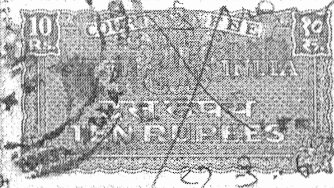


IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW

In Re:

O.O.S. No. 4 of 1989



1=10.00
27/3/86

Sunni Central Board of Waqfs, U.P. and others

-----Plaintiffs

Versus

Gopal Singh Visharad (now dead) and others

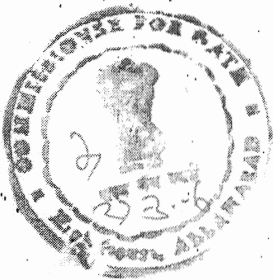
-----Defendants

AFFIDAVIT OF DR. SUPRIYA VARMA as Examination in chief

under order 18 Rule 4 C.P.C.

I, Supriya Varma, aged about 46 years, daughter of Shri Rajendra Kumar, presently residing at Unit II, Teachers Flatlets, University of Hyderabad Campus, Gachi Bowli, Hyderabad, (A.P.), the deponent, do hereby solemnly affirm and state on oath as under:-

1. That the deponent passed her M.A. examination in 1982 from Punjab University, Chandigarh and was awarded M.Phil degree in 1985 and was awarded Ph.D. degree in 1997 from Jawaharlal Nehru University, New Delhi. The deponent is working as an Associate Professor (of Archaeology) in the Department of History,



Supriya Varma

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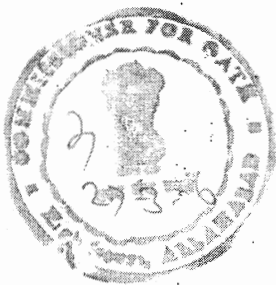
School of Social Sciences, University of Hyderabad, in Hyderabad since February 2005. For 5 ½ years, from October 1999 till February 2005, the deponent worked as Lecturer in Archaeology in Chandigarh at Panjab University in the Department of History. For one year from August 1998 till June 1999 the deponent worked as a temporary Lecturer of Archaeology in Vadodara at M.S. University of Baroda in the Department of History. From October 1997 till July 1998, the deponent was Post Doctorate Fellow (in Archaeology) at the Center for Historical Studies, Jawaharlal Nehru University, New Delhi. The title of the Ph.D. thesis of the deponent was "Changing Settlement Patterns in Kathiawar from the Chalcolithic to the Early Historic Period"

2. The deponent has excavated at several sites like Nageshwar, Samnapur, Nagwada and Bagasra. Currently the deponent is involved in an archaeological project at Indor Khera located in Anupshahr Tehsil, Bulandshahr District, Uttar Pradesh.

3. That the deponent has published several books and articles, the details of some of which are given as under:-

(i) List of publications of Books

- (a) As a Member of the Textbook Development Team, the deponent has written the chapter on Archaeology in the Book entitled as "Some Themes in World History", prepared for Class XI as a Textbook by the National Council of Education and Research Training, New Delhi, in April 2006.



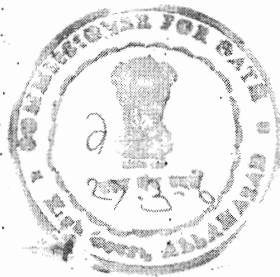
S. Varma

- (b) Co-edited with Prof. Satish Saberwal the book entitled as "Traditions in Motion: Religion and Society in History", published by Oxford University Press, New Delhi in 2005.
- (c) As a Member of the Textbook Team, the deponent has written all the chapters on Archaeology in Bharat ka Itihas, Part I, prepared by the State Council of Education Research and Training, New Delhi prescribed by the Delhi State Government since 2004.

(ii) List of some Select Research Papers:-

The research papers of the deponent published in different journals and Edited Volumes include the following:-

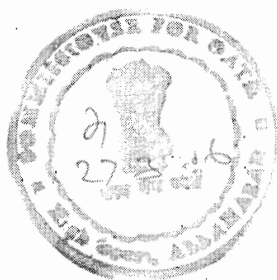
- (a) "Changing Settlement Patterns in Kathiawar", published in the book "Iron and Social Change in Early India", edited by Prof. B.P. Sahu from Oxford University Press, New Delhi (2006) (Originally published in the Journal known as "Studies in History, Vol. VI, No. 2, 1990)
- (b) "Ethnography as Ethnoarchaeology: a review of studies in ethnoarchaeology of South Asia", published in the Book 'Past and Present': "Ethnoarchaeology in India", published by Center for Archaeological Studies and Training, Eastern India & Pragati, Kolkata & New Delhi, 2006.
- (c) Introduction of the book "Traditions in Motion: Religion and Society in History", edited by the deponent and Prof. Saberwal and published by Oxford University Press, New Delhi in 2005.
- (d) "Defining Tradition: An Archaeological Perspective," written jointly with Dr. J. Menon and published in S. Saberwal and S.



S. Varma

Varma's book 'Traditions in Motion: Religion and Society in History', Oxford University, Press, New Delhi, 2005.

- (e) "In the absence of mounds: shifting villages, pastoralism and depopulation", published in the book edited by R. Heredia and S. Ratnagar, 'Mobile and Marginalized peoples: Perspectives from the Past' Manohar publishers, New Delhi, 2003.
- (f) "Is Archaeology an Immature Discipline?" Published in The Indian Historical Review, Vol. XXVIII (2001).
- (g) "The Development of "Harappan Culture" as an Archaeological Label: a case study of Kathiawar" published in The Indian Historical Review, Vol. XXVI (1999).
- (h) 'Owning a Civilization', jointly written with Dr. J. Menon published in the Summerhill Review, Vol. IV, no. 2, (1998) by the Indian Institute of Advanced Studies, Shimla.
- (i) "Villages Abandoned: the case for mobile pastoralism in Post Harappan Gujarat" published in the Journal "Studies in History", Vol. VII, No. 2, (1991) by SAGE ((London and New Delhi).



S. Varma

4. That the deponent spent the following days at the site of Ayodhya during which the excavations were observed:-

5th April 2003 – 12th April 2003

11th May 2003 – 31st May 2003

22nd June 2003 – 27th June 2003

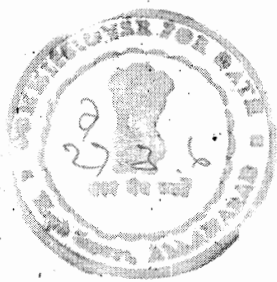
8th July 2003 – 19th July 2003

Thus the total days spent by the deponent at the site were 47 days

5. That the deponent has gone through the ASI Report dated 22-8-2003 and some connected record and has to make the following submissions regarding the same.

6. That one of the most important concepts in archaeology is stratigraphy. "The law of superposition states that the book at the bottom of the stack was put there before, and is therefore older, than the one placed at the top. Sediments generally obey this principle as well as the archaeological materials they contain.....The essence of stratigraphic analysis is determining discrete, superimposed layers of features and then examining their contents". It was so stated by Clive Gamble in his book entitled as "*Archaeology: The Basics*", published by Routledge (London & New York) 2001. A true copy of the relevant extract of the aforesaid book is enclosed herewith as AANNEXURE No. 1. An examination of the stratigraphy as indicated by the sections of various trenches at the site of Ayodhya revealed the following three important features:-

- (i) That only the archaeological deposits of Periods I, II and III are stratified and hence found in a primary context, that is in their original place of use or discard.
- (ii) That the deposits from Period IV till Period IX are not stratified and the material found is in a secondary context. In other words the archaeological deposits that have been described of Periods IV to IX mostly comprise of fill deposits brought from



elsewhere for the purpose of construction in the Medieval Period. Hence this is not their original place of use or discard. The deposits from the Gupta period onwards are not stratified is substantiated by the fact that as many as 15 pieces of terracotta figurines of later periods were reported from earlier levels, an impossible situation if deposits were actually stratified. The ASI was stratifying the layers incorrectly was even pointed out through a complaint filed on 26.06.2003 regarding Trench G8. In Trench G8, under the top floor are the brick courses of a wall foundation. Under these brick courses is a fill deposit. Neither the foundation nor the fill deposit can be ascribed a layer. It appears that this stratification was done on the basis of the calcrete and brick filling that lies to the east. However, this method of stratification is completely wrong. The calcrete and brick filling visible in trench G8 belongs to a single construction phase and cannot be ascribed separate layers. Moreover, the area that was excavated on 25th June lies to the west of the calcrete and brick filling. Thus, if stratification of the filling is wrong, stratifying a structure in relation to it is also incorrect. The whole principle behind stratification is to identify chronologically distinct phases. Thus, a brick wall of six courses of brick can not be ascribed six different layers. Similarly, six rows of calcrete alternating with brick, sandwiched with thick mortar, cannot be ascribed six different layers, the reason in both cases being a single construction phase.



S. Varma

- (iii) That there is a possibility that there was no Early Medieval occupation and there was a gap between the Gupta (Period IV) and the Medieval Periods. If we examine Plate 5 of the Final Report, a layer with no cultural material (termed in archaeology as a sterile layer) can be clearly seen, for example, below layer 4. The ASI has marked out this layer but has not numbered it. Sterile layers indicate periods when there was no habitation or occupation. These layers are ascribed to the Early Medieval/Sultanate Period (Period VI) in the tentative periodization of the site. A gap in occupation of the site between the Early Historic and Medieval Periods had been noted as early as 1969-70 by a team of archaeologists from the Department of Ancient Indian History and Culture, at BHU, Varanasi, and later in 1976-77 by Professor, B.B. Lal and his team from the A.S.I. The ASI is trying to falsely project a continuous occupation of the site from the Early Historic to the Medieval Periods. Neither the stratigraphy nor the artefacts, however, substantiate such a claim. There is a certain bias here, which again goes against the norms of archaeological objectivity, to force a certain interpretation on the material, that from the 10th century AD onwards the area was occupied by Hindu religious structures.



S. Varma

In the same context, the layering of fill deposits in J3, J4, J5, J6, K6, K7, L7, L8, J7, J8 was done to show continuous occupation in stratified contexts. It was only when complaints were made that these fill deposits were acknowledged but

eventual registrations of artefacts from these deposits in the final Report were left uncorrected.

7. That there are clearly problems with the stratigraphy is indicated by other inaccuracies. If one calculates the total depth of deposits in different periods from a single trench such as G7, it is clear that there are gaps. Specifically, in G7, there is 1 m deposit for Period I (NBP), 1.6 m for Period II (Sunga), 1.5 m for Period III (Kushan), 2 m for Period IV (Gupta), 0.9 m for Period V (Post Gupta), 0.75 m for Period VI (Early Medieval), 0.6 m for Period VII (Medieval) and 0.25 m for Period VIII and Period IX has not been indicated (as derived from Chapter III). This totals up to 8.60 m of cultural deposit. According to the ASI, the total cultural deposit is 10.80 m, which means that almost 2.20 m is not accounted for. Not only this, Appendix IV at the end of the book mentions total depth dug for Trench G7 as 13.45 m. Even if the ASI points out that the lower layers in G7 belong to a pit and we accept their depth for natural as 10.80 m, it still means that there is a massive pit of about 2.65 m depth, which is a trifle difficult to imagine. There could have been a fill as there is in Trench J3, but not a pit of such dimensions.

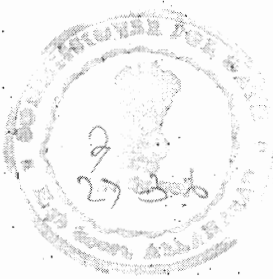


S. Varma

8. That in archaeology, structures can be dated if there are special construction techniques or material, known specifically to have been used in a particular period, such as lime-surkhi from the end of the 12th century AD. Structures can also be dated on the basis of associated artefactual material coming from stratified contexts in

association with the structures. But when the material is all mixed up from the Gupta period onwards, it is impossible to neatly slot structural remains into periods of post-Gupta, Early Medieval or Medieval levels.

9. That in archaeology the identification of the function of an archaeological object/artefact is largely dependent on the context in which the artefact is found. For example, the function of terracotta figurines or even pots will largely be determined by the context in which these are recovered. Moreover the functions of archaeological objects will differ in primary and secondary contexts. It has also been pointed out that the deposits from the Gupta period onwards are not stratified and are found in secondary contexts. What appears to be the case is that the archaeological deposits from the Gupta period onwards essentially comprise filling material for building construction undertaken in that particular place in Ayodhya in the Medieval Period. Earth dug from the adjoining areas and the edges of the mound containing archaeological material like broken pieces of terracotta discs, fragments of tools of various materials as well as ornaments such as bangles and beads were brought to this particular spot when it was reoccupied during the Medieval Period. Earth was brought here both for building construction and for levelling the area. Thus all the archaeological objects reported from Period IV onwards at the site of excavation in 2003 have no other function in the secondary context except as fill deposits. That the earth dug in the nearby areas contained archaeological material is not surprising as excavations

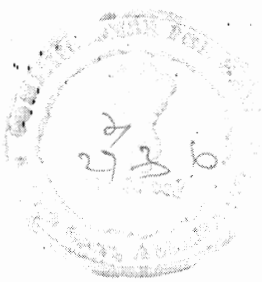


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undertaken in different parts of Ayodhya have revealed occupations going back to earlier periods.

10. That the archaeological material recovered from the dump or the debris, which is lying in the central area of the raised platform and above the floor of the Babri Masjid is non-contextual and does not constitute archaeological evidence. This material could have come from anywhere, even during and after the demolition of the Babri Masjid.

11. That the ASI has not included a chapter on the animal bones found at Ayodhya is again suggestive of their bias. It is clear that animal bones have been found in NBP, Gupta, post Gupta, Early Medieval, Medieval and Mughal levels, in other words, practically from all levels. Bones were also found from the central supposedly significant area, as in Trenches F3 and F4/F5. In the case of F3, bones are coming from Early Medieval levels and in F4/F5 from Early Medieval and Medieval levels. If, as according to the ASI, post-Gupta levels onwards are not residential in nature but attest to levels with temples, and these levels are supposedly stratified, it is to be wondered as to why animal bones were found from the central part of a temple. If, as the ASI says, soil from earlier levels was used for construction, then it is surprising that for the construction of a temple, no sorting or sieving was done, as bones and other such materials can be highly polluting..



S. V. Mehta

12. That the ASI has not included a chapter on human burials further substantiates the selective and biased manner in which the report has been written. An archaeological report must include chapters on the complete range of archaeological materials, animal bones, human burials and so on recovered during an excavation.

13. That the northern area is the only area of the site where pillar bases have been found. In an area of about 10 x 10 m, these were embedded in Floor 1 and hence were contemporary with Floor 1. These pillar bases comprise of square sandstone slabs, of which only one has been excavated with a calcrete block. The inner dimensions of these pillar bases range from 48.5 x 43, 50 x 50, 47 x 46, 48 x 56, 49.5 x 49 and 51 x 51 cm. These dimensions are completely different from those of the black stone pillars that have actually been recovered with dimensions ranging from 21 x 21 to 24 x 24 cm. There is a pillar lying in the gully to the north of the mound that may have fitted on top of these pillar bases. Thus, the pillars that would have stood on the northern side pillar bases were certainly not the black stone pillars. These northern pillar bases are the ones numbered 1-8, 13 and 14, by the ASI.



