of the stones given in paper No. 118 C-I/41 and of the three stones given in 118 C-I/45. No research was conducted from the point of view of determining the period of these stones. As the research cannot be conducted regarding the variety of the stone just by seeing the photographs, therefore, I didn't conduct any research regarding the variety of these stones. I conducted the research for the reason to know as in what state these stones could be found. Because the issue of conducting the research by me, was not to find out whether these stones could be the part of the Masjid, hence I didn't conduct that research. And for the same reason I also didn't conduct the research to ascertain that these could also be the part of the temple. It is correct that all the stones shown in paper No. 118 C-I/41 and 45, are not the complete stones. Rather these are part of the stones. I agree with the view point that the stones shown in both these papers are prima facie part of a stone used in the building. It is correct that human engravings are made on the stones shown on paper No. 118 C-I/44 & 46. Because I am not the student of Art and Architecture, therefore, I would not be able to tell, if or not these are the photos of Hindu god/goddesses. Volunteer: - it is a subject of Iconography which is a very specialised one. I am also not able to tell if or not these idols prima-facie appear to be of Hindu god/goddesses. Because I have

never gone to any Masjid, I shall not be able to tell whether the stones containing idols of god/goddesses, are installed in a mosque. The figures made on paper No. 118 C-I/50 are not of any rock. It has also written there that these are made of Terracotta. I know with certainty that what Terracotta is. The original material of Terracotta is with earth and the material made of earth is called Terracotta which is prepared in a specific temperature. In paper No. 118 C-I/52 a picture of hand made of Terracotta has been shown. There is another photo of a piece of brick and same is written on that also. In paper No. 118 C-I/51 a photo has been shown which is of a beheaded person and the other one is a torso without a head, feet of which are also cut. I have not conducted any research on it. Because it is not the part of the subject of my research, therefore, I didn't make it the subject matter of my research. "Terracotta" which is written below this photo appears to me, as correct, and I am unable to say anything about what is written ahead of it. "The Head of a Devta and bust of the Yaksha" because it is the subject matter of Iconography. Iconography is not our subject. The material given in paper No. 118 C-I/35, which is particularly related to our subject, has been intensively studied by me and my conclusion is based on that only.

Question : Whether rocks or large pieces of rocks procured from excavation or otherwise are connected with your subject matter or is it beyond the scope of your subject?

Answer: "My subject" may be understood in the context of study area of my research. I have mentioned about the research area in my above statement. The material procured from excavation and such pieces of rocks, which are related to our subject and mention of which is there in this book, have been studied by me.

It is wrong to say that my subject goes on increasing or decreasing as per the research. Volunteer: - for the research, determining area of study is most important. The subject matter of my study is archaeology and our expertise is in the field of archaeology and stratification method under the field archaeology. It is correct that I have no expertise at all about the early potteries. It is also correct that my opinion about the early potteries is not the final. With regard to potteries, which are a part of archaeology, I cannot give my opinion as an expert on this subject. It is wrong to say that I am making a wrong statement, out of prejudice.

(On behalf of Shri Umesh Chandra Pandey respondent No. 22, the cross-examination by Shri Vireshwar Dwivedi, concluded).

(Cross-examination on behalf of Mahant Dharam Das respondent No. 13 by Shri Ved Prakash, Advocate).

xxx            xxx            xxx            xxx

It is correct that my mother and father both were theist and idol worshiper. They used to worship idols at home as well as in temples also. I do not remember my early childhood but I cannot say that I didn't go to temple ever with my parents or didn't participate in worship at home during my childhood days. Whenever I used to go to temple with my parents, I definitely used to see the idols. I can tell after seeing some of the idols which are known to me, whether these are the idols of Hindu god/goddesses or not. I can recognise the idol of Durgaji and Kaliji. I can't say whether or not my parents were the worshipers of Rama or Vishnu. I cannot also tell whether or not they were the worshiper of Brahma or Shankar. Also I cannot tell if or not they were the worshipers of Hanuman. It is correct that in "Ramcharitmanas" it has been written about the character of Bhagwan Ram. I have not read that Bhagwan

Ram is also called Purshotam because of his character. My parents used to worship Durga and Kaliji. There was no idol of Ram in my house but my parents used to worship him. I do not know if or not they used to celebrate Ramanavmi. There was no idol of Krishan ji either in our house. I cannot tell you correctly whether or not my parents used to worship him. We used to recite Ramcharitmanas at our home meaning that my parents used to recite but it was not celebrated collectively. I did not sit in recitation with my parents. I have seen the book of Ramcharitmanas. I have also seen the picture of Rama made on it. It is correct that eyes, hands, ears, face, mouth etc. all the limbs are made of god and goddesses. Volunteer: - The detailed information of all, what they have, is not known to me. I have no knowledge that the pictures of god and goddesses are like human beings. It is correct that the idol of god and goddesses seen by me were like the photo of human beings. I do not remember now if or not my parents used to ask me to worship, said again - they must be saying. My wife is theist. She worships Durgaji.

Question : From which age you became forgetful or not keeping things in mind?

Answer: For the last two to three years.

I am atheist since 1950. I was a student of high school at that time. It is wrong to say that a trend had been developed from that time that friendship be developed only with one who is an atheist. It is correct that from that time onward the communist thinking started making impact on me.