14. That barring pillar bases 1-8, 13 and 14, the ASI has created 'pillar bases' in the rest of the site. Their creation has been actually observed during excavation was even and complained about. The deponent has personally witnessed the creation of "pillar bases" in Trenches G2, G5 and F3. Observations were made of the creation

S. Varma

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of "pillar bases" in Trench G2 from May 16-20, 2003, in Trench G5 from May 27-30, 2003, and in Trench F3 from July 8-12, 2003 and complaints were filed on May 21, 2003, June 28, 2003 and July 26, 2003 respectively. These complaints / objections were prepared by the deponent and Dr. Jaya Menon and were filed under the signatures of Muslim parties and their counsels.

15. That a close observation of the excavation and recording was done of Trench G2 from May 16 to May 20, 2003. It was found that brickbats randomly scattered over the entire excavated area were selectively removed so as to create a visual impression that the brickbats were confined to only a portion of the excavated area. An examination of the section will reveal the fact that brickbats lay in the layer below Floor 1. When Floor 2 was dug through, once again a whole layer of brickbats was exposed.

16. That the so called "pillar bases" were only part of a floor construction technique. Each lime-surkhi floor was underlain with several layers of brickbats interspersed with stone blocks and slabs and other material as fillers. The intervening spaces were filled with brickbats, mud and brick nodules. Stones have also been used at the site as fillers (as seen from the Plates 4, 21, 30, 50 in the Final Report), levelling mechanisms and for raising walls and platforms and so forth.



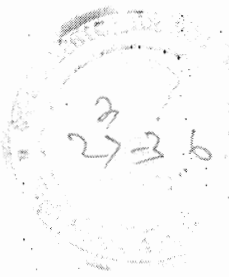
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17. That during excavation, brickbats were selectively removed so as to leave brickbat heaps around stone pieces and blocks. If no sandstone or calcrete blocks or slabs were noted, heaps of brickbats were left at intervals of 3.00-3.30 m. It appears that at the end of the excavation, when some so called "pillar bases" were found obviously out of alignment, they were dismantled as in the case of the structure in the northwest part of Trench G2.

18. That the sections of a trench provide us direct evidence of the brickbat layers that lay under individual floors. It is also obvious that brickbats have been removed from the sections of many trenches: south-facing section of G8/G9 baulk, north-, south-, and east-facing sections of F1, north- and south-facing sections of G1, north-facing section of H1, and east-facing section of H1/H2 baulk, south- and west-facing sections of ZF1, east-facing section of G2 and east-facing section of F9. (In archaeology, whenever sections are made during excavation, protruding artefacts like antiquities or bricks, stone and brickbats are never scraped level with the section but are allowed to protrude. This provides a correct picture of the section and its cultural material.) In the case of Ayodhya, the above-mentioned trenches show gaping holes from where brickbats have been removed.

19. That the ASI's own information on the so called "pillar bases" is highly confusing and marked with discrepancies. For example, in the tabulation of "pillar bases" in Chapter IV of the Final Report, 50 "pillar bases" have been described and have been

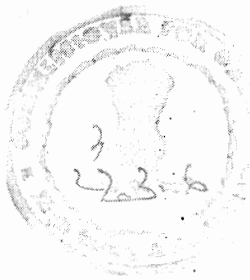


S. Verma

illustrated in Fig. 3A. The number and the location of "pillar bases", however, do not tally with the information given in Appendix IV. The details have been provided in the Objections filed by the Sunni Central Board of Waqfs, UP on October 8th 2003.

20. That Appendix IV in the Final Report mentions so called "pillar bases" in trenches L1, L2, L3 and L7 (p. 17 of Appendix IV). Yet, Site Note Book No. 30 makes no mention of pillar bases in L1 (pp. 76-85), L3 (pp. 67-75) and L7 (pp. 54-66). Nor are there any "pillar bases" mentioned in Site Note Book No. 24 for Trench L2, or Site Note Books No. 22 and 38 on the cutting of baulks between various trenches in the L series.

21. That it seems that originally the aim was to create "pillar bases" all over the excavated area. Eight so called "pillar bases" were carved out in the L series of trenches as can be seen by Appendix IV (p. 17) of the Final Report. As pointed out, there is no mention of these in the individual Site Note Books of the L series of trenches. These were probably not included in the final tabulation or in Fig. 3B showing "pillar bases" as they did not fit in with the ASI's plan of a temple with a large brick pavement in front. This brick pavement to the east was considered as the entrance of the massive structure and hence so called "pillar bases" would not have fitted into this plan further to the east.



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22. That a study of the Site Note Books brings out discrepancies from the information provided in the Final Report. Site Note Books Nos. 37 and 21 for Trench G7 make no mention of recovering any so called "pillar bases". However, the listing of "pillar bases" in the Final Report from pp. 56-67 has records of "pillar bases" in Trench G7 (pillar base No. 36; pp. 64-65) and in the G6/G7 baulk ("pillar base" No. 33; p. 64). Appendix IV of the Final Report on p. 10 mentions two disturbed "pillar bases" for Trench G7. It needs to be emphasized that the Site Note Books are the result of the trench supervisor's observations and impressions. Interpretations may also form a part of Site Note Books. But, here, we find that trench supervisors make no mention of anything remotely like a "pillar base" but these suddenly appear in the Final Report.

23. That the so called "pillar bases" are not even in alignment with each other as should be expected in a pillared hall. At the same time, anything that has been found out of line with their imagined alignment has been discarded as evidence. A complaint filed on 24th July 2003 noted that a structure was exposed in the eastern part of J2/J3 baulk after excavating a platform. Since it did not fall in line with the ASI's so called "pillar base" in Trench J1 it was not considered as a base. But in physical appearance, made of calcrete and brickbats, this structure resembles many of the ASI's so called "pillar base". It is clear that this structure indicates nothing but the manner in which the platform was constructed. This shows the bias with which the ASI was working and their selective use of evidence.



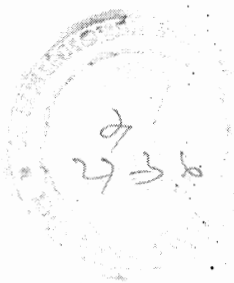
S. Vaino

24. That it is clear that at times, walls were cut to make so called "pillar base" as in Trench F6 and thus there is in Appendix IV, a confusion between walls and "pillar bases" in Trenches E1 and E2. The same is the case with the "pillar base" in Trench H5. This is nothing but the southern part of Wall 18B.

25. That a more serious problem is that of showing the so called "pillar bases" hypothetically in Figs. 23A and 23B. An incorrect impression is being created, by showing some 'pillar bases' where they do not exist.

26. That the ASI's assumption that the floor with which are associated these so called "pillar bases" in the north is the same as Floor 2 in the south is baseless as there has been no concordance of trenches in the north and south.

27. That according to the Report (p. 54), Structure 4 (the 'massive structure') "has survived through its nearly 50 m long wall (Wall 16) in the west and fifty exposed pillar bases to its east attached with Floor 2 or the floor of the last phase of Structure 4." However, several sections provided by the ASI (Figs. 6, 10, 16, Plates 21, 46) clearly show that the floor to which they were supposed to be attached sealed these "pillar bases". In Fig. 6, the "pillar base" has cut through Floor 3 (the floor associated with sub-period VIIB) and should have been attached to Floor 2. However, the section in Fig. 6 clearly shows Floor 2 intact over "pillar base" 31 which means the supposed

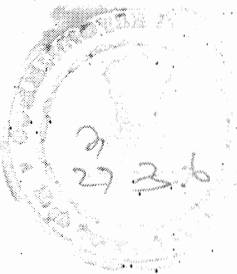


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sandstone block with orthostats and pillar could not have projected over Floor 2. This was the case also with "pillar bases" in Trenches F2, G2 and G5.

28. That these so called "pillar bases" are too flimsy to have supported any load-bearing pillars. Made largely of brickbats, these are completely lacking in uniformity that would be expected if these were in reality pillar bases. Diameters vary from 1.10 m to 1.90 m. Brickbats are not placed in courses as should be the case, but are random, in many cases in a tilted position. The height of brickbats varies from 5-55 cm within a single base. Brickbats do not lie only under the stone but also over the stone as in Trenches F7 and F10. Brickbats make the entire structure unstable and would get broken if a weight was placed over them. If these really were rounded bases, originally they would have been constructed of wedge-shaped bricks instead of which we find brickbats of jagged shape.

29. That if these really were pillar bases, they should have had casings within which the pillar would have fitted. In contrast, we see real pillar bases at the Early Historic site of Sanghol. One notices that these are rectangular, made of large bricks neatly placed with a depression in the centre to set the pillar. These are all of uniform size, constructed uniformly and are accurately aligned, unlike in the case of Ayodhya. The deponent had visited the said site of Sanghol, District Ludhiana (Punjab) alongwith Dr. Jaya Menon and Dr. Suchi Dayal in



S. Varma

2004 and Dr. Jaya Menon and the deponent had taken the photographs of the said Sanghol site (3 of which have already been filed as ANNEXURES Nos. 2, 3 and 4 to the Additional objection dated 3-2-2004 filed by the Sunni Waqf Board against the A.S.I. Report.)

30. That the excavation in Ayodhya in 2003 revealed the foundations of the Babri Masjid. What is evident is that for the construction of this mosque, a combination of calcrete blocks and bricks were used. Such a practice of using calcrete and bricks for constructing mosques and other structures in the Medieval Period was very common in Ayodhya. During my stay in Faizabad in 2003, I visited several mosques and platforms at Ayodhya that were built in the Medieval Period. These included the famous mosque of Begum Barlas and another located at Ram Ki Pauri and a wall situated at Mani Parbat, Ayodhya. The photographs of some of these mosques, platforms and wall have been filed as ANNEXURES Nos. to 5 to 11 alongwith the Additional Objection of Sunni Waqf Board dated 3-2-2004 filed against the A.S.I. Report. These photographs were taken by the deponent. It is surprising that the A.S.I. did not survey the medieval buildings that are still standing in Ayodhya as this would have helped them in the interpretation of the structures excavated at Ayodhya in 2003.

Supriya Varna
(DEPONENT)

Lucknow: Dated

March 27, 2006

VERIFICATION

I, the above named deponent, do hereby verify that the contents of paras 1 to 4, 13, 14, 15, 17, 18, 23, 24, 28, 29 and 30 of this affidavit (except the bracketted portions of paras 18 and 29) are true to my own knowledge while the contents of paras 5, 6, 7, 9 to 12, 19, 20, 21, 22, 26 and 27 of the same are true to my knowledge based on records and the contents of paras 8, 16 and 25 as well as those of the bracketted portions of paras 18 and 29 of this affidavit are believed by me to be true on the basis of my study, observations, experience, information and records. No part of it is false and nothing material has been concealed. So help me God.

Lucknow: Dated

Supriya Varma
(DEPONENT)

March 27, 2006

I identify the deponent who has signed above
in my presence and is personally known to me.

Najam Zafar
(Advocate)

Solemnly affirmed before me

on 27-3-2006 at 10.10 A.M./P.M.

by Dr. Supriya Varma, the

deponent, who has been identified

by Sri Najam Zafar

Advocate, High Court, Lucknow Bench, Lucknow.

I have satisfied myself by examining the deponent that she

understands the contents of this affidavit which have

been read over and explained to her.

OATH COMMISSIONER

HIGH COURT, LUCKNOW

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

LUCKNOW BENCH, LUCKNOW

In Re:

O.O.S. No. 4 of 1989

Sunni Central Board of Waqfs, U.P. and others

-----Plaintiffs

Versus

Gopal Singh Visharad (now dead) and others

-----Defendants

ANNEXURE No. 1

Supreme Varna



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ANNEXURE No. 1

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW BENCH, LUCKNOW

4 OF 87

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Gopal Singh *Gopal Singh*

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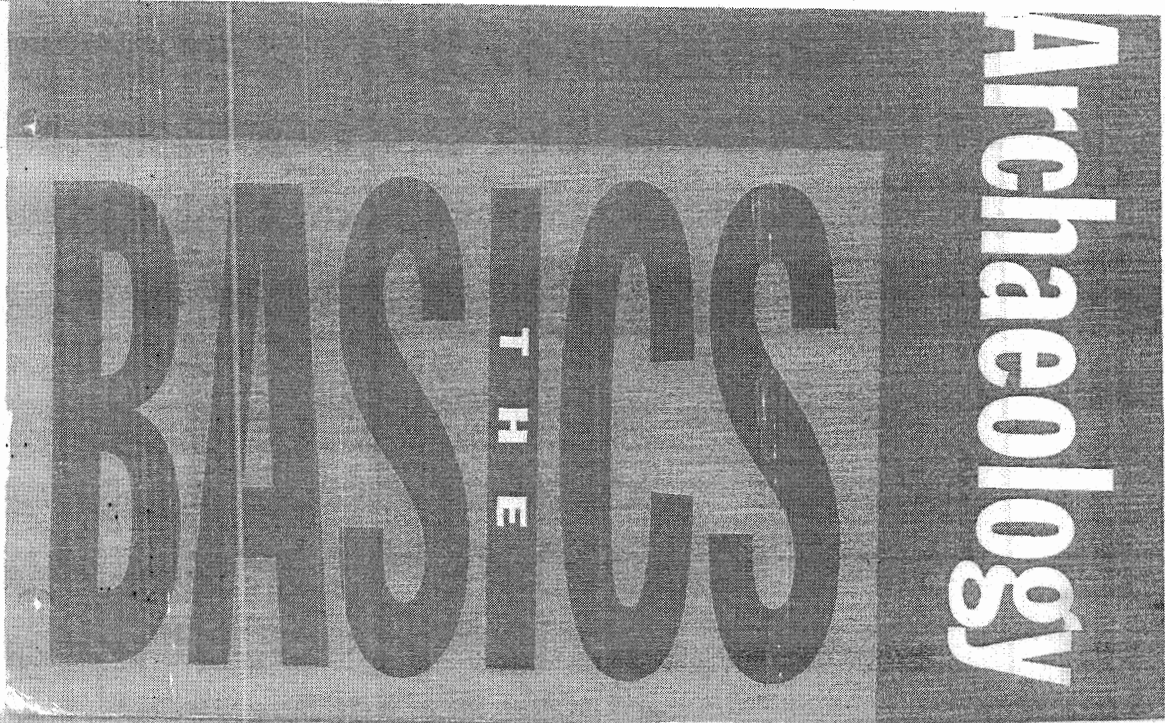
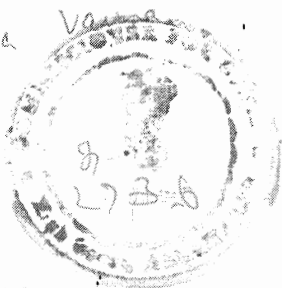
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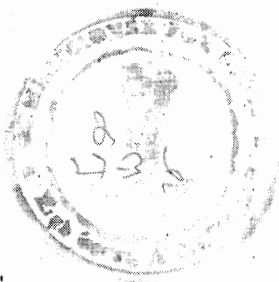
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From archaeological jargon to interpretation, this volume probes the depths of this increasingly popular discipline, presenting critical approaches to the understanding of our past. A piece of broken pottery will never seem the same again.

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Clive Gamble is a Professor of Archaeology at the University of Southampton and Director of the Centre for the Archaeology of Human Origins (CAHO).



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S. Vane

Archaeology: The Basics



Clive Gamble



ROUTLEDGE

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ARCHAEOLOGY: THE BASICS

antiquities trade and other purposes, was turned into information about the past. This was done through the application of distinctly archaeological methods (for a full description see D. H. Thomas (1998: 332)). Two important methods are the analysis of *style* (see Chapters 3 and 5) and *seriation*, which I discuss briefly below. These methods are in turn based on and integral to the principles of *popularity* and *stratigraphy* (Chapter 3). These methods and principles (Box 2) were the building blocks in educating the infant archaeological imagination.

Uncovering riches

Briefly, these are the discoveries. The base from which archaeology was fashioned reaches back to the British antiquarians Camden and Aubrey, of the sixteenth and seventeenth centuries, just prior to industrialisation. There then followed, in the eighteenth century, a growing fascination with the classical monuments of Greece and Italy which fuelled treasure hunting in buried cities such as Pompeii and Herculaneum. Classical architecture, artefacts and literature provided an ancient authority to establish the new world order. But the process went further. The sand was first removed from monuments in Egypt in 1798, so that they could be recorded, while the hard task of hacking the jungle from the ruins of Borobudur in Java began in the 1810s and from the Mayan ruins in Central America in the 1840s. At the same time investigations began in the Mesopotamian cities of Nineveh and Nimrud.

The languages of these ancient civilisations needed deciphering. This was achieved for Egyptian cuneiform in 1802 and for Babylonian and Assyrian by 1857. Once deciphered, the lists of kings and pharaohs supplied a chronology for the wealth of discoveries that fleshed out civic and artistic achievements.

Christian Thomsen and the Three Age system

Much of this early work was text based rather than object based, its focus historic rather than prehistoric (for a review see Andén 1998). The widely recognised turning point came in 1819 when C. J. Thomsen classified the collections of the Museum of National Antiquities in

WHAT IS ARCHAEOLOGY?

Box 2: Four basic archaeological concepts

Style. Many definitions have been put forward. However, the bottom line in a stylistic analysis is assessing the degree of visual resemblance between objects. That sharing leads to the classification of types because they are stylistically similar (see Chapter 5).

Seriation. A technique to order stylistic units, such as types, into a relative chronological sequence. As described by David Hunt Thomas, seriation is based on the assumption that cultural styles, what he calls 'fads', change, and that the popularity of a particular style or decoration can be associated with a certain time period (Thomas 1998: 246, see Chapter 3).

Popularity. Does nothing more complicated than summarise the frequency with which objects and types are found in archaeological units such as assemblages and cultures. Popularity assumes that over time change will happen and that archaeologists can show this because styles wax and wane. Changes in popularity are interpreted in many ways: for example, the movement of a people with their culture, the in-situ evolution of society, and the spread of technological ideas (see Chapter 3).

Stratigraphy. The law of superposition states that the bulk of the bottom of the stack was put there before, and is therefore older, than the one placed at the top. Sediments generally obey this principle, as well as the archaeological materials they contain. Stratigraphy is an interpretation of the many structures revealed during archaeological excavations that this simple law produces (see Chapter 3).

Copenhagen in terms of a three-age, chronological model. Since he was dealing with prehistoric objects, his scheme stretched the archaeological imagination well beyond texts. Thomsen, of course, had no dates other than calendars or king-lists to guide him and the chronological aspect was expressed in two ways. Technology provided the first with his division of materials into successive Stone, Bronze and Iron ages. Seriation, though he would not have called it that, provided

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The principle of popularity

Much of what I have so far described in this chapter depends on the principle of popularity. This has been applied to items as well as types and to styles or traits of manufacture, decoration and use. Fluctuating popularity both identifies a change in the archaeological record and explains it by invoking either the diffusion of peoples or the spread of ideas. Popularity changes with time and across space. The principle of popularity also supposes that things are similar because people share the same ideas and cultural premises. This sharing is presented as a basic aspect of all humans. It started in the Palaeolithic and continues today. For culture historians like François Bordes a stone-tool type is therefore as understandable as a Frenchman's beret or an Englishman's bowler hat. They are all expressing the same cultural imperative whereby sharing norms of behaviour establishes group identity. But this imperative is never analysed, rather it is assumed as the basis for understanding why archaeological units vary and why they changed? It was this lack of clarity that led some, such as Binford, to a serious rethink about what popularity was measuring.

The principle of stratigraphy

Popularity and stratigraphy are two principles that go hand in hand. Stratigraphy turns 'walls of mud' into a record of time and past activity. Most importantly, thinking stratigraphically makes you look at time vertically, stacked-up like so many different-coloured bricks and laid down like sediments in a lake. You need to add that vertical dimension to your everyday experience of time as linear, minutes turn into hours into days, and as cyclical, when your birthday comes round once a year (Chapter 6).

The essence of stratigraphic analysis is determining discrete, superimposed layers or features and then examining their contents. A very systematic and thorough analysis is provided by Edward Harris (1989). His logical matrix analysis (Figure 3.4) is a widespread convention in field archaeology. It is an example of visual jargon.

Stratigraphic differences may be geological – variation in soils and sediments that appear as textural or colour changes – or they may

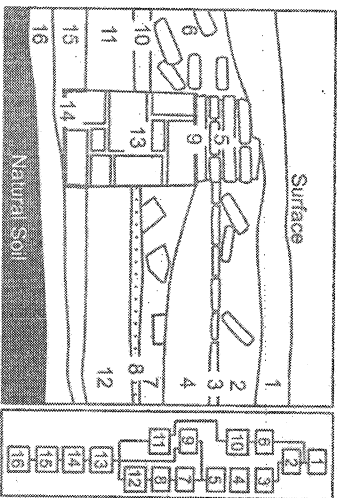


FIGURE 3.4 A Harris matrix for a section in an excavation. This would be combined with all the other sections in the trench as well as with the plans as the excavation proceeded

be features of human activity – the digging of pits and ditches, building of walls and dumping of waste material. Stratigraphy is therefore about the building up of layers and features, as well as their cutting away and reworking as a result of human occupation. A stratigraphic analysis unravels the sequence of that creative process of living in the landscape over periods of time.

Stratigraphic excavations began in the middle of the nineteenth century and some of the best exponents were J. J. A. Worsaae, who excavated prehistoric sites in Denmark, and Giuseppe Fiorelli, who applied a stratigraphic approach to Pompeii in 1860. Not everyone followed suit and not all stratigraphic excavations were well recorded. Moreover, the breadth of interests that Worsaae pursued in his excavations, including the recovery and analysis of organic evidence to reconstruct the environment and subsistence economy, was often lacking. Most digs were just that – digs – with the sole aim of recovering pots, metal, art and burials. The exceptions stand out, such as Ferdinand Keller's pioneering work in the well-preserved Neolithic Swiss lake villages which he started excavating in 1854. In England

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All rights reserved. No part of this book may be reprinted or reproduced or utilised in any form or by any electronic, mechanical, or other means, now known or hereafter invented, including photocopying and recording, or in any information storage or retrieval system, without permission in writing from the publishers.	<i>List of illustrations</i> <i>List of boxes</i> <i>To the reader</i> <i>Acknowledgements</i> 1 What is archaeology? The archaeological imagination Three political contexts How did archaeology get started? How has archaeology changed? Two basic concepts Changing Anglo-Saxons: a case study The archaeological cafeteria: is that really archaeology? 2 How many archaeologies are there? Culture history Anthropological archaeology Summary	21 22 24 42



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

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

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

Versus

Gopal Singh Visharad and others ----- Defendants

27-03-2006

P.W.32 Dr. Supriya Varma

Dr. Supriya Varma, daughter of Shri Rajendra Kumar, presently residing at Unit II, Teachers Flatlets, University of Hyderabad Campus, Gachi Bowli, Hyderabad,(A.P),stated on oath :-

(An affidavit of examination in chief from page no. 1 to 19 of P.W. 32 has been filed and taken on record)

Cross examination of P.W. 32, Dr. Supriya Varma on behalf of Shri Ramesh Chandra Tripathi, defendant no. 17 by Shri Vireshwar Dwivedi, Advocate.

X

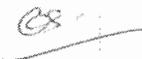
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The book, extract of which I have enclosed with my affidavit as Annexure-1 was published in the year 2001. Some of the words and letters at page V of Annexure-1 are missing. According to me, it is a true photo copy of the

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original book but it appears that while zeroxing the copy, some of the words and letters were left out. Said voluntarily that I have the original book with me and I can file the complete photocopy of the same. (The witness is directed to furnish the complete photocopy of the aforesaid paper to all concerned during the course of the day). Until the above book was published in 2001, I also studied many other books on the subject of Archaeology. A few of the books which I remember are as follows :

1. Illustrated History of Archaeology by Paul Bahn published in 1989,
2. 'A History of Archaeological Thought' by Bruce Trigger,
3. Man, Settlement and Urbanism by Ucko, Dimbleby and Tringham published in 1982,
4. 'Encyclopaedia of Indian Archaeology' by A. Ghosh, in 1989,
5. 'Indian Archaeology - a Review' from 1952 till 2001 and others.

According to me, Alexander Cunningham, who was the first Director General of A.S.I., was the first Archaeologist in the Indian history of archaeology. He has not written any book on basics of archaeology. He has also not written any article on this subject. Prior to Mr. Alexander Cunningham, no one else had, in India, written

S. Nair

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any book or article on basics of archaeology. Cunningham came into the picture of Archaeological Survey in 1861 when the Archaeological Survey of India was constituted and established. The Indus Valley excavations started in 1920s. John Marshall, the then Director General of A.S.I. was the over-all incharge of the ~~Archaeologists~~^{or} Mohanjodaro and Harappa excavations and his team comprised of Mr. M.S. ^{or Vats} Yats and Mr. D.R. Sahni. Sir John Marshall or his aforesaid associates had not written any book on the basics of archaeology but John Marshall, indeed, wrote the excavation report on the above referred subject and also about Takshshila excavations. While submitting his report, John Marshall had also written about the procedure he had adopted during the excavations. I have read the said report. I found in that report the basics of Stratigraphy. The report of John Marshall has not been controverted so far by any other archaeologist. The book titled as, "Archaeology : the Basics" is not a Bible to me but certainly it is a book prescribed for post graduate and under-graduate students of Archaeology. I am not aware whether this book is prescribed or not in any specific university or college course but it is used by the students of Archaeology in India, Britain and United States of America.

S Varno

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'Stratigraphy' means a study of layers of different chronological periods indicating what comes earlier is at the bottom and what follows will be above it and so the sequence gets built up. 'Early historic period' is a term used by historians to describe the period between sixth century B.C. and sixth century A.D. and 'medieval' is used by the historians for the period between 12th and 18th centuries. The period between sixth century A.D. to 12th century A.D. is called ^{Early} earlier medieval period. The medieval period has been further sub-divided into two periods, namely 'Sultanate period' and 'Mughal period'. There is no period like pre-Sultanate period. The chronological order is not ^{clockwise} ~~clock-wise~~ but it can be said to comprise certain characteristics in polity, society and economy and it has been done so. This chronological order was created by James Mill who wrote the book 'History of India' in 1830s. 'Filling' means that for the purpose of construction activities, a ground has to be levelled and while doing so, some earth is brought from outside to fill up the uneven ground. Also fill deposits constitute bases of floors. Fill deposits may be brought from outside to fill the pits on a particular side or the pits can also get filled through a natural process, such as blown winds or silt deposit over many centuries. Generally, it is the earth or say the soil which is brought from outside to fill the pits but such

S. W. a. m. o

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materials cannot be termed as 'dump'. Dump is the material or the debris which is lying above the ground level. Debris may constitute the material of fallen buildings. The debris material of later years can, of course, be used to fill the pits and in that process, such material can be found in the pits. A pit cannot be called as a lower level. A pit has to be described by the layer sealing the pits. The pits filled in with some material would be described to be filled as fill deposits. There is no stratification in a pit and ⁱⁿ fill deposits and in such pits, all filled materials are found mixed up belonging to different periods and therefore, in a pit ^{or and fill deposits} no stratification is possible. ~~in a fill deposit.~~

By layer I mean, stratification due to activities which can then be studied in the section of a trench.

Layers were found during the excavation conducted by John Marshall at Mohanjodaro and Harappa sites. Stratification was also found in his report. In the report of John Marshall, reference was made to pits but no reference to fill ~~in~~ deposits, although the materials recovered from those pits were noticed and separately mentioned in the report. I read John Marshall's report in the year 1986. I have not done any work on the report of Sir John Marshall. I have also not read anything about the controversy on the report of Sir John Marshall.

S. Vaidya

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I have read the report of Prof. A.K. Narain of Banaras Hindu University who had conducted excavations near the disputed site in the year 1969-70. Prof. Narain found three cultural periods - two of the Early historical period and one of the medieval period with the break in occupation between early historic and medieval period. No description of the construction has been mentioned in the IAR of 1969-70. In the later years, Prof. B.B. Lal also made excavation from 1975 onwards at the site adjacent to the disputed structure. Prof B.B. Lal noted in his report ^{published in 1976-77} ~~sent to the IAR mentioned~~ finding lime surkhi floors in the medieval period but he also said that it is not of much importance.

Q. Whether Prof. B.B.Lal refers to any construction or not in the above report ?

Ans. So far as I remember, lime surkhi floors have been referred to by B.B. Lal in his report ⁱⁿ ~~he~~ IAR 1976-77 and this is a part of construction. I cannot comment if somebody has stated on oath that construction in the context of B.B.Lal's report comprised cow-shed etc. In my opinion, surkhi lime constructed floor cannot be used for a cow shed. I met Prof. Suraj Bhan in a seminar. Prof. Suran Bhan has not contributed any article in any journal, in which my articles have been published. I know that Prof

S. Vaino

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Suraj Bhan has appeared as a witness before this Court on behalf of the same party for which I have come to depose.

I treat myself as a theoretical archaeologist as well as a field archaeologist. There is no term like table archaeologist in the field of archaeology. I took part in the first excavation in 1984 in February-March in Nageswar, ^{Harappan} Harappa site at Gujarat. I was given charge of a trench but I was invited personally as at that time, I was doing M.Phil. in Archaeology at the Centre from Historical Studies in Jawaharlal Nehru University. My M.Phil. was on Harappan, Post Harappan and Early Historical sites in Gujarat. I was invited by Prof. K.T.M. Hegde who was the Head of Department of Archaeology of M.S. University of Baroda to come and take part in the full season at Nageshwar and I was the Supervisor of one trench. It was not a project under ASI, rather excavations were being made under the project of the Department of Archaeology, M.S. University of Baroda. I was appointed as Supervisor of one trench by Head of the Department Prof. K.T.M. Hegde. Such an appointment was not a special invitation; rather it was done in usual process. There was no reference to my appointment as trench supervisor in ^{or the excavation} my report as I did not belong to M.S. University.