I know Dr. S.C. Mishra but I didn't know whether he is a theist or atheist. He has also given his evidence in this prosecution. I do not know if or not he is a communist. I know Dr. Sushil Srivastav. He is also a teacher in Allahabad University. I have no knowledge that for sometime he had gone to Baroda. It is correct that our

relations with Dr. Sushil Srivastav are good. But we are not going to each others house. I do not have the knowledge whether or not Srivastav is an atheist. I have not seen him ever going to the temple. I also don't know that Dr. Sushil Srivastav is a man of communist ideology. I know Prof. Suraj Bhan as an archaeologist. I know that he has also given his evidence in the case. When we meet each other, we also discuss among ourselves. I don't know whether or not he is an atheist. It is wrong to say that he is in fact a theist, and this fact is known to me and I am hiding it. I also know Dr. Suweera Jaiswal. We also talked to each other. I do not know if or not he is an atheist. From his articles it appears that he has been influenced by the Marxism. With regard to Dr. SarvaPalli Gopal I only know that he is the member of the Editorial Board of that series in which my book was published. I do not know if or not he is an atheist but he is a communist. I also know Prof. Romila Thapar she also has been influenced by Marxism and I do not know whether she is a theist or atheist. I know Shri R.S. Sharma, Shri B.N.S. Yadav, Shri D.P. Aggarwal, Shri S.C. Bhattacharya, Shri N.C. Ghosh and Shri Niladri Bhattacharya and I have also talked to them. I do not know if or not Niladri Bhattacharya has been influenced by Marxism. I also do not know if or not R.S. Sharma is an atheist but he has leaning towards Marxism. I do not know if or not B.N.S. Yadav is an atheist but he has leaning towards Marxism. I do not know if or not D.P. Aggarwal is an atheist but he has leaning towards Marxism. I do not know if or not S.C. Bhattacharya is an atheist or has or has not the leanings towards Marxism. I do not know if or not N.C. Ghosh is also atheist or has or has not leaning towards Marxism. It is not that till such time I was under the impact of my parents, I was theist and when I had the leaning towards Marxism, I became an atheist. Volunteer: - there may be many reasons apart from it. But I shall not be

able to express those reasons clearly. This reason is not a secret one but it is not striking in my mind just now. I have seen a person of communist ideology going to the temple such as my teacher Prof. B.N.S. Yadav who has leaning towards Marxism but he goes to the temple as well. I do not know if or not he is a cadre holder of communist party. From Mr. Sanjay Kumar photographer, the mention of whom I have made in the acknowledgement of my book, Exhibit 63, I got the photograph of the pictures given in the book paper No. 118 C-1/36, written by 8 scholars and of the photographs of two figures published in paper No. 36, 41 prepared and put them in my book i.e. he prepared those photographs and published them in our book.

Therefore, in acknowledgement of my book I have given the name of Shri Zia-ul-Haq in the acknowledgement as I got the manuscript of my book read by him. It is correct that wherever there would be need to make correction, he might have done that after reading the manuscript. He is a very old person and with which of the newspapers he was attached, is not known to me. It is wrong to say that after some people deliberated in a meeting and thereafter only I started writing the book. I do not know Prof. Romila Thapar was against Vishwa Hindu Parishad, R.S.S. and B.J.P.

Statement certified after hearing.

Sd/-  
D. Mandal  
1.3.2002

Dictated by us and typed by the stenographer in the open court. For further cross-examination on 4.3.2002. Witness be present.

Sd/-  
1.3.2002

**Dated 4.3.2002**

(In continuation of dated P.W. 24 - the statement of Shri Dhaneshwar Mandal on oath begins ).

My acquaintance with Zia-ul-Haq is about 20 years old. We didn't have any talk on writing a book on the issue of temple mosque with each other. We do not know if Zia-ul-Haq had been attached to Babri Action Committee or not.

It is wrong to say that the opinion of the communist thinking people is that the religion acts as poison both for the society and the individual. I didn't have any interest in this dispute earlier. In my book Exhibit 63, I have myself written this because it had become a national issue. I have already made a statement in this regard. It is correct that I consider the present dispute not a religious issue but a national issue. At present I shall not be able to tell you correctly that when I got the information about this dispute first of all. At this moment I do not remember how much time before writing this book, I came to know about this dispute. It is correct that I do not know as to what are the views of the respective parties in this dispute. I had come to know about this dispute before writing my book Exhibit 63 but I do not remember how many days earlier. The disputed structure had been demolished before writing my book Exhibit 63. The disputed structure might have been demolished 4-5 months before my writing this book. I had made up my mind to make research on the disputed structure before it was demolished but the work of writing the book could be started only after demolition of the disputed structure.

Question : You have stated in your statement at page 38

that your objective was to determine whether or not there was a temple under the Babri Mosque. So why did you not go to the site and conducted research when the structure was standing?

Answer: Our objective was to make research if or not there was a temple under the Babri mosque. My objective had no link with the standing structure.

Till that time, the material already procured was adequate enough for drawing the conclusion, if or not there was any temple under the structure. Because of those reasons I didn't consider it necessary to go over there. When the structure was standing all material as source material was available, as I have stated above. I do not know what was the length and breadth of Babri mosque.