It is correct to say that as a nominee of Sunni Central Board, I had drafted objections along with Dr. Jaya Menon

S. V. A. M.

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against the archaeological procedures being followed during excavation at the site in question and such objections were filed by the Muslim parties. As I remember Mr. Haji Mahmood had filed those objections. I met Haji Mahmood when I came to Faizabad in April, 2003. I met him then and thereafter today, in between there was no acquaintance. Since I thought it was not necessary to mention the name of Haji Mahmood, I simply mentioned that these objections were prepared by me and Dr. Jaya Menon and filed under the signatures of Muslim parties in para 14 of my affidavit. As I know Dr. Jaya Menon was the nominee at the site in question of Central Sunni Waqf Board. This information was conveyed to me by Mr. Z. Jilani, counsel for the Central Sunni Waqf Board. It is incorrect to say that I filed my affidavit in most casual manner. This is my first affidavit which I have filed in a Court of Law. I have drafted this affidavit of mine and Mr. Jilani had given serial numbers to the paragraphs. The verification clause of my affidavit at page 19 was prepared by Mr. Z. Jilani in consultation with me.

While preparing the present affidavit, photographs of annexures 2, 3 and 4 to the additional objections dated 3.2.2004 filed by Sunni Central Board of Waqfs against A.S.I. report, were before me. Similarly at the time of preparation of the affidavit annexures 5 to 11 referred to in

S. Vainna

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paragraph 30 of my affidavit were before me. Reference to the above annexures was included by me in my affidavit yesterday after Sri Z. Jilani showed me the said photographs in his Office. I had sent draft affidavit by E-mail to Mr Jilani and when yesterday and day before I attended the Office of Mr Jilani, reference to the above annexures was also added after Mr. Jilani showed me the additional objections. I had already copy of both volumes of ASI report, xerox copy of daily register and antiquity register and also xerox copy of some of site note-books since before I started preparing my draft affidavit. I have also my own detailed notes which I had prepared during my visit to the site at the time of excavation and also my own notes prepared by me after inspecting each site note book in this Court which were inspected by me in March, 2004. I understand that inspection was carried out by me under the permission of Court. Since a pass was issued to me I understand that I was granted permission to inspect the record. Annexure 10 to the additional objections referred to above is photograph of a wall. It was really a surprise to me that ASI, against normal practice, did not survey buildings of medieval period of the vicinity of the site. I knew that the excavation was being carried out by ASI under the orders of the Court. I had seen the order of the Court. Court had not directed the inspection of

S. Varma



medieval buildings in the vicinity but it is a general practice that before starting of excavation, survey of the vicinity is carried out.

Statement read and verified.

S. Varna

27.3.2006

Statement was recorded on our dictation in open Court. Cross examination of the witness continued.

Put up tomorrow for further cross examination.

 
27.3.2006

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

28-03-2006

P.W.32 Dr. Supriya Varma

Cross examination of P.W. 32, Dr. Supriya Varma
in continuation of her statement dated 27-03-2006 on
behalf of Shri Ramesh Chandra Tripathi, defendant no. 17
by Shri Vireshwar Dwivedi, Advocate -

I was part of the team which excavated at
Nageshwer, Samnapur, Nagwada and Bagasara. Head of
the team of the site at Nageshwer and Nagwada was Prof.
K.T.M. Hegde, for the site at Samnapur, Prof. V.N. Misra
the then Director of Deccan College, Pune, for Bagasara,
Prof. V.H. Sonawane, Head of Department of Archaeology
M.S.University of Baroda was head of the team.
Nageshwer was excavated in February-March, 1984.
Samnapur was excavated in 1988. . Nagwada was
excavated from 1989 to 1992-1993 and at Bagasara
excavation was from 1996 to 2004. It is correct that during
excavation at Nageshwar, Nagwada and Samnapur, I was
student of M.Phill and Ph.D. I was not the student of the
University which conducted the excavation of the aforesaid
sites. I was invited to participate in those excavations by
the Director of Excavation. There was no special reason
for inviting me in the aforesaid excavation. The report in

S. Varma



respect of excavation at Nageshwer only was published but the report in respect of other three sites has not been published. Nageshwar, Nagwada and Bagasara are in Gujarat whereas Samnapur is in Madhya Pradesh. In the past I did not participate in excavation of any site in Northern India. However, presently I am exploring for excavation at Indore Khera situated in Anup Shahr Tahsil in District Buland Shahr. I am Deputy Director in the team which would excavate at Tahsil Anup Shahr in the District of Buland Shahr. It is true that the excavation at the aforesaid site is yet to be started. It is wrong to say that the contents of paragraph 2 of my affidavit are not correct. In the Archaeological Project of Anup Shahr I have been involved since December, 2004. I do not agree with the ~~position~~ ^{statement} that I do not have any experience of excavation. I have excavated a pre-historic site of India which is Samnapur which belongs to the Middle Palaeolithic period. There is no period known as early medieval Saltanat period. I have not heard any period which is called as 'Early Mughal period'. I came across the 'Early Medieval Rajput Period' in the ASI report filed in this case. Process of periodization is based on certain features found in polity, society and economy. Stratification is based on discerning layers in sections that have formed due to either geological or human activities. The

S. Varma

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nomenclature given to the periodization in history may be based on dynasty but in archaeology it is not possible. In fact it is based on archaeological material which may not change between one dynasty to other dynasty. In archaeology, we deal with structures beneath the ground whereas the structures of the Mughal period are largely above the ground except foundation.

During the excavation at Nageshwer, Samnapur, Bagasara and Nagwada only antiquity registers were prepared and site note books were not maintained but I maintained my site note-book at my personal level in respect of above excavations. It is not correct to say that preparation of my site note book has nothing to do with the official excavation report. My personal records do not form part of the official record. Terminology 'time bracket' is normally not used in archaeology but it means that it refers to certain range of time. I have not read M.C. Majumdar's book which refers to Rajput period. She herself volunteered that so far my knowledge goes it is not M.C. Majumdar but it is R.C. Majumdar. I have read ^{many} ~~May~~ history books as well as excavation reports wherein reference of Rajput period has come. The duration of Rajput period is between 8 to 12 Century.

I have read about the Architecture of mosque in a book written by Percy Brown called as 'Indian

S. V. R. M.

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Architecture', Vol.II which is called Islamic Architecture. In this book there is no description about floor of a mosque but only a reference of plan of mosque. In my view, the floor is different from a plan. It is wrong to say that the floor is not a part of construction. I do not know the meaning of word 'SAFF'. I cannot distinguish between the floor of a mosque and temple. Herself volunteered that the distinction between a temple and mosque can be made on the basis of plan only and then one can ascribe whether floor is of temple or of mosque.

Q. Whether 'SAFF' is a demarcated place of floor where the Namazis stand and offers prayer? Do you agree with it or not?

Ans. I do not know the meaning of 'SAFF'. Therefore I cannot express my opinion about 'SAFF'.

During the excavation at the disputed site, I saw the floor where such demarcations were there. Top floor of the Babri Masjid revealed such markings. I tried to know at that time as to what these signs meant, and was told that these are markings for Namazis. However, at that time nobody told me that this is 'SAFF'. I was told that these are markings on the floor to indicate where the Namazis stand. I noted down the aforesaid information in my mind and not in my diary. It is true that such type of markings are not found in a floor of temple. Herself volunteered that

S. Varma



neither such markings are found in the floor of all mosques. I am not an expert of mosque architecture, therefore, I cannot answer as to what is distinction between a Jamayti Mosque and common mosque. As per my opinion the floor found during excavation at the disputed site was of a mosque and not of a temple. It is wrong to say that I have said anything wrong in this context. It is also wrong to say that I was already prejudiced to call it a mosque. In architecture of mosque, main thing is western wall.

Q. In a Jamayti mosque whether place for 'Wazoo' is necessary or not ?

R. ^{Ans.} I cannot say with certainty but I think it is provided. Since I cannot say as to how 'Wazoo' can be ^{manifestly} ~~Maifestly~~ described in archaeological terms and I have not seen 'Wazoo' although I have heard of it. Therefore, I cannot say whether place of 'Wazoo' was found at the disputed site or not. 'Wazoo' is to wash face and hand before offering prayer. The inscriptions found at the disputed site of excavation refer that Meer Baqi, the commander of Babar has built this mosque as I remember now. I know Babar was an emperor. I have not read anywhere that Babar was short of funds and, therefore, he did not get constructed the place of 'Wazoo'.

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I have not seen figure or figurines of human being in any mosque. I have heard word 'Dwar Pal'. If in any structure 'Dwar Pal' is found then whether it is a mosque or temple would depend upon the context in which it is found. Figurines of Dwar Pal can be found in a mosque as filled deposit which are secondary context or which is dump lying above the ground. When I was present at the disputed site during excavation figurine of Dwar Pal was not found. However, I am aware about Dwar Pal as the same has been refereed in the report of ASI submitted in this Court. I have not seen the figurine of Dwar Pal at the disputed site during excavation. I cannot describe what is 'Ghat' as it is a part of Iconography and I am not expert of it though I have heard about word 'Ghat'. I do not know the meaning of 'Ghat'. I have heard the word 'Kalash'. Kalash is not found in a Mosque. Every pot is not a Kalash. Whether the pot is Kalash or not would depend on the context in which it is found. This would be wrong to say that I am purposely avoiding to give the right answer of above question. Shape of Kalash varies and, therefore, it is difficult to describe. I know 'Ghara'. I am familiar with 'Kalash' and 'Ghara' because they are used as household articles. I cannot say whether the floral designs are found on the wall or pillars in a mosque or not because I have not visited so many mosques. Except Jama Masjid

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at Delhi, I have not visited any other mosque. However, I have casually seen the Eidgah. In Ayodhya and Faizabad I did not visit any mosque but I have made visit to the ruins of the mosque. Nobody informed me that these are ruins of a mosque but by mere observation, I could found that these are the ruins of the mosques. I do not know where Ranopali is. I have heard the name of Mani Parvat. Medieval period which is also referred in para 13 of my affidavit I meant the period between 12 to 18 Century A.D. The nomenclature of medieval period in paragraph 13 of my affidavit is an accepted nomenclature. Herself volunteered that however, the whole issue of periodization in history and archaeology is contested and debates are there. In my opinion, the use of nomenclature of medieval period in my affidavit is correct because it is accepted as now. Nobody directed me to take the photographs which are filed as Annexures 5 to 11 to the Additional objection of Sunni Waqfs Board dated 3rd February, 2004. These photographs were taken when the excavations were going on. I did not carry any Camera when I was visiting the disputed site at the time of excavation. In fact I carried my Camera to Faizabad and Ayodhya but I kept it in my hotel and did not take it to the site as it was not allowed. However, during 'off day', meaning thereby, when no excavation was going on at the site in question, I along

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with other members went to different sites with my Camera and during those visits photographs were also taken.

It is possible that if the filling material is dumped in a pit, the new material comes in the depth while the older one comes to the top. While reading history I have not come across the reference of Begum Barlas Mosque. However, the local people in Ayodhya conveyed that name to me. I did not treat that as a sacrosanct but I just ^{mentioned} believe it for the purpose of ^{identifying} knowing the Begum Barlas mosque. I do not remember the name of such local people who told me about the said mosque and when I visited the said mosque they could give the name of said mosque. I do not know as to whether the Begum Barlas mosque is famous or not therefore question of having knowledge as to in what context it was famous does not arise. I referred to this mosque as famous Barlas Mosque as the people believed it and conveyed me and likewise I used it in para 13 of my affidavit. It may be by mistake that I have not mentioned the mosque to be famous as believed by the local people. I have seen the place known as Ram ki Pauri in Ayodhya. Some local people conveyed to me that it was a place known as Ram ki Pauri. It is correct that some people referred it as Ram ki Pairi and some people called as Ram ki Pauri. It is wrong to say that the word Pauri was more

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suitable for me and for that I have referred to it as such. The location of Ram ki Pauri is near the river. Though I am not sure yet I can say Ram Ki Pauri has come in existence in 18th Century. I am not sure that the nomenclature of Ram Ki Pauri is only about ten years old creation. The mosque at Ram Ki Pauri is known as Jahangiri mosque. I do not know who got the said mosque constructed. Since the said mosque was in ruins, it was difficult for me to give its dimensions. Since the local people referred the said ruins as Jahangiri mosque, therefore I also say it so. I was not in a position to verify as to whether the said mosque was indeed a mosque or not. It is wrong to say that since a reference to those ruins as a mosque suited me most, I called it as Jahangiri mosque. It is also wrong to say that as an archaeologist I did not consider it proper to verify it. No verification was possible, therefore, I did not proceed to find its verification. Since it is known as Jahangiri mosque at Ayodhya I referred it in my affidavit as mosque, although I did not in particular use the name of Jahangiri mosque. It is wrong to say that as an archaeologist I took the aforesaid information as a ^{or} sacrosanct. From the structure standing on the ground it resembled a mosque. The structure I saw comprised of the western wall standing. Not that every western wall would be treated by me as a

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mosque but western wall having arches in it can be taken by me as a mosque. Except the western wall there was no other wall in the north-south or east. I accepted the local version of the people that it was a western wall of the mosque. It is wrong to say that I did not view the wall from the archaeologist's point of view and simply believed the local people saying that it was the western wall of a mosque. It is not correct to say that I took the western wall of a mosque to be sacrosanct merely on the basis of communication to me by local people alone but from my own observations also it looked like the western wall of the mosque and certainly I can say that it was a wall of neither a temple nor of any house etc. It is wrong to say that on this score I am telling lies upon lies.

The height of the western wall of the aforesaid mosque would have been 3-4 meters and length of the standing wall perhaps would have been 10 meters. The said wall was not parallel to the bank of the river. I cannot exactly disclose its distance from the bank of river. Since I had gone to that site to view it from the point of view of its construction, I did not consider it proper to measure it.

Ethnography, I mean, is study of living society and 'ethno- archaeology' study means study of material culture of the living society which helps us in interpreting archaeology reports. I did not take the help of science of

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ethno-archaeology while studying the excavation proceedings and reports prepared by ASI. I did not see any spot like circular shrine during my stay at excavation site. As I know, the subsidiary shrine is found besides the main deity in a shrine. It is true to say that the main deity in the shrine is called as a presiding deity and there may be other smaller shrines of Gods and Goddesses in the temple and these are smaller God and Goddesses in the shrine which are also worshipped by the devotees. I have seen Shivlingam in a Shrine. I also know that Parvati Ji is known as the consort of Lord Shiva/ Shankar and she is worshipped as such by the Hindus. I know that Parvati is considered to be the daughter of Himalaya Parvat., I am not aware that her posture is always towards north. I do believe in God. I am Aryasamaji by faith. I believe in Vedas. Vedas speak of spirit only and not of God.

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(Cross examination on behalf of Sri Ramesh Chandra Tripathi, defendant No.17 by Sri Vireshwar Dwivedi, Advocate recorded and concluded).

(Cross-examination on behalf of Akhil Bhartiya Ram Janam Bhoomi Punruddhar Samiti, defendant No.20 of O.O.S.NO. 4 of 1989 by Ms. Ranjana Agnihotri, Advocate started:-

S. Vairma



The meaning of the word, 'Ma' is mother. I do not know whether Devis (goddess) are called 'Ma' also. In common parlance, I have heard as 'Ma Durga' and 'Ma Kali' but it is not there in History books. Volunteers that I know the word, 'mother Goddess' which is often used in books in context of terracotta female figurines. I cannot read Brahmi Lipi. I can read Hindi. I also understand common spoken Hindi. In case, during excavation, if any object is found depicting thereon the word 'Ma', then whether it refers to some goddess or some other common mother, it depends upon the context in which it is found. I do not know whether during excavation at the disputed site, any iron piece depicting the word 'Ma', was found or not. The iron piece depicted with word 'Ma', found by the A.S.I. during excavation may be a broken piece of some larger iron object and therefore, it cannot be said whether the word 'Ma' refers to goddess or it is a part of some other word. If any word is indicated with ^{or inverted comma in} opening and closing⁶⁴, it indicates the use of an Indian word and not necessarily a complete word. 'Ma' is a Hindi word. Indian means Hindi words. By using the word, 'Indian', I mean the word 'Ma' in this context. The A.S.I. in its report, Vol.1 at page 255, Sl. No.6 has referred 'Ma' which indicates sound alphabet 'm' or of in Hindi 'Ma'. I cannot

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say that this word, 'Ma' indicates the 'Ma' of Sargam, i.e. the fourth letter of Sargam.

Since I was in job, I took longer period in completing my Ph.D. I was working with Publishing Houses. It is wrong to suggest that a longer period was taken because I was not getting admission in Ph.D. Volunteered that I got Grade A which is the highest grade possible in M.Phil. and I topped in my M.A. Examination also. I have not read the History book of Dr. Yadunath Sarkar. I have read the History Book of Romila Thaper. In my B.A. course, I have read the book of Satish Chandra who was historian of Medieval Period.

I have read the History books of Bipin Chandra, R.S. Sharma and not of Arjun Dev. I do not agree with the suggestion that these historians whose books I have read give distorted version of History. I have studied the book of Ashirvadi Lal Srivastava during my school days. I was born in Lucknow. The name of my maternal grandmother was Padmawati Narain. I have many times taken dips in the 'Ganges'. I am not sure but I suppose that the seat of the river 'Ganges' is crocodile. I do not remember whether ASI people have mentioned specifically about the crocodile figurines in broken pieces but they have mentioned so many animal figurines in their report. This is

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wrong to say that I filed my affidavit without reading the excavation report of the ASI.

Q. ASI in its report at many places referred to the crocodile pieces and also filed photographs of the same in the report, what you have to say ?

Ans. The ASI has identified many different figurines, it may be crocodile, it may be tortoise, it may be some other animal but I do not agree with the identification, because I do not see the resemblance with the animals as they have said in the report.

The witness has been shown plate No.131 of Vol.2 of ASI report and was asked as to whether the figure appears to be piece of elephant on which the reply of the witness is that it could be of any animal other than an elephant also including bull. I have seen elephant from a distance and similarly I have seen bull also from a distance. I have seen these animals from 30-40 metres away but it is wrong to say that I am not able to identify the animal in plate No.131 because I have not seen it from a close distance. The bones which were referred to by me in para 11 of the affidavit were seen by me. Only by looking to the bones, I cannot identify as to which animal species the bone belongs because I am not a Zoo-Archaeologist. The above bones could be of any animal including dog.

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During excavation at Nageshwar, we found structures of stone rubbles. We also found a lot of evidence for shell working from which we derived that there was major craft centre of shell working and that it was about 10kms. from the coast. We had found two kinds of shells-Turbinella pyrum, which is in common parlance known as conch shell and the other variety we found known as Chicoreus ramosus. Dwarka in Gujarat is about 10kms. from Nageshwar. The shell has religious importance also. Conch shells are used in temples for the purpose of worship. I do not know the scientific importance of shell. I do not know whether by blowing conch shell, the germs and insects in the periphery of about 2200 ft disappear. I have not read the paper^{is said to be in} written by Dr. Braine of Berlin Univ. published in 1929 wherein the above thing is said to be written. The excavation work at Nageshwar continued for six weeks and that was the only season when the site was excavated because it was a very badly disturbed site. Site at Nageshwar was of Harappan period and temples have never been constructed during Harappan period. The large number of bones were found at Nageshwar. The bone pieces found there were broken pieces. Samnapur is a middle^{or palaeolithic or} Palaco site where we only find the stone tools. Because of recovery of stone tools only, we say that it is a middle^{or palaeolithic or} palaco site. The excavation at Samnapur was done

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only up to the depth of one metre as at the sites of ^{a palaeolithic} palaeo periods, we do not find deposits of generally more than one metre. Samnapur is situated in Narsinghpur district in Madhya Pradesh, not very far away from Narmada river. At Nagwada, the excavation was carried out up to a depth of three metres whereupon natural soil was found. At Nagwara, I, was a trench supervisor. In the trench supervised by me, human burial was found. One complete human skeleton was found during excavation at Nagwada. It could not be identified whether skeleton was male or female. It is difficult even for the expert to say whether a particular skeleton is of male or female.

Merely by looking at a skeleton, one cannot say that whether ^{the} a skeleton was of a Hindu or of Muslim person. No carbon-dating of skeleton found at Nagwara was done for the reason that the carbon dating of bones is generally not done. Carbon dating is done of charcoal samples or sometimes of shells. Calcium carbonate is found only in bones and not in charcoal. It is the element of carbon for which the dating is done. Carbon is found in bones and teeth as well.

Statement read and varified

Supriya Varma

28-03-2006

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(Cross-examination on behalf of Akhil Bhartiya
Punruddhar Samiti, defendant No.20 by Ms Ranjana
Agnihotri could not be concluded.

Statement recorded on our dictation in open
Court. Put up tomorrow before commissioner for further
cross-examination.

March 28, 2006

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Before: Commissioner Sri H.S. Dubey/O.S.D.(R.J.B.-B.M.)

High Court of judicature at Allahabad, Lucknow Bench, LKO.

Other Original Suit No.4/1989

(R.S. No. 12/1961)

Date:29-03-2006

P.W. 32 Dr. SUPRIYA VARMA

(Commissioner appointed by Hon. Spl. Full Bench vide order dated 28-03-2006 passed in O.O.S. No. 4/89 Sunni Central Board of Waqf, U.P& others Vs. Gopal Singh Visharad and others)

Cross examination of P.W. 32, Dr. Supriya Varma in continuation of her statement dated 28-03-2006 on behalf of Akhil Bhartiya Ram Janam Bhoomi Punruddhar Samiti, defendant No.20 of O.O.S.NO. 4 of 1989 by Ms. Ranjana Agnihotri, Advocate started:-

The project at Ind ^{ota}hedha so far has included exploration of the mound and the area 1sqkm. around it. The survey has indicated from the evidence of po⁺tery and bricks that it probably begins from painted grey ware period and continued up to the Gupta period because in late 19th century an exploration was done by A.C. Carlyle, who had found a Gupta period inscription. It is also possible that

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after a break in habitation the site was reoccupied in medieval times. Above facts were known to me through the study of the previous work done in the 19th century. The inscription of Gupta period is not complete and is in small piece. There is mention of Indore in it and also mention of "Skand-Gupta". I have not seen the copper plate inscription. The annual report of ASI mentions that what was found at Indore was taken to Indian museum at Calcutta and some of the material were taken to England. I visited Calcutta and inquired in the museum about this material but they have no knowledge of it they told that it was probably taken to England. I worked as a free lancer from 1988 to 1994 in between for six months in 1992 from July 1992 to December 1992 I worked as research in National Commission for women. I worked for Sage and Manohar in the above publishing house. I did not work for N.C.E.R.T in this publication. Manohar publisher publishes serious academic books. Only excavation at the site in Buland Shehar will reveal possibility of all kind of structures, if any, including temples. Generally the excavations of Harappa sites, Neolithic sites, Chalolithic site, and early historical site and almost in every part of India have revealed animal bones and this can be checked up by reading excavation reports of those sites for which the reports have been published. The possibility of findings

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animal bones is there and I can say this on the basis of my study of archaeological sites in India. The study of animal bones at Neolithic sites, chalcolithic sites, Harappan sites and early historical sites have revealed bones of cattle, Sheeps and other domestic as well as wild ^{animals}. I don't think snake has any bones. Some reptilian species have been reported. Cattle includes only just cow and bulls. Pig, Horse, Sheep and Goats are not part of cattle.

For excavating a mound the first precaution that needs to be taken is to begin with trial cuttings of trial trenches at one and two places to assess the potential and find out approximate chronological sequence at the site of the mound. The scientific method to be applied for an excavation at mound is to first explore the surface of the mound and then lay a grid on the surface of the ground. In excavation at mounds trenches had to be laid but keeping in mind that one should excavate 10 to 20 percentage area and leave the rest for future excavation. The chronological period of the layers, if it is stratified, is determined by the archaeological materials that are found in that ^{layer} place. If the layer is stratified and a coin is found then the coin can help us in fixing the chronology of the layer. I have specialisation in Harappan, chalcolithic and early historical archaeology. Learned cross examiner drew the attention of the witness to the examination in chief of the witness. The

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witness, after going through it and after being questioned replied that this parra is based on ASI report and my own personnel observation at the disputed site of Ayodhya where I spent 47 days. Bones that have been found in N.B.P. Gupta and post Gupta period have been mentioned on the basis of ASI report because it says that bones have been found at all level. Bones have no relation with civilisation. Bones are not associated with any particular community. Bones tell us about food habits of societies. Bones tell us about food habit of human society.

Q: On the basis of bones it can not be said that it was food habit of particular community? what would you say about it.

A: The term 'community' is used in very different and in many context and I am not clear that in which context the term community is being asked by the learned cross examiner.

Community in a sociological analysis, has very complex ramifications. Generally archaeology does not use the term community. Archaeologists prefer to use the word 'society'. When archaeologists come across animal bones which can be of domestic as well as of wild animals the inference that is made relate to the food habit of that society or one can get an idea about the fauna that might have existed at that time around that site. When

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archaeologists excavate and find archaeological material which can include pottery and bones inference and interpretation are made by archaeologists on the basis of the context in which these finds are exposed. The data does not speak by itself. Inferences are made on the basis of certain principles and methods that are followed in archaeology. While studying bones, to ascertain the context is important and the second step is to have the bones identified by Zoo-archaeologist.

In the Vedas there is reference to Yagyas where animals were sacrificed. I am aware of the Kamakshi temple in Gauhati which is a devi temple where animals are sacrificed but the animals are removed and then consumed by the devotees. I disagree that animal sacrifices are generally prevalent amongst the Hindus of India. I have visited numerous temples in Uttar Pradesh and I have not come across animal sacrifices being performed in these temples. I have not visited the Kali-bari temple in Lucknow. I don't know whether animal sacrifices, in Kalibari temple at Lucknow, is practised or not. All animals that are sacrificed are meant to be consumed by the devotees. The archaeological sites that have been found in India reveal that from Palaeolithic time onwards animals have been consumed. Finding of bones has to be related to the context and the quantification of bones has also to be

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kept in mind. By quantification I mean the number of bones. One bone can come by chance but hundreds of bones don't come by chance. I know the meaning of flood. Flood deposits can be studied in the layer of the trenches. There is silt deposit in trench G-7 which according to me is a Sterile deposit which could be a flood deposit but ASI report has labelled this particular layer as belonging to early medieval period in which they claim that there was a temple. These facts have been mentioned in para 6 (iii) of my affidavit (at page 7 of the affidavit). Above reference has been given at page 37(A) and 37(B) of ASI report vol. I. What ever archaeological material is found in a pit is dated on the basis of layer sealing it. If, for example, a pit is sealed by a medieval period layer then the archaeological material that is found in ^{the} a pit can not be ascribed to any particular culture. Pits are also numbered. I disagree with the suggestion that before going to the excavation site at Ayodhya I had studied about Islamic culture. The book of Percy Brown, vol. I which is called 'Hindu and Buddhist Architecture and vol. II which is called Islamic Architecture is the most standard book prescribed in almost ^{all} Universities offering courses on cultural history or history of architecture. I disagree with the suggestion that Percy Brown is not an expert of the history of architecture which includes temples, Stupas,

S. Vama



Vihars, Mosque and Tombs. Animals bones are part of archaeological evidence and have to be understood in the context in which they are being found.

Q: Whether bones are found in the mosque or kept in it ?

A: I have seen some ruined Mosques and I have visited once in my life Jama-Masjid in Delhi and I can not know whether bones can be found in mosque or not.

I disagree with the suggestion that after studying about the mosque I have come to this court to depose about it. I have come here to speak the truth. I have come here as an archaeologist to defend the principles and methods of archaeology.

Q: Whether you reach every where at excavation site to defend the methods of archaeology and to place truth ?

A: I do not go to every site but the site of Ayodhya is a peculiar case in the Indian history where it became important to visit this site in order to speak the truth and to defend the principles and methods of archaeology. I am not aware of the excavation allegedly being conducted by Mr. B.R Mani in Delhi where a cave is said to have been found of the period of Raja Maan Singh. The future of Indian nation and the secularism were at stake therefore I came to Ayodhya.

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According to my own study secularism means that all citizens of different religions and castes have an equal status in the Nations. This is my understanding of secularism. I disagree with the suggestion that I have given the above definition due to any vested interest in such meaning of secularism. I do not know the meaning of pseudo secularism. I have not gone through the contents of the Constitution of India.

To know about the history of Ayodhya I have read Hanis Baker's book titled as 'Ayodhya' but I also found after reading this book that many statements by Hanis Baker are with-out any supporting evidence. I did not come across with any book, other than Hanis Baker, specially written to Ayodhya, when I was checking in my library. The book of Hanis Baker was published in 1986. I did not come across the book titled 'Ayodhya ka itihās' written by Awdh-Wasi Lala Sita Ram in the my library that I checked. I have not read Skand-Puran. It is wrong to suggest that I have read only those books on Ayodhya which were supplied by Shri Haji Mahmood who is present in court.

To know about past environment, a scientific study is done by Geologists and Poll and Boolean analysis is one of the method to find out about the past environment. History books deal with often general issues not specific sites. Dynastic

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histories tell us about rule over a region which would include places located within the region

Q. What things are necessary to know about the dynastic history of important historical places.

Ans. It is very difficult to talk about specific places unless they find mention in the historical records. History of dynasty in general can be reconstructed on the basis of coins, inscription and manuscripts.

I have heard the name of King Anan^{da} pal who was the king of Hindu Shahi Dynasty which ruled over Afganistan and Undivided Punjab in the early 11th century. I have not come across the ruler of the Gahadwal dynasty by the name of Anang pal. The name of the Gahadwal rulers that I have come across are Chandradeva who founded the Gahadwal kingdom and the last ruler of Gahadwal dynasty Jai Chand

Learned cross-examiner drew the attention of the witness towards plate 137 of ASI report, Vol.2. The witness after seeing this plate stated that the word Anangpal is not written in this inscription as it is NGA pal written on it. The word 'pal' has been written on this inscription.