Question : According to you, was there or was there not any archaeological importance of the building of disputed structure?

Answer: The disputed structure did have the archaeological importance but it was not connected with the objective of my research.

As it was not concerned with our objective hence for giving an impartial opinion it was not necessary to see the disputed structure. Again said as my conclusion is impartial, it was not, necessary to see the structure from the objectivity point of view hence I did not consider to see that.

Question : If a person constructs a building of a temple can he or can he not construct rooms alongside the place where the Thakur is to be installed?

Answer: I cannot tell anything in this regard. I also do not know if or not anybody can built a temple on the

land which is uneven, not anybody can built a temple on the land which is uneven, without making it even. I have made the mention in my book Exhibit 63, about the distance of the excavation work done from the disputed site.

Being an archaeologist I never made any study in respect of construction of a mosque. What kind of construction temple should have, has also not been studied by me. It is correct that I would not be able to tell you the material which was obtained from the excavation site and whether it was of a temple or of a mosque. Volunteer: - It is the work of a specialist of a temple and mosque.

Question : Have you said in your statement that your objective was to determine whether or not there was a temple under the Babri Masjid? Did you not write your book - Exhibit 63 for achieving this purpose?

Answer: It is wrong to say that I did not write my book for meeting my above objective. Rather the correct version is that I made this research and then I wrote my book for meeting my objective.

Question : Should I take it that you could conclude from the material obtained from excavation whether it pertains to a temple or to a mosque?

Answer: If the procured material has been duly excavated and is attached to its context and is linked with the construction period of any structure, on the basis that the scholars have identified them as the pillar bases of a temple, then such pillar bases which are said to be of a temple, whether or not contemporary, would depend upon the fact whether or not, the pillar basis are of a temple or

not

I am not the specialist to identify the material obtained from excavation to conclude that it is of a temple or mosque.

I don't know that the material obtained from disputed structure has been preserved somewhere or not. I didn't try to know it also.

Question : Do you know that the discussion about this disputed structure was going on before Shri Chandrashekhar when he was the Prime Minister?

Answer: No Sir.

I don't have any detailed information regarding this case. I also don't have any information, if or not any other case except this case relating to this disputed structure is continuing or not. Volunteer: - It came to my notice from newspaper that the case had been referred to the Supreme Court. I have no special information in this regard. I came to know from the paper that the reference was made to advice whether the temple was there or not under the disputed site. This only was, referred to the Supreme Court. Except newspaper no information could be obtained from any person. It is correct that I have mentioned this fact in my book that the dispute has been referred to the Supreme Court but I don't know the detail of this reference.

On this point the learned advocate cross-examining the witness invited the attention of the witness towards his book Exhibit 63, para 1, 10th line of page 16 "However. . . . . and what is important" and asked, your opinion on this print is that this dispute can be sorted out by the

archaeologist only. After reading that the witness said that - In my book this statement of mine has been made in a general sense and not in a specific sense. It is wrong to say that the observations made in my book, Exhibit 63, are general and not specific one. On this the learned advocate cross-examining the witness invited the attention of the witness towards page 19 of book, Exhibit 63. After reading that the witness said "At the outset. . . . . widely respected scholar and asked what were those findings which were not published". The witness replied that it is related to discovery No. 1. And discovery No.1 is mainly based on the evidences of excavation by Dr. B.B. Lal and on the preliminary report after the excavation and Prof. B.B. Lal had also prepared a preliminary report relating to the disputed site which was published in the "Indian Archaeology - A Review" and I had read that. Being an archaeologist I know that all the materials procured from the excavation are not mentioned in the preliminary report and their mention is made in the final report which is still unpublished. Therefore further materials from there might have been found but we didn't have any knowledge about that. I didn't make any efforts to know what else was the material which was not published.

It is wrong to say that I have written in fourth line from the bottom of this book "Neglecting. . . . . respected scholar" with some malafide intentions. In my knowledge I have the basis for writing such a statement in my book. This basis was again published in an isolated manner. The mention of this I have made in my statement under source material and also mentioned in the book Exhibit 63. The special material which was not mentioned in the preliminary report was published later on and I have given that in my book. I have given the reference of that and also quoted it at page 19 & 20 of my book. It contains those materials

only which were not published in - "Indian Archaeology - A Review". I have made the mention about them in my book. I have given the reference in my book of "Indian Archaeology - A Review" in which the report is published in a short form.

Question : Has, that part relating to excavation of the report by Shri B.B. Lal, published in "Indian Archaeology - A Review" which states that such and such material was found, been shown in your book or not?

Answer: No Sir.

It is wrong to say that the material which has been mentioned in my book at page 19 & 20, was published in "Indian Archaeology A Review". It is also wrong to say that since all such materials were published in the report in that journal, I didn't quote the report of that journal in my book deliberately. Again said - Such of the materials as were procured from near the disputed site and which were not published in "Indian Archaeology - A Review", are published through the reference of Shri S.P. Gupta in "Ram Janambhoomi and the Marxist Historian part-2", which was published by Historian Forum, and have been quoted by me at page 19 & 20 in my book. I fully agree with the report of Shri B.B. Lal published in "Indian Archaeology - A Review - 1976-1977".