Q. Do you believe in Vedas?

Ans. Vedas are historical texts.

S. Varma

I have heard the name of Swami Dayanand Saraswati.

Q. Have you ever tried to go through the literature written by Swami Dayanand Saraswati?

Ans. I have seen letters of correspondence between Swami Dayanand Saraswati and my great grandfather.

I have heard the name of book 'Satyarth Prakash'. I know that Swami Dayanand Saraswati was a social reformer. I know that source of gaining spiritual energy of 'Aryasamajis' is from the 'Om'. I don't know the origin of the word 'Om'. I do not know whether the word 'Om' is related to lord 'Shiva' or not. The word 'Om' has been used in many 'Slokas' of the Vedas. I know that there are four Vedas. I read 'Athravaveda' in 1983 when I did a seminar paper for my M.Phil. course work. I am not aware of that the word 'Ayodhya' has been mentioned in Athryaveda or not.

Q. Have you read following line of Athravaveda -

" अष्ट चक्रः नवद्वारा पुरानां अयोध्या " ?

Ans. I don't recall whether I have read it or not.

Q. Since you are pseudosecular therefore you have not studied the Vedas and Purans to know about Ayodhya. What would you say about this?

(Shri Abdul Mannan Advocate raised objection about the above question that the word 'pseudo' is bad word which

S. Varma

can not be asked to the witness therefore this question could not be permitted to be asked.)

(Shri Zafar Yab Jilani raised the objection and stated that the question is in-decent and appears to be intended to insult and annoy the witness and is needlessly offensive in form and as such it should not be allowed to be asked as required by section 151 and 152 of the Indian Evidence Act.)

(In reply to the above objection the learned cross examiner submitted that pseudo is word mentioned in the dictionary which does not show any indecent meaning.)

✓ Ans. — My area of specialisation is archaeology which involves the study of archaeological materials. The study of Veda and Purana is done by Historians.

Q. The book written by 'Hans Bakker' is related to archaeology. you have read this book and you are relying the contents of this book and after going through it you have come to this court. What is your reply?

Ans. Hans Bakkers book on Ayodhya is a secondary source. Secondary sources are read by everyone. The issue of specialisation is defined by the understanding of primary source. Vedas and Purans are primary sources for history which require the specialisation of historians. Primary source is the original source on the basis of which archaeological and historical interpretations are made.

S. Vaima



Book on History and archaeology then in turn written^{which} constitute secondary sources. It is true that to become an expert of archaeology the knowledge of primary source is a must. I have knowledge about archaeological material which is primary source for me as an archaeologist. I have used the word 'for me' as an archaeologist. These are based on my personal academic training and experience.

Q. According to the Vedic history Lord Ram was born at Ayodhya what would you say about it?

Ans. I do not know what is meant by Vedic history. In the Vedas there is no mention of such things as the birth of Lord Ram in Ayodhya.

Q. Do you know that Vedic History includes Puran, Smritis (manu smriti), Valamik Ramayan, Ram Charit Manas, Mahabharat by Ved Byas, Shri Mad Bhagwat Geeta, Raghuvansham etc.?

(Shri Abdul Mannan Advocate raised objection to the above question and submitted that dozens of books have been mentioned by learned cross examiner but copy of no book has been supplied by her, therefore this question should not be permitted to be asked)

Ans. This is the first time that I am hearing that Vedic History includes Vedas, Purans, Smiriti, Mahabharat, Raghuvansam and so on.

S. Varma



Q. Since for the first time you have heard that Vedic History includes Vedas, Purans, Smiriti, Mahabharat, Raghuvansam therefore you are not aware whether LORD RAMA was born in Ayodhya or not?

Ans. I disagree.

Q. An archaeologist can not accept any thing with-out any material evidence. Whether this statement is correct or not?

Ans. It is correct.

I can not comment on the literary source. I can not comment what knowledge is required to know about any historical person because it is out side the p^{ur}view of my specialisation. I have come to give evidence about archaeological data.

Q. You have come to give evidence about very-very important historical place but you are not aware of any historical figures and you have no knowledge about any historical figures of Ayodhya. What would you say?

Ans. I have come to give evidence on archaeological data. I have already stated that I have visited numerous temples of Uttar Pradesh.

I did not visit 'Kanak Bhawan' temple in Ayodhya. I visited some other temples in Ayodhya. I can not remember the names of the temples visited by me but these temples were near the bank of river and ghats. The name of

S. Vaidya



river is Saryu/Ghaghra. I know that the name of river Saryu is mentioned in Vedas.

Q. You had stated yesterday that so many Mosques in Ayodhya were visited by you, you have also stated that you took photographs of these places whether you did not consider it proper to take photographs of any temples or also to remember their names.

Ans. The temples that I visited were built in the 20th century. Their construction and construction material did not relate to the medieval period and therefore there was no need to attach the photographs of these 20th centuries' temples along with my affidavit. 'Jahangiri Masjid' of Ayodhya was built in medieval period. From the Lakhori Bricks used in this mosque I came to know that this mosque belongs to Medieval period. I can not say about the year of construction of this Mosque. I did not see the palace of Raja Ayodhya. I did not see Nirmohi Akhara at Ayodhya. I did not see Dashrath Mahal in Ayodhya.

I stayed in Faizabad during my visit at Ayodhya. I stayed in Hotel 'Shaan-e-Avadh' I do not know as to who paid the bills of my hotel. I disagree that my interest was limited to disputed site only therefore I did not see anything else which were situated between hotel Shaan-e-Avadh and disputed site. There were many temples between the point where barricade was and to the disputed

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site. Some of the buildings were made of Lakhori brick. Volunteered that Lakhori bricks were used upto 19th century. I stayed at Ayodhya from 5th to 12th April 2003. I know that the month of Chaitra falls in the month of April. I think that there was a crowd and some fair in the month of April when I visited Ayodhya. I know that fair of Ram Navami is celebrated at the occasion of the birthday of Lord Ram. Ofcourse I am aware that the faith of crores of Hindu ^{is} that Lord Ram was incarnation of Lord Vishnu.

Statement read and verified.

S. Varma

29.03.2006

Statement recorded on my dictation in open court. Cross examination could not be concluded. Put up on 30.03.2006 for further cross-examination.

S. Varma

H.S. Dubey
(H.S. Dubey) 29.3.2006

Commissioner

March, 29, 2006

Before: Commissioner Sri H.S. Dubey/O.S.D.(R.J.B.-B.M.)

High Court of judicature at Allahabad, Lucknow Bench, LKO.

Other Original Suit No.4/1989

(R.S. No. 12/1961)

Date:30-03-2006

P.W. 32 Dr. SUPRIYA VARMA

(Commissioner appointed by Hon. Spl. Full Bench vide order dated 28-03-2006 passed in O.O.S. No. 4/89 Sunni Central Board of Waqf, U.P& others Vs. Gopal Singh Visharad and others)

(Cross examination of P.W. 32, Dr. Supriya Varma in continuation of her statement dated 29-03-2006 on behalf of Akhil Bhartiya Ram Janam Bhoomi Punruddhar Samiti, defendant No.20 of O.O.S.No. 4 of 1989 by Ms. Ranjana Agnihotri, Advocate ^{Recovered} :-

It is correct to say that today is Thursday. I am not aware whether wearing of yellow colour cloth on thursday is auspicious or not. I am not aware of the fact that yellow colour was very much liked by Lord Ram and Lord Krishna. It is wrong to suggest that intentionally I am avoiding to give answer of the above questions. It is also wrong to suggest that all the artefacts recovered from

S. Varma



NBPW level at excavation site Ayodhya are related to Hindu religion only.

Q. How many artefacts relating to Hindu were recovered from NBPW level during excavation at disputed site in Ayodhya?

Ans. The term 'Hinduism', for religious practices, is generally used from the Gupta period onwards or the time when a large number of purans were written. At the time of NBPW the religious practices are not described as Hinduism by historians. Fired potteries were recovered from NBPW level during excavation at excavation site of Ayodhya. NBPW ware are fired in a pottery kiln. Bowls, dishes, pots were recovered during excavation at NBPW level. I have not excavated at any NBPW site but I have explored NBPW sites. I have heard the name of Mathura. At all NBPW sites dishes, bowls and pots were recovered including Mathura. NBPW pottery is well defined chronologically because it was found in stratified layers from many sites from which charcoal samples have been collected and radio carbon dates obtained. I am aware of the fact that Hastinapur site was excavated by Prof. B.B. Lal and NBPW wares were found. I have read it in 'Indian Archaeology - A review' and journal 'Ancient India'. It is true that during this excavation five cultural periods have been identified. The identification of the cultural periods is

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done largely on the basis of pottery and some time other artefacts. Other artefacts do not include bones. So far as five cultural periods recovered by Prof. B.B. Lal is concerned I am not very much sure about it but probably they are PGW, NBPW and may be Sunga and Kusan. Every thing has great importance but they can be understood only in the context in which they are found. I am aware that the excavation at disputed site of Ayodhya was conducted to ascertain whether there was any temple beneath ^{the} disputed structure at Ayodhya. I came to know about ^{the} this fact probably 2 or 4 days prior to the commencement of excavation at the disputed site of Ayodhya through newspapers.

Q. Before knowing through newspaper you were not aware that there was a temple at disputed site where Ram Lala was sited.(Virajmaan)?

Ans. No body knew whether there was any temple or not because it is a question of belief. There was no temple standing at the disputed site in Ayodhya. I had seen the photographs of disputed structure.

Q. Which photographs were seen by you?

Ans. These photographs were published in Newspapers and magazines. I did not see any 'Garbh Grih' in ^{these} ~~these~~ photographs. I can not remember the names of ^{these} ~~these~~ magazines but these photographs were published in several

S. Vame

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magazines from 1987-1988 onwards. I disagree that my memory is short as far as temples are concerned.

I read 'Hans Bakkers' book during the last 2 or 3 years.

Q. Whether existence of any building depends on believe only?

Ans. The existence of a building depends on actual visibility of it.

I have never been to Ayodhya prior to excavation. When I went to the disputed site at Ayodhya I saw make shift structure with the deity of Lord Ram atop of debris of the Babri Masjid. I have seen the photographs of Babri Masjid which existed till 1992 and on december 6, 1992 I saw on television Babri Masjid being destroyed.

Babar was Mugal emperor.

Q. Whether Babar was invader and he came from Kabul and attacked over India (Bharatvars) and looted precious jewellery and destroyed temples and idols of Gods and Goddesses. What would you say about it.?

(Learned counsel Shri Abdul Mannan raised objection to the above question and submitted that Babar was not invader and he fought with Ibrahim Lodhi who was king of India. Therefore this question should not be permitted to be asked.)

S. V. Uma



Ans. I disagree. Babar fought with Ibrahim Lodhi at the battle of Panipat.

I am not aware whether above so called activities of Babar were criticised by Swami Dayanand Saraswati or not in his letters which were published later on. His letters which include the correspondence between Swami Dayanand Saraswati ji and my great grand father do not contain any reference of such matters. The period of Swami Dayanand Saraswati is late 19th century.

Q. Whether at the time period of Swami Dayanand Saraswati forcibly conversion from Hindu religion to other religion was prevalent and whether Swami Dayanand Saraswati opposed this practice and after administering 'panchgavya' he again converted aforesaid Hindus to there original religion and such reconverts were known as 'Aryasamjhis'?

Ans. I completely disagree. Volunteered and stated that those Sanatany Hindus who were unhappy with some of the practices that had crept within Hindu religion and wanted it to be reformed were the Hindus who became Aryasamjhis. Sanatanees are the Hindus who worship idols. The religion practised by Sanatanees is called Sanatan Dharm. I do not know as to when Sanatan Dharm began.

Q. With knowing any thing you have stated that those followers of Sanatan Dharm who were annoyed with this

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religion adopted the principles of Aryasamaj. What would you say about this.?

Ans. I disagree because some times in the same family we can have members who may follow Aryasamaj or there may be others who may be Sanatanees for example my maternal grand father (Nana) was Sanatanee and my paternal grand father was an Aryasamajee.

Q. Sanatan Dharm means neither it has been beginning nor end. What is your reply?

Ans. It may be but every religion has a beginning. I do not know as to when Sanatan Dharm started.

Q. When 'OMKAR' came into existence?

Ans. I do not know.

I am not aware whether Hindus believe in 33 Crore Gods and Goddesses but I know that they believe in so many Gods and Goddesses.

Q. Faith or believe of any persons can be challenged or not?

Ans. I thought I have come here as an archaeologist to discuss archaeological evidence.

Q. When any question is asked relating to Hindu temple then you become an archaeologist where as you have come in this court as historian to depose about Mosque. When any question is asked in respect of Mosque then you become historian. Please clarify?

S. V. a. mo



(Shri Abdul mannan raised the ^{objection} that the mosque which was constructed in the year 1528 and existed there would be considered as mosque only and disputed site is mosque even today)

(Shri Z. Jilani raised ^{objection} that ^{and} question is totally ambiguous and also ^{and} compo in nature such question should not be allowed to be asked)

(In reply to the above ^{learned} objection ^{was examined} that the witness had come here and filed her affidavit on oath and she is very much aware of the specific dispute and it is expected from her to give reply of each and every question straight away. The witness is avoiding to give answer and refuting the existence of Lord Ram and temple of Lord Ram who is centre of believe and faith of crores of crores people of India since the time in memorial.)

Ans. I disagree. I am not historian. I have come as an archaeologist. I am not an authority on faith.

Q. How many books have you read that about architectural archaeology of mosque?

(^{has} Learned counsel Shri Z. Jilani raised objection that above question ^{has} already been put to the witness and reply finds mention at pages no. 32,33,52 - 53 therefore such question should not be permitted to be asked again.)

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(Learned cross examiner submitted that her question relates to architectural archaeology . While the earlier question related to architecture only.)

Ans. There is no such thing as 'Architectural Archaeology' and that is why there are no books on Architectural Archaeology. There are books on history of architecture and I have stated earlier that I have read Percy Brown's two volumes on Indian Architecture.

Q. You do not read the books written by Indian Authors. You prefer to read only the books written by foreign writers. What is your reply?

Ans. I disagree. Earlier in my statement, I have stated on the very first day itself, That I had read Encyclopaedia of Indian Archaeology by A. Ghosh. I also mentioned about reading of Indian Archaeology - A Review, a journal published by Archaeological survey of India. In IAR, there is always one chapter regarding monuments which includes architecture. I have gone through several volumes of Encyclopaedia of Indian Architecture which includes several volumes on temples in north India. I can mention that north Indian temples are described as of Nagar style and the earliest temples of north India come from Devgarh and Sanchi.

S. Varma



Q. I have asked specifically about the names of the temple of Northern India. you are not giving the answers deliberately. what is your reply?

Ans. I completely disagree. I have mentioned Devgarh and Sanchi in my reply. The temples situated in Devgarh and Sanchi are known with the names of these places. Above temples of Devgarh and Sanchi relate to Lord Vishnu. I know that there is a Garbh Grih in temples. In some temples, niches are found in the inside and outside walls of Garbh Grih but these niches are not found in all temples. I have not studied in detail about the niches found in temples but generally they are small in size. These niches are used for the purpose of placing of small deities. This fact is based on my personal observation during my visit to temples.

Statement read and verified.

S. Vaima

30.03.2006

Statement recorded on my dictation in open court.
Cross examination could not be concluded. Put up on
31.03.2006 for further cross-examination.

S-Vaima

H.S. Dubey
(H.S. Dubey) 30.3.2006

Commissioner

March, 30, 2006

Before: Commissioner Sri H.S. Dubey/O.S.D.(R.J.B.-B.M.)

High Court of judicature at Allahabad, Lucknow Bench, LKO.

Date:31-03-2006

P.W. 32 Dr. SUPRIYA VARMA

(Commissioner appointed by Hon. Spl. Full Bench vide order dated 28-03-2006 passed in O.O.S. No. 4/89 Sunni Central Board of Waqf, U.P & others Vs. Gopal Singh Visharad and others)

(Cross examination of P.W. 32, Dr. Supriya Varma in continuation of her statement dated 30-03-2006 on behalf of Akhil Bhartiya Ram Janam Bhoomi Punruddhar Samiti, defendant No.20 of O.O.S.NO. 4 of 1989 by Ms. Ranjana Agnihotri, Advocate started)

In para 3 of my affidavit, list of publication of books has been mentioned. In sub para 'a' the chapter on archaeology, written by me, in the book entitled as 'Some Themes in World History' has been mentioned. The name of this chapter is 'Human Origin' which is based on Archaeological evidence. There is a team comprising of 11 authors and the chief advisor of the team is Prof. Narayani Gupta. This book has been written by 11 authors jointly.

S. Varma



Each author has written one chapter depending on their specialisation.

Q. Who is senior most author amongst 11 authors mentioned by you?

Ans. I do not know the age of the authors or their seniority but Prof. Narayani Gupta is the chief advisor of the team who wrote this book for class 11. A chapter has also been written by Prof. Shereen Ratnagar. The chapter written by Prof. Shereen Ratnagar is on 'Cities of Mesopotamia'. There is no chapter from Romila Thapar in this book. Similarly there is no chapter of Prof. Satish Chandra in this book. The names of the other authors are Dr. Jairus Banaji, Dr. Najaf Haider, Dr. Sunil Kumar, Prof. Narayani Gupta, Dr. Aroop Banerjee, Dr. Bhaskar Chakraborty, Dr. Laxmi Subramanayam and Dr. Brij Tankha. I have done my Ph.D. under Prof. Shereen Ratnagar. The book mentioned in para 3 (i) (a) will be released tomorrow. My chapter "Some themes in World History" is based on Archaeology and that period known as prehistory.

In the Indian Subcontinent Palaeolithic sites go back to 2 million years ago. Archaeology and History deal with different source material.

Q. Whether archaeology is systematic study of antique?

S. V. Lima

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Ans. Archaeology is not study of antique but it is study of material culture of human societies. Antiques are precious items but they are not material culture. Art dealers deal with antique. Archaeology deals with the period before history hence the term prehistory is used.

Q. Archaeology is a wet nurse and is not the mother of history so far as India is concern. What is your opinion about it?

Ans. For knowing about societies in the Indian Sub continent from 2 million years till the early historic period our sources are only archaeological in nature.

My above chapter "Some Theme in World History" ranges in 20 pages. There are 2 or 3 books, on human evolution, published which I have mentioned and also 2 websites have been mentioned in the above chapter. All books on human evolution are written by foreign authors. ^{Most} of the archaeological evidence for human origin comes from Africa. The time period which is covered for human origin there were no buildings but there is reference to cave sites and temporary shelters. In para 3 (i) (c) I have mentioned that as a member of the text book team I have written all the chapters on archaeology in 'Bharat Ka Itihaas' part 1, prepared by State Council for the education research and training. All these chapters on archaeology were written by me and Dr. Jaya Menon. The name of Dr.

S. Varna



Jaya Menon was not mentioned in this para because I did not deem it necessary to mention this fact at this place in my affidavit. When an article is published then the names of authors are specifically mentioned, but in the case of text books the names of all the team members are mentioned without specifically indicating which author has written which chapter because it is supposed to be a team work and the team members are mentioned.

Q. Among both of you that is Jaya Menon and you. Who is the most authentic writer?

Ans. Both Dr. Jaya Menon ^{and} myself are archaeologist by specialisation. Dr. Jaya Menon and I are equally competent. The fact that we were asked to write the chapters for 'Bharat Ka Itihaas' prepared by the State Council of Education Research and Training suggests that we are recognised as competent academicians. Further our publications and academic training from India's best Universities would also speak of our standing. In "Bharat ka Itihaas" there are 3 chapters dealing with archaeology, one with Palaeolithic period, one with Neolithic and one with Harappan and Chalcolithic. In both Neolithic and Harappan and Chalcolithic chapters there are reference to buildings and structures. Temples start being built from the Gupta period onwards and this chapter was written by a Historian because the description of temple was only part

S. V. aine

of the larger discussion of other historical themes like societies, religion, economy, polity etc. I disagree that I have not made any study regarding the temples as I mentioned yesterday. I have gone through the volumes of Encyclopædia of Indian Temple Architecture. Other than what I mentioned earlier I have also read the book called Hindu Temple by R. Champak Laxmi. I have also read the book by Vidula Jaiswal on Gupta Temples at Bhitari and I have also read annual report of the late 19th and early 20th century of ASI which describe temples at Bhitargaon near Kanpur. In the Encyclopædia of Indian Temple Architecture I did try to check temples of 11th-12th century. The discussion of architecture is primarily about plans of temples which indicates the style of architecture, is very clear that temple plan is always on a plinth and in Cruciform shape. By Cruciform shape I mean there is Garbh Grih and in front of the Garbh Grih there may be single Mandap or several mandapas depending on the size and the An taraal connects the Garbh Grih to the Mandap, and on the two sides of Garbh Grih are small enclosures known as Ardh Mandap. On top of the Garbh Grih is Shikhar. The Garbh Grih normally faces the east but it can be other directions also. It is not necessary for Garbh Grih to be a complete square. I can not say any specific ratio between length and breadth of The Garbh Grih. As a

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devotee one can not enter in the Garbh Grih. I have visited a ruined temple in Tigawa near Jabalpur. Probably this temple was of the Gupta Period. 'Pradakshina Marg' is there around the Garbh Grih. 'Yagyashala' is not necessary part of a temple.

Q. Have you ever seen design of 'Yantra' either in floweral form or in hexagonal in any temple like Vaishno Mandir including Ram Mandir, Krishna Mandir and Devi Mandir?

Ans. It would vary from temple to temple and region to region and period to period. I have not seen above things in any temple.

Presence of "Toran Ganapati" and "Prakar Mandir" in front of the temple depends on temple to temple, region to region and period to period. I have not seen above two things in any temple.

Q. You have not seen "Toran Ganpati" and "Prakar Mandir" and "Yantra" neither in the capacity of a devotee nor as an archaeologist?

Ans. I have read about "Toran Ganpati" in description in the books on temples.

Q. Whether main gate of the temple should be in the east and north direction? Can it be also in the west and south direction?

S. Varna

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Ans. What I have read seems to suggest that the idol faces the east so that the ^{rays} of the rising sun fall on the deity but it can be in other directions as well.


'Bhandar Grih' and 'Sant Niwas' are not necessary in every temple. It may be in some temples. In some temples there may be hearth.

Yes, I have read K.M. Munshi's book titled as 'Jay Somdeo' which is on Somnath temple. I also know that excavations were conducted at Somnath and I have seen excavation report and I have also seen the report of second excavation conducted at Somnath in the early 1970 and published in "Indian Archaeology - A Review." The first excavation at Somnath was conducted in the early 1950's. So far I remember this excavation was one season excavation.

Q. On the direction of Dr. P.N. Chakarborty, Director ASI the excavation at Somnath was conducted by B.K. Thapar from 15.02.1949. What is your opinion?

Ans. I have not read the original report of this excavation but references to this excavation have been made in an article written by Prof. Shreen Ratnagar in a journal "Current Anthropology." There was no evidence of temple destruction and that is why the excavation was hurriedly stopped and at that time ASI had also protested

S. Varma



against such an excavation and even in the news papers of that time people had protested.

Q. On 03.07.1950 the ASI had started to remove the Debris of Somnath temple and prepared a detailed report with evidence which clearly indicates that this temple was destroyed repeatedly and was reconstructed after each destruction. what do you know about it?

Ans. What was not clear at all in this excavation was whether the Debris was a natural collapse due to non user of that building which was abandoned. There was no evidence of forcible demolition. What is lying today under the make shift structure site is evidence of forcible demolition and if after 400 years from now archaeologists excavate the site they will find the evidence of forcible destruction of a mosque.

The evidence of forcible destruction should have signs of burning and deliberate smashing. I disagree that a huge structure of 11-12th century A.D. was recovered during excavation at disputed site because it is very difficult to ascribe exact chronology for the period mentioned. In archaeology dating is done on the basis of radio carbon dating which I have mentioned earlier, and which gives a range of plus minus upto 300-400 years.

Q. Whether above mentioned massive structure was attached to pillar bases?

S. Varma

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(learned counsel Shri M.A. Siddiqui Advocate raised objection to the above question and submitted. That the existence of massive structure is denied by the witness as such this question is totally misconceived hence can not be permitted to be asked.)

Ans. Except the pillar bases in the north all the pillar bases at different ^{levels} have been created, some of whom I saw personally with my own eyes and complaints were filed in the case of trenches G2, G5 and F3. These complaints were filed by Dr. Jaya Menon and me. These complaints were handed over to muslim parties and their counsels.

Q. Above answer have been given by you after going through your affidavit at you own record neither cross examiner nor commissioner had permitted you to go through it ?

(Learned counsel shri Z. Jilani raised objection to the above question and said that this question had already been replied earlier and as such no objection can be taken if she has pointed out the paragraph in which relevant facts regarding this question are mentioned in detail so that learned cross examiner may not unnecessarily waste the time of the court.)

(Learner cross examiner in her reply submitted that the nature of the both the questions are different and the

S. Vaino



witness is deliberately not answering the question instead of wasting of time by cross examiner the witness herself is wasting time.)

Ans. I apologise for committing this breach as I was not aware. I thought that because this has already gone in my statement earlier I could read it from my affidavit.

Sand stone blocks have been found in wall sixteen.

Q. Whether sand stone blocks were found below the pillar bases?

Ans. The issue of below or above is a issue of Stratigraphy. It is not a question of depth measurement and Stratigraphy in turn is studied in the section of the trenches so in order to answer this we have to talk about a specific pillar base which has stratigraphical relation with the wall in which sand stone blocks have been found . According to ASI many pillar bases were found but except pillar bases in the north, as I have stated already, the remaining have been created by the ASI. The soil deposit varied from trench to trench in different levels pits and fill deposits. According to me all trenches are equally important. Trench J3 was a trench which was excavated quite deep, more than 10 meter. Upto almost 4 meters of it below the last floor comprised of a huge pit going down to 3 - 4 meters. The stratigraphy given by ASI is incorrect

S. Vams

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because a pit has been strati Therefore the number of layers given by ASI are wrong.

Q. My question was that how many layers were found by ASI in trench J3?

Ans. I do not remember the exact number of layers mentioned by ASI in the report.

It is completely wrong to suggest that I have not seen trench J3. I have just described the huge pit of 3 to 4 meter and I have also stated that this trench was dug upto more than 10 meters. I have tried to observe all the trenches attentively but if I am asked to tell the exact number of layers in each trench then it will be quite difficult to mention the exact number of layers. But in trench G7, I think, 21 layers have been identified by the ASI. These layers were of different periods. The period is identified on the basis of archaeological material that is found in a stratified layer. In trench G7 the earliest level showed evidence of northern black polished ware, which indicated that the occupation at this spot began in the NBPW period but this was known from earlier excavation as well. Terracotta figurines were found in trench G7. These figurines were also found from other trenches. These figurines included animal figurines and human figurines.

I do not know 'Utarayee'. It may be that ASI would have mentioned about 'Utarayee' in their report Vol. 2 but

S. V. a. me



I am not aware of it. I remember that word 'Makarpranal' has been used by ASI some where in the report. I do not know about Islam therefore I can not answer the question whether idols were worshipped in Islam or not. Babar was muslim. I am not an authority on Islam and muslims therefore I am unable to say whether idols were worshipped by muslims or not.

Q. Neither you have any knowledge about muslim nor any knowledge about muslim structure or architecture of masjid. Although the matter in question is related to mandir and masjid. Knowing this fact very well you have come in this court to give evidence on account of some vested interest. What is your reply?

(Learned counsel Shri Abdul Mannan raised objection to the above question and submitted that during the time of Mohammad Sahab about 365 idols were removed from Kaba. Indian muslims do not worship idols. Idols are not kept in any mosque or muslim institution in India. Therefore above question should not be allowed to be asked)

(Learned counsel Z. Jilani, Advocate raised objection to the above question and submitted that this is a compound question ^{as} so many questions are put together. Such compound ^{questions} should not be allowed to be asked.)

S. Vanna



(Learned cross examiner submitted that the witness is claiming herself to be an expert but she is replying the questions pretending to be a lay-person.)

Ans. It is incorrect to say that I have any vested interest. Before coming to the site I examined the plans of Hindu Temples in Encyclopaedia of Indian Temple Architecture but after observing excavation in April 2003 I realised the plans were not tallying with what one would expect for foundation of temple. At that point I checked the plans of mosque. I am not an authority of Muslims and Islam, I am an archaeologist.

Q. Every archaeologist while going to any excavation site has a basic knowledge and plans about the said site to be excavated. Do you agree in this point?

Ans. I disagree because before coming to a site an archaeologist goes through what ever excavations have been conducted in and around prior to the one going to be conducted and I did that.

I was aware that there is dispute going on and the large number of Hindus claimed that there was a temple under neath the Babri masjid and the Court had issued an order for this purpose and it had been reported in the news papers as I have already mentioned earlier in my statement.

Q. What is your opinion about the said site regarding any temple under neith the disputed structure?

S. Varma



Ans. As an archaeologist who spent 47 days at the site and closely observed the excavation it was revealed to me that under ^{neath} the Babri masjid there was an Idgah or Kanati mosque.

Black stone pillar (Kasauti) have been found in the Debris ^{lying} above the floor of the Babri masjid. On the basis of historical documentation I am calling this as Babri masjid. It is incorrect to say that archaeologists do not read history books. As I have already stated secondary sources which include history books are read by every one including an archaeologist like me. In the history that I have read, I did not come across any indication that Babar had destroyed the temple and built a mosque there. If I recall correctly Babar mentions in 'Babar Nama' that he camped at Ayodhya some times between 1526 to 1528. I have not read Babar Nama but this reference has been mentioned in some other books. This is mentioned in S. Gopal's edited "Anatomy of a Confrontation". I have already stated that I read the book written by A.L. Srivastava during my school days which is 30 years ago.

Q. You are deliberately avoiding name of Ashirwadi Lal Srivastava reference although yesterday you had already mentioned in your statement the name of Ashirwadi Lal Srivastava. Since this book clearly says about the Babar that he was invader and came from Kabul

S. Verma



and destroyed the Ran Janm Bhumi temple situated at Ayodhya and tried to make a mosque by altering some construction existing structure of temple Ram Temple. What is your view on this point?