Question : When Shri B.B. Lal was doing the excavation work in 1975-76, near the disputed site, did you get the curiosity to know as to what has come out from the excavation?

Answer: I did not have any curiosity at that time.

When I started my excavation work relating to it then only I came to know that Prof. B.B. Lal had done the excavation work there. I started the work of writing my book in January - February, 1993 and it was published also in 1993.

I do not remember correctly if or not I have written in

my book about further excavation. The excavation done by Prof. Lal Sahib was adequate enough to meet my objective.

It depends upon the quality of photograph to judge whether the bricks used for constructing buildings, walls etc. in photographs were made of mud or were pucca or made of cement and mud. The learned advocate cross-examining the witness drew the attention of the witness towards picture No. 55-56 of the black and white Album, prepared by U.P. Archaeological organisation, the witness after seeing said that in both the pictures there appears to be the pillars made of stone. In picture No.9 & 10, in the same Album eyes, mouth or legs etc. are not being seen. The material of which the things shown in the picture were made, was difficult to be stated. These appear to be made of stone. What I can understand is that there appears to be the residue of plaster. In this picture something like a pillar is being seen. In picture No.105-106, appear to be parts of pillars made of stone. I am not in a position to tell what is there in the lower portion of picture No. 106. Similarly I am not able to tell what is there on the lower side of the picture No. 105. In both these pictures some figures are made but I can't tell whose these figures are. I have not seen as an archaeologist any such design like figures. Volunteer: - the source material on which I have written my book, the design and stones of this kind have been seen on those materials. I cannot say what is made on picture No. 91. I can't tell whether it is lower portion of the half size of any pillar. Picture No. 65 & 66 appears to be part of pillars of the stone. I can't tell as to what is engraved on the lower part of picture No. 66. I cannot tell what is made on the upper portion of picture No. 65 and lower portion of picture No.66. I do not know what is called Yaksha. The learned Advocate inviting attention of the witness towards the album of coloured pictures of the disputed structure prepared by U.P. Archaeological organisation. The witness

stated after seeing the album of coloured pictures that as compared to black and white photographs, the coloured picture would be having more clarity or not would depend upon the quality of the photograph and the object of which the photograph belongs to. In picture No. 16, no figure appears to have been made. It is not clear in photo No. 16, if or not a wall is constructed on the rear side. I shall not be able to tell what is built behind it because it is not clear. It is not clear as to what is built in picture No. 15 and whether it is there in the open ground or not. The same is the status of picture No. 14 and what is made on it is not clear. In picture No. 13, a wall seems to have been built. I cannot tell as of what material picture No. 13, 14, 15 & 16 have been made. In picture No. 49 & 50 there appears to be a part of pillars but there is nothing clear in picture No. 51. In picture No. 118, 119, 120 are the pillars made of stone but the figures made on them are not clear, therefore, I am not able to tell as to what is made thereon. In picture No. 121 enclosed with 26, appears to be of pillars made of stone but I cannot identify the figure made on them. I am not able to tell what is made on picture No. 74. Similarly I am not able to tell as to which material it is made of. It is wrong to say that I am not able to tell what is made on picture No. 74 of which material it is made of because I didn't attend that interview. It is just possible that I may not be able to tell of what material it is made of and what is made there on even after visiting the spot. I have not written my book on the basis of paper No. 118 C-1/36 rather it is written on the basis of other detail contained in the book as well as other research material the mention of which has already been made above. At page 53 of my book I have written "However, . . . . . also be fruitful" with reference to the detail given before and after. The conclusion drawn in my book by me are my final results according to me. It is correct that I didn't consider the necessity of having some

chemical tests etc. conducted. As the source material which I had got, was adequate enough and therefore, I didn't consider to do more excavation. It is wrong to say that my book is based on probabilities and surmises. Rather it is based on archaeological evidences and material. I have written a correct thing at page 39 of my book under the conclusion at No.2. Volunteer: that this conclusion is related to figure No.6 in my book. Similarly what is written in conclusion No.7 page 40 is also correct. It is correct that I was a person of communist thinking. It is wrong to say that money is everything for the person of communist thinking. It is also wrong to say that I have written this book by taking money. On behalf of Mahant Dharam Das, (respondent No. 13, the cross-examination by Shri Ved Prakash Advocate over). On behalf of Mahant Param Hans Ram Chandra Das (respondent No.2) through Shri Madan Mohan Pandey advocate.

xxx            xxx            xxx            xxx

It is correct to say that the area of my teaching was ancient history culture and archaeology. I have studied archaeology. I didn't get any degree or diploma on the subject of archaeology. It is correct that in Delhi and at some other places there are special centres for the education of archaeology. It is also correct that such centres are awarding special education and Degree/Diploma after Post Graduation. The period of ancient history is taken from 6th century B.C. to 12th century. As per my study and knowledge, the disputed structure was for the period after 12th century. I shall not be able to tell the specific period of its construction. As per my knowledge the Babri Masjid was constructed in 1528-29 although I have not undertaken specific studies for that. I have read this from the source material paper No. 118 C-1/35. It is correct to say that on the basis of the source material only I have called the structure as Babri Masjid. It

is correct to say that in the book 118 C-1/35, the disputed structure has been called at some places as Babri Masjid and at other places as Ram Janambhoomi. It is also correct that of the photographs given in that book some of them are written as Ram Janambhoomi site, but on most of them nothing has been written. In none of the photographs of the book, it has been written Babri Masjid. After seeing the photograph paper No. 118 C-1/36 in the book, the witness said that only this photo is a photo of the excavation done through a scientific method and all other photographs of the book do not show the excavation has been done through the scientific method. Photograph No. 118 C-1/36 is taken as the photo of excavation done through the scientific method because that excavation has been done by Prof. B.B. Lal. I don't consider other photos in the book as the photo of the excavation done through the scientific method because the evidences required for excavation through scientific methods are totally missing in them. Apart from this, the photograph concerned is related to the material obtained during levelization work. These are not concerned with the duly excavated work. I do not consider the material received during levelization as archaeological evidence. I do not consider the two photographs in book No. 118 C-1/39 related to the excavation. I used the photographs paper No. 118 C-1/37 to 118 C1/51 as the source material and I have expressed my views only on that. I have not used the pillars and pillar bases given in paper No. 118 C-1/53 in my book. The publication of the book 118 C-1/35, as far as I remember, took place in July, 1992. It is not in my knowledge if or not some of the archaeologist have studied or conducted research on the basis of information given in this book. I have no knowledge about the law concerning excavation but there might be a law. It is not correct to say that the officers of Archaeological Survey of India, give directions

for excavation or for conducting research relating to archaeology to some person or to the institution, by going to the site rather some institution themselves submit their proposals for the excavation or for conducting research to the Archaeological Survey of India and the member of the Council issue license to them after considering the proposals and also give due directions. As far my knowledge goes there is a committee, a body or a council in Archaeological Survey of India which does the above work. It is not correct to say that the above mentioned license and orders are issued by Director General, Archaeological Survey of India. There is definitely a law relating to the preservation of ancient traces. It is correct that the responsibility of preservation of ancient traces is that of Archaeological Survey of India. It is correct that there is a institution namely Indian Council of Historical Research (ICHR) which is related to history. It is quite a big institution of the Central Government and I do not know if it is registered one or not. It is correct to say that the institution namely "Archaeological Society of India" is an institution of Archaeologist and Historians but it is not the Government institution. It is not correct to say that ICHR is not a government institution rather it is controlled by the government. I have never remained the member of ICHR. The top most officer that is Chairman ICHR is a salaried government official. I have no knowledge whether the Chairman works in an honorary capacity or he is a salaried person.

Statement certified after heard.

Sd/-

D. Mandal

4.3.2002

Dictated by us and stenographer typed it in the open court. For further cross-examination on 5.2.2002. Witness be present .

Sd/-

4.3.2002

Dated 5.3 .2002

(In continuation of 4.3.2002 the statement of Shri Dhaneshwar Mandal P.W. 24 begins on oath).

The photo given in paper No. 118 C-I/36 was taken at the time of excavation by Shri B.B. Lal. I came to know that this photo has been taken by Shri B.B. Lal through the source material. Again said - photo would not have been taken by Shri B.B. Lal himself but must have been taken by his photographer. For the source material for my book, I have not used only this book, rather I have used some other material also, the information of which has been given by me in my above statement. The source materials used by me clearly indicate that these materials were taken at the time of excavation by Shri B.B. Lal. That source material was shown by us as Exhibit 63 also. I on the basis of source materials used by me have arrived at a firm conclusion that the above photograph was taken during the time of Shri B.B. Lal. It has also been mentioned in paper No. 118 C-I/48 that this photo was taken at the time of excavation by Shri B.B. Lal. Again said - the words written there clearly indicates that the above photograph was taken during excavation by Shri B.B. Lal. It is wrong to say that the paper No. 118 C-1/48 indicates that the excavation conducted by scholars of Historian Forum is confirmed by the conclusion of excavation drawn by Prof. B.B. Lal. It is wrong to say that the photograph on paper 118 C-I/36 belongs to the excavation conducted by Historian Forum in 1992. Some of the photos which are given in paper No. 118 C-I/37 to 51 & 53, are of the period of 1992, taken during the levelization work. The picture above paper No. 118 C-I/37, 38, 39, 40, 42, 43 & 44 and the photos given between picture No.4 7 & 48 appears to be taken at the time of levelization in 1992. But both sides photo No. 48, 49, 50,

51 & 53 of paper No. 118 C-I/41, 45, 46, 47 are not taken at the time of levelization work. I do not know that the levelization was got done by the government in June, 1992. As it was not related to my objective, therefore I didn't consider necessary to know that under whose care the levelization work was undertaken in 1992. The protected monument is declared by the Archaeological Survey of India. For the excavation of protected monument the permission from Archaeological Survey of India is necessary. It is wrong to say that there is no need to take permission from Archaeological Survey of India for the excavation of non-protected monument and that the permission can be granted only by the local administration. If it is an archaeological site, the permission of the Government of India for excavation is necessary. It is correct if it is not an archaeological site the permission from Government of India is not necessary. The list of some of the archaeological sites is available with the Government of India and of some it is not available. Ram Janambhoomi complex is an archaeological site. Again said - I have no knowledge about the complex but the Babri Masjid and the surrounding land is an archaeological site. The site which was excavated by Prof. B.B. Lal is certainly an archaeological site. I have no knowledge about the fact that Dr. Swaraj Prasad Gupta was assisting Prof. B.B. Lal at the time of excavation. So far as I know Dr. Swaraj Prasad Gupta was not attached with that project. I do not have any knowledge of the fact whether the site excavated by Prof. B.B. Lal is listed with the Govt. of India or not. It is wrong to say that the Govt. of India do not keep the list of the Archaeological sites. I have no definite information if or not the excavated place by Shri B.B. Lal is there in the list of protected monuments. Shri B.B. Lal had taken up a project relating to the historical existence of Ramayana and he did the excavation work near the Babri Masjid. It is correct that

Prof. B.B. Lal had undertaken excavation work at many places in Ayodhya. It is correct that B.B. Lal had excavated many sites from Ram Janambhoomi to Ram Van Gaman Marg, in Ayodhya. The preliminary report relating to excavation of many sites by Prof. B.B. Lal, might have been published in "Indian Archaeology - A Review" journal but I do not know. It is correct that the preliminary report of the excavation done in Nandi Gram Ayodhya in 1976-77 by Prof. B.B. Lal was published but I do not remember at present if or not that has been mentioned in the report of Nandi Gram. In Shri B.B. Lal's report there is no mention of the research regarding pillar bases. Shri B.B. Lal has not made any mention of the pillar bases in his preliminary report 76-77 published in 'Indian Archaeology A Review'.  
Volunteer: - In this excavation of Ayodhya, remnants of various periods have been found and according to him the medieval period remnants are not important. He has stated in his levelisation, report the various periods for which the remnants have been found. It is correct that he has stated in his report that remnants found were also of the 11th & 12th century. I do not remember clearly now if or not he had stated that the clear cut proof of Muslim population was available. Shri B.B. Lal has not stated anything about the temple in his preliminary report. Again said that there is no name of the temple. I fully agree with the conclusion drawn by Shri B.B. Lal in his report published in 1976-77. I have the information that Prof. A.K. Narayan had done the excavation work in Ayodhya. Prof. Narayan had done the excavation on some other side. I have no knowledge that at what distance from the disputed site, Prof. Narayan had done the excavation work. I also do not have any information if or not Prof. Narayan did the excavation work within the 200 meter of radius from the disputed site.

Question: In respect of the book 118 C-I/35 to 45 published

by Historian Forum, on the basis of which you have written your book, what are the places in Ayodhya where the scholars of the Historian Forum have done the excavation work?

Answer: The scholars of Historian Forum must have made basis for their research, the material related to levelisation, stated to have been procured by them. They have done excavation work in Ayodhya. I have no knowledge as by whom the levelisation work in Ayodhya was done. I have made some of the material given at page 37, enclosure 51 as the basis for my research in my book. Apart from this, I have made the supplement of the book as basis. There is no mention of this supplement in this book. I have not made that book as appendix which is filed in the court but that appendix is separately filed in the court and I have already made the mention of the same in my above statement. Paper No. 118 C-1/35 is a complete book in itself but with that supplement. At this point the learned advocate cross-examining the witness, invited the attention of the witness towards 118 C-1/93, enclosure 95, the witness said after seeing the same that on top of paper No. 118 C-1/93, it is written part-1 appendix 2, and it can be the appendix of some other book also but the figures given in that are of the same supplement of which I have made mention in my above statement. It is wrong to say that paper No. 118 C-1/93-95, is not the part and parcel of paper No. 118 C-1/35.

Whatever material pertaining to archaeology is procured, its period is also determined. It is not correct to

say that the period has been divided into three parts from archaeological point of view, first is Primitive Period i.e. Stone Age, 2nd is Harappa Period and 3rd is Ashoka Period. I have already given my statement regarding division of period from archaeological point of view. Under the archaeology the evidence of record comes much-much later i.e. when the society became literate where as in the archaeological period the study is conducted even for the period relating too much before the literate society came into existence. Therefore, to say that the record is most important in the study of archaeology is not correct. The beginning of literate society took place in 6th century B.C. If this contemporary recorded evidence is available and that is linked to its context then it has a special importance. The scripts are important as an archaeological evidence. It is correct that the scripts show the particular period of history. We have no knowledge about the period and Rule of Govind Chandra Gaharwal and about his administration. I have heard about the Ajanta cave. I do not know whether it was found as a result of excavation or it appeared all of a sudden. It is important from archaeological point of view. It is correct that I didn't try to know as to how caves of Ajanta were found. I have a knowledge that there is a Museum of the Central Govt. in Allahabad. I know that Dr. S.P. Gupta was the, Director of the same. It is correct that idols procured from anywhere are kept in that Museum. In my opinion, though, there is importance of these idols, as a material. I also give importance to other things from archaeological view point. I do not know if or not a Buddhist monument from Bharbhoot, near Satna is kept in that Museum. I have not seen the Museum of Lucknow. I have gone in the Museum of Allahabad. The articles kept there have been procured from various places but I cannot tell whether the total material procured there has been procured through the scientific

excavation or from somewhere else. In my opinion if a coin is found during the excavation from a well in a village, it has its importance as archaeological material but not as an evidence. There is an Ashok Stambh at Firozshah Kotla in Delhi, but I have not seen it. I have no information that 7 transcript are engraved on it. I also do not know that from where the Stambh in question was brought from. In my opinion, it is an evidence from archaeology point of view.

After demolition of the disputed structure I read in the newspaper about an inscription having been found out. I didn't consider it necessary to know the script of the inscription. At the time of writing of my book Exhibit 63, I didn't consider necessary to know about that inscription. At this time I have only that much of the information. That inscription is a broken one and it is told to have been found some where. I do not remember at this point of time the period of script and the inscription. May be the script on that piece of rock be of 11<sup>th</sup> & 12<sup>th</sup> century but I cannot express any opinion in this regard because I am not specialist of it. May be that it is in a Nagri script but I do not remember at present.

The meaning of Voodoo word is witchcraft and we have used it in our book as an adjective linked with archaeology. Voodoo is not a form in archaeology. On this, the learned Advocate drew the attention of the witness towards last two lines of paragraph two the letter mark "Voodoo Archaeology" at page 49 of his book Exhibit 63. After seeing that the witness said that the sense in which I used this, is clear from the paragraph.

Question: In the above mentioned part of your book you have mentioned about the Voodoo archaeology process. In what respect and in which circumstances that has been made?

Answer: In that book I have mentioned about the Voodoo Archaeology and not of the Archaeologist and

also not of any special article.

Question: You have written in that book "Climax of a process". Who has adopted it?

Answer: I have already told that I have neither used the work Archaeologist in that book nor used any article. It only shows the circumstances of that time. With the process I mean the process emerged by the circumstances prevailing at that time.

It is correct that this process emerged not because of some specific item rather it emerged out of the circumstances obtaining at that time. It is wrong to say that I wrote my that sentence or words to humiliate other archaeologist.

What is meant by "almost certainly" and in which context I have used this in my book, has to be seen essentially. The meaning of this depends on the context in which it has been used. The use of 'almost certainly' is made for "Lagbhag Nishchit". On this the learned advocate cross-examing the witness invited the attention of the witness towards first time of para one at page 28 of the book Exhibit 63 "Our primary source. . . . almost certainly by B.B. La!." After reading that the witness said that it is relating to those photographs which is paper No. 118 C-1/36.

It is correct that the names mentioned in the enclosure No. 135 of the paper No. 118 C-1/131, are the names of Archaeologists and Historians. I know some of them - I know Shri R.C. Agarwal, Shri B.P. Sinha, Prof. T.P. Verma, Prof. S.N. Rai, Dr. D.P. Dube, Prof. V.P. Arora, Shri Devendra Swaroop Agarwal, Dr. Y.D. Sharma, Dr. S.P. Gupta, Prof. K.P. Nautiyal, Prof. R.K. Verma and Shri Vidya Dhar Mishra from this list. It is wrong to say that I have written this book Exhibit 63, out of prejudice to refute the book written by the Historian Forum.

(The cross-examination on behalf of Mahant Param Hans Ramchandra Das Respondent No.2 by Shri Madan Mohan Pandey, Advocate, concluded).

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

xxx            xxx            xxx            xxx

I have already told in my statement that how much time was taken by me in writing the book Exhibit 63. It took about 7-8 months to write the said book. Basically, I had started the work of writing of this book before the demolition of the disputed structure. It was started about 15-20 days before. I myself got the inspiration to write this book. First I collected most of the materials, and then started writing. This book was written by me only. At the time of writing the book I took cooperation from Draftsman, Photographer but I did not take the cooperation of any of the historian or archaeologist. I first wrote the hand written MSS of the book and then got it typed. During the period of writing my book, I never met Ms. Romila Thapar. After writing the book I didn't show it to Ms. Romila Thapar personally. The editorial preface of my book has been written by Ms. Romila Thapar. It is correct that the introduction of book page 1 to 15 was written by Shirin Ratnagar. It is not correct to say that the introduction given in my book contains no meaning. It is correct that neither any description has been given to the book about the disputed structure nor that is related to it. I had given my book first of all to Shri Zia-ul-Haq for seeing it. The mention of which has been made in my statement earlier. I never took my book to Romila Thapar. The name of the series in which it has been published in "Tax for the Times" and Ms. Romila Thapar is the Chairperson of that Editorial Board and she has written the editorial preface in the same capacity. The cover page under the title "Ayodhya

Archaeology After the Demolition", of my book Exhibit 63 has all been written by the publisher. I have thanked Ms. Romila Thapar not for taking help rather I have thanked her for publishing it in that series.

In page 16 of my book Exhibit 63, under the heading "The Discoveries", the detail given is related to the other archaeologist and the conclusions drawn out are mine. It is correct to say that the detail at page No. 16 of the enclosures upto 25 are under the above heading discovery. It is correct to say that all the detail from 16 to 25 is a research material and is the research of other Archaeologist and the research made by me is not included in it. It is correct to say that the details given at page 26 onward are based on the research material given from page 16 to 25. The map figure- I at page 18, which is prepared by myself, is based on the figures given in book No. 118 C-1/35 written by 8 scholars. It is wrong to say that the said map is hypothetical. As I have said above, the map is based on the map at figure-I, supplement. According to me the map given on supplement is a source material. I have not made any enquiry to know if the map given in the supplement is correct or not. Similarly the figure 2 at page 21 and figure 3 at page 24 also are based on the figures given in the book written by 8 scholars. I have not verified the bonafide of all these maps. As far as I understand the book No. 118 C-1/35 became available to me in July or August 1992. The list of friends referred in the acknowledgement is given in the book. It is not correct to say that the works of professors under the heading acknowledgement has been accepted by me as undisputed. It is wrong to say that the works of the above professors are disputed. I do not know if or not the works of the above professors are disputed. The meaning of word our at page 33 para 2 pertains to me i.e. myself. It is wrong to say that the use of our is done for plural number only rather it is

done for singular number also. It is wrong to say that my meaning with word our was with all those persons on the basis of whose cooperation I had recorded my findings rather the correct position is that all the findings recorded in this book are my own findings. The figures at page 31 & 32 have been made by myself only and the basis for making them is the same source material which has been studied by me. This source material is paper No. 118 C-1/36. Both these figures are based on paper No. 118 C-1/36. It is wrong to say that without seeing original photograph paper No. 118 C-1/36, figure No.4 & 5 cannot be prepared. The method which has been used in preparing figures No.4 & 5 is called Archaeological stratification method. The relevance of my study and conclusion, as explained in figure 4 & 5 is there only for the reasons because in the photographs made on paper No. 118 C-1/36, the basis for the existence of temple has been accepted as pillar base columns. On the basis of the study undertaken by me, my conclusion is that there was no pillar base on that place rather there were the walls. Because in the report of Lal Sahib, the distance of the place the figure of which is paper No. 118 C-1/36 and on the basis of which, figures 4 & 5 have been prepared from the disputed place, was not given, hence I cannot tell the distance. I do not consider figure 2 & 3 of the excavation done through the scientific method but I consider the photograph of figure 4 & 5 of the excavation, done through scientific method. I consider figure 1, 2, 5 as the primary source. I have prepared figure No.6 at page 37 of my book, on the basis of my research. The use of we at page 40 & 41, has been made by me for myself. I gave the title of my book after writing the book. It is wrong to say that I published my book under the above title to oppose Vishwa Hindu Parishad and all other Hindu organisations. It is also wrong to say that the people, from whom I got the cooperation and whose names are

mentioned in the acknowledgement, are supporting the Babri Masjid and opposing Ram Janambhoomi Temple. I have not taken into consideration the studies and research work of those historians and archaeologist who have stated that the disputed site has been a temple. I do not remember when I came to the contact of Babri Masjid Action Committee. I do not remember correctly that when did I come to know that I was to give witness in this prosecution but I might have got that information a year or two before. I do not remember at this point of time as to who gave that information to me. It is wrong to say that a lot of money was given by the Muslim countries for writing this book Exhibit 63. I do not know that the names of three members of the Babri Action Committee are Shri Abdul Mannan, Zaffaryab Jilani and Mushtaq Ahmed Siddiqi. It is wrong to say that Babri Masjid Action Committee has given me lot of money for standing as witness in this prosecution and I am giving my evidence because of the pressure of that money. For writing the book Exhibit 63, a small amount for paper and pen etc. was spent and rest of the expenditure was incurred by the publisher and that is not known to me. It is wrong to say that I do not know about the expenditure incurred for writing the book because I did not write the book and it is also wrong to say that the book was written by the Muslim authors by my name. The hand written manuscript of the book is not available with me. I do not remember as upto which date that manuscript remained with me. I also don't know that manuscript contained how many pages. It is wrong to say that the book was not written by me and that was written by others. It is also wrong to say that I made use of words like we and our because the book was written by other people rather the truth is that the book is written by me

(On behalf of Hindu Mahasabha respondent No. 10 and Shri Ramesh Chandra Tripathi respondent No. 17, the

cross-examination of Shri Hari Shankar Jain, Advocate concluded)

(On behalf of Shri Rajendra Singh Visharad son of late Shri Gopal Singh Visharad plaintiff, other original suit No. 1/89 Shri Puttu Lal Mishra advocate accepted the cross-examination on behalf of the respondents.)

(Cross-examination on behalf of plaintiff in other original suit No. 5/89 by Shri Vireshwar Dwivedi advocate).

xxx            xxx            xxx            xxx

The primary source of my book is paper No. 118 C-1/36. I have shown this photograph at page No. 28 writing that "Almost certainly by" have been taken by Shri B.B. Lal Except book Exhibit63, no other research book has been written by me in which such photographs have been made; the primary source.

(On behalf of Plaintiff other original suit No. 5/89 the cross-examination by Shri Vireshwar Dwivedi, , advocate concluded).

Statements certified after hearing  
Sd/ -  
D. Mandal  
5.3 .2002

The cross-examination on behalf of all the plaintiff over. Witness is discharge.

Dictated by us and typed by the stenographer in the open court.

Sd/-  
5.3.2002