(Shri Abdul Mannan Advocate raised objection that the main battle fought by Babar was with Ibrahim Lodhi who was king of Delhi and Ibrahim Lodhi was defeated by Babar in this battle)

Ans. It is incorrect to say that I am deliberately avoiding the answer as even earlier I mentioned that I read A.L. Srivastava in my school years which is more than 30 years ago and it is extremely difficult to remember things read 30 years ago. I have already mentioned in my statement that I read the book edited by S. Gopal titled as "Anatomy of confrontation" and in the last two days I have read T.P. Varma's and S.P. Gupta's book on the history and archaeology of Ayodhya. The last book is in Hindi

S. Gopal's book contains papers by different authors who are historians and they have examined historical evidence and have come to their conclusion. This book came perhaps in 1991. They have examined historical evidence both of the medieval period and of colonial period. They look at the historical records which can be manuscript etc. There is no mention of a Minaar in the disputed structure. There are photographs of the Babri

S. Varma



masjid that have been attached. There are also photographs of black stone pillar which have been studied by an expert of Iconography.

Q. On the basis of above photographs attached with the book edited by S. Gopal you have drawn inference and already formed opinion about the alleged mosque prior to the excavation?

Ans. It is incorrect to say that only by reading this book I have come to this conclusion. Most standard history books which are used in schools, colleges and universities mention about Babri masjid.

The black stone pillars have floral motifs but I am not sure whether Yaksh and Yakshi were identified by the experts of iconography. I know that Amlaka is found on the top of Shikhar of a temple. I have seen the photograph of the Babri masjid taken from a distance I did not see any close up of 'Singh Dwar'. The photograph of entrance gate was taken from a distance. It is incorrect to say that I had any preconceived idea about this site. I have already stated that I am not an expert on Islam or about the differences between mosque of Shiyas and mosque of Sunni's. The book of Percy Brown, which I checked, only mentions a general mosque plan and does not make any distinction between different kinds of mosque, therefore I can not tell the difference between above two types of mosques. In Percy

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Brown's book there is also mention of Idgah mosque. The name of book written by Percy Brown is 'Indian Architecture'. My knowledge of Idgah is also based on personal observations of some Idgahs that I have seen.

Q. You have neither any knowledge about the architecture of mosque nor construction of mosque nor you have not read any book in this book and obtained knowledge in this regard Mohd. Abid. What is your reply?

Ans. It is incorrect to say that I have obtained knowledge of Idgah mosque from Mohd. Abid. I have checked up about mosque plans from Percy Brown's book and my personal observation of Idgah is based on this fact also that my paternal Aunt (Buwa) lives at Idgah hills in Bhopal and very close to her house is Idgah which is located there and I have been visiting my Aunt since the last 20 years when she shifted there after construction of her house.

I have heard the name of Jai Chand who was last Gahadwaal King.

Q. Jai Chand and Maan Singh were traitor. What is your opinion?

Ans. It is incorrect to say that Jai Chand and Maan Singh were traitors.

Q. Do you agree Jai Chand with conclusion of Mohd. Gauri made plan to invade in India but after victory of

S. Vaidya



Mohd. Gauri, Jai Chand was put to death by Mohd. Gauri.
What is your reply?

Ans. I disagree with the statement because Jai Chand could not have invaded India as he was already ruling over parts of Ayodhya and Banaras.

Q. Whether jai Chand assisted Mod. Gauri in invading India?

Ans. No, Jai Chand did not assist Mohd. Gauri in invading India but I have read in history books that there was battle between Jai Chand and Mohd. Gauri at Chand Vaar and Jai Chand was defeated.

I know women do not go inside the mosque.

Q. The existence of broken pieces of bangles at a particular shows that there have regular visit of women at that place?

Ans. The finding of bangles pieces in fill deposits as is the case at the site, could not be interpreted as indicating primary use as bangle. They could have come as part of the fill which was brought to level the un-even ground. I have examined the bangle pieces mentioned in the ASI report and from them it appears that they came from fill deposit because the layers that have been ascribed by the ASI are nothing but fill deposits found underneath different floors. Animal bones have also come as part of earth that was brought for construction purpose as I have

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already stated in my affidavit. ^{The} animal bones coming from periods 1,2,3 are coming from stratified contexts. I know that ivory objects have been found from the disputed site but I do not know their details. If terracotta bangles have been found in the layers ascribed to period 1,2,3 then they are coming from stratified contexts but as I have already stated from period 4 onwards we start finding fill deposit and so if the terracotta bangles have been labelled as belonging to periods between 4 and 9 it would have formed part of the earth that could have ^{been} brought from outside and would have comprised ^{of} fill deposit, which are secondary context.

Statement read and verified.

S. Varma

31.03.2006

Statement recorded on my dictation in open court. Cross examination could not be concluded. Put up on 17.04.2006 for further cross-examination before Hon'ble Special Bench.

S. Varma

H.S. Dubey
(H.S. Dubey) 31.3.06

Commissioner

March, 31, 2006

IN THE HON'BLE HIGH COURT OF JUDICATURE AT
ALLAHABAD,LUCKNOW BENCH,LUCKNOW17-4-2006P.W.32 Dr. Supriya Varma

(Cross examination of P.W. 32, Dr. Supriya Varma, in continuation of her statement dated 31-03-2006 on behalf of Akhil Bhartiya Ramjanam Bhoomi Puṅruddhar Samiti, defendant No. 20 of O.O.S.No. 4/1989, by Ms. Ranjana Agnihotri, Advocate started. The witness stated on oath).

It is wrong to say that the research paper titled 'Is Archaeology an Immature Discipline' was prepared with the help of Shereen Ratnagar and Jaya Menon. The meaning of 'Immature Discipline' is that its methods and practices need to be further ^{or defined} refined. It does not mean that without having knowledge of History, one cannot find the History of Archaeology alone. In para 5 of my affidavit, I have referred the connected records which means the site note books, antiquity register and daily register prepared by the ASI team during the excavation in question. I also signed daily register once or twice during the time of excavation. Daily register is the record which mentions about the finds recovered during the excavation. Trench number is also mentioned in the daily register. Stratification is based on observation. Principles of

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stratification imply that what comes earlier is below and what is chronologically later comes above but actual detection of different strata and different layers is by physical observation. Whether it is fill deposit or stratified or pit will not differ from person to person and everybody would agree on it. I do not agree with the stratification/observation as reported by ASI in its report in question in respect of the excavation. There has never been any difference of opinion regarding stratification of other sites that have been excavated during my presence. As I have already mentioned earlier I have excavated at the site of Nageshwar, Nagwara, Bagasara and Samnapur and there was never any difference of opinion between my findings regarding stratification and findings of other members of the ASI. I cannot recall P.J. Peterson but I know Prof. G.C. Mahapatra. I have not read his report on Specific Study of Stratification. I have not heard of any person named as 'Smith' who is said as the first person to write about strata. In archaeology, strata means different layers that means one imposed on the other. It further means that different cultural materials which indicate human habitation, leave an archaeological record in the form of different strata. Different civilisations declined for different reasons. Very often, in History and Archaeology in the past, there has been a tendency to ascribe natural

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calamities like floods or quakes or foreign invasions as possible reasons or factors for decline of a civilisation but in more recent years, historians and archaeologists through their research are suggesting that the reasons lay perhaps more in the political and economic structures of the civilisation. It is not correct to say that when destruction starts, the roof of a structure falls first. Any structure which collapses, it can collapse for many reasons. Debris will naturally accumulate at the site of the structure. It is not correct to say that the debris of a roof will always fall inside the room and of a wall outside the structure. If the destroyed site is not used, then the debris would remain. However, if the site is reused, then the debris can be cleared or spread to level the ground or some of the debris can be used in the new construction. The chronology of a debris is ascertained by the chronology of a layer which is sealing the debris. The layer is ascribed chronologically on the basis of the cultural material or the archaeological material that is found in the stratified layers. Sometimes in stratified layers, charcoal samples can be collected and dated. It is wrong to say that thickness is one of the criteria in determining the period of strata. I have read the book of Mortimer Wheeler, titled as Digging the Earth. It is not correct to say that Mortimer Wheeler in the above book has said that it is the thickness of the layer which

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would determine its period. If the layer is stratified then according to the principles of stratigraphy, cultural material of the same period or civilisation has to be found. If we find archaeological material of different periods, then that is an indication that it is probably not stratified and is in fact mixed up. The stratification of a wall is determined by the strata on which the foundation rests and the layers through which the walls cut it. While stratifying a wall, precaution should be taken that some portion of the wall always remains attached to the section of a trench. At this juncture, attention of the witness was drawn at fourteenth line from top of page six of her affidavit and was asked that you have said that the method adopted by the ASI in stratification is completely wrong, the witness answered that I mean to say that ASI people have flouted the principles and methods of stratification, such as the fill deposit has to be reported as a fill deposit and a pit has to be reported as a pit but in the excavation in question, the ASI was wrongly stratifying a pit and in the report they themselves have gone on record saying that pits in J-3 and also in K-7 and K-8 were wrongly identified as layers and they themselves admitted that pits were stratified and they have stated so in the report. The antiquities had to be recorded in the context in which they are found - whether it is a pit or a fill deposit or a stratified layer. Now the ASI

S. Varna

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even though it admitted that antiquities are coming from a pit in the final record, this was not rectified and antiquities were shown as coming from stratified deposits. (In this connection, the witness has referred to last two lines of page 45 of the report and also the top four lines of page 46 of the ASI report which are as under :

“Similarly another huge pit was excavated in J3-J4, the purpose of which could not be discerned by the data available at hands. During excavation in trench J-3, however, the same could not be identified, as the pit was larger than the operation area and the pit line was not available, which was later confirmed in trench J4, and the material, therefore, from the trench has been marked as those from layers 1 to 6 but in effect it belongs to the pit and the layers are superficial”.

Q. The above part of the report which you have referred does not indicate that any illegality or mistake is committed by the ASI.

Ans. Any archaeologist, who reads the report and reads these lines at pages 45 and 46 of the report and looks at the chart of the antiquities of the report will immediately come to the conclusion that the A.S.I. is falsely misleading this Hon'ble Court. The witness volunteers that once ASI admits that layers one to six in trench J-3 are those to be

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identified as a pit, then all antiquities found in these layers must be described as coming from the pit and not as coming from stratified layer. Unfortunately, the ASI did not rectify it as far as the antiquities from these deposits of J-3 are concerned and in several chapters, on terracotta object or other miscellaneous objects, these have been wrongly stated as coming from the stratified layer which is most improper and flouts the archaeological ethics. The period of an antiquity found from pit can be described as coming in a pit and sealed by a layer. Therefore, all that could be said is that the layer that seals the pit is the period when these antiquities are found its place here. I do not know which of the antiquities recovered from the pit ⁱⁿ is trench J-3 and J-4 can be attributed to a mosque. Similarly, I do not know which of the antiquities recovered from the pit ⁱⁿ is J3 and J4 relate to a temple. For me as an Archaeologist, what is important is to ascertain that these objects are coming from a pit and the layer sealing it and that is all, which is important. Since a find recovered from a pit is irrelevant for an archaeologist to determine its culture, I did not determine and nor can I say the period of these finds. They comprised of mixed up material and they were brought there to fill or level the ground. I cannot say with certainty that as to how deep a grave is dug for burying a dead body. However, by guess, I can say that at

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least it is deep by a metre and half. I cannot answer with certainty as to how long it will take for the flesh of a dead body to decay. In archaeology, to ascertain as to whether any temple was existing or not at the site to be excavated would be determined by the plan of the structural remains because the plan of a temple is very distinctive. The main identifying feature of a temple would be evidence of a plinth and plan of a temple is cruciform in shape which means that there is a square garbhgrih at the rear, in front of which there may be a single mandap or several mandaps and an antarala connected with a mandap to the garbhgrih and on either side of the garbhgrih, there may be very small chambers known as a ardhmandap, whereas the shape of a masjid is always oblong in nature and this plan and shape is clear at the excavated site. The determining factor would always be a plan and the finds recovered from the site would play secondary role.

Q. what is the purpose of decorated stones and pillars in a building ?

Ans. They are meant for decoration of a building. In a temple, normally or generally the decorations are made outside of the wall, meaning thereby on the outer wall of structure but sometimes it is made inside also. In a foundation, decorated stones can be found. Where the decorated stones are found in a foundation, it means those

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decorated stones are reused in the construction of the building because very often, reused materials are used for the purpose of construction. The decorated stone shown in plate no. 23 of vol. II of the report, was found in the foundation of wall-5. The decorated stones shown in plate 62 in ASI Report Vol.II are in wall No. 16. The broken decorated stone shown in plate 44 of ASI report Volume-II is part of the foundation wall of central chamber of Babri Masjid. In plate 31, the decorated stone was found in wall 16 or it could be of wall 17. Plate 31, the decorated pillar shown is not of any foundation but it is in the debris lying in the central portion of the disputed structure. In plate 15 of the A.S.I. report, no structural base is shown. There is only one small platform which is visible in the said plate. It is correct that the ASI in its report has shown it as a Ram Chabutara because a larger platform on the top of it was existing and known as Ram Chabutara. The ASI has also in its report said that this platform was a Vedi. I agree that Vedi is an object of religious importance in Hindu religion but I do not agree with the identification made by the ASI. I am not sure about the exact age of 'pipal' tree. There was a pipal tree besides the Ram Chabutara which is there even today but I cannot say that it is as old as of 500 years. I know that Hindus worship pipal.

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Some of the objections filed by Sunni Central Board against the report of A.S.I. were included on my and Dr. Jaya Menon's suggestion. I have never worked as Team Leader in any of excavations I was associated to. I was invited by the M.S. University of Baroda conducting the excavations but I did not prepare the report because I was not part of university carrying out excavations. It is wrong to suggest that I have not read the report with neutral mind and without any bias. This is also wrong to suggest that I have appeared as a witness because of some vested interest but the fact is that I have appeared as witness to state the truth. It is wrong to suggest that inspite of there being evidence of temple I am not stating the truth.

(Cross examination on behalf of defendant No. 20, by Km. Ranjana Agnihotri, Advocate recorded and concluded.)

(Cross examination on behalf of defendant No.3 Nirmohi Akhara by Sri R.L. Verma Advocate started:)

XXXX XXXX XXXXXX XXXX XXXXXX

In Indor Khera located in District Buland Shahr, I am Deputy Director of the Team and at present only exploration job has been done. Indor Khera does not have any cultural material related to Harappan Civilisation.

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Indor Khera is not within the boundary of Sindhu Valley Civilisation. Boundaries of Indus-Valley Civilisation extend from Punjab in Pakistan, Sindh in Pakistan and Makran coast is the Western limit and on the Southern side it extends to Kachch and Kathiawad in Gujrat and Eastern limit extends to mainly sites in Haryana and similarly on Northern side upto the foot- hills of Himalaya, namely, Manda and one Harappan site is found in Badaakshan in Afghanistan. It is wrong to suggest that site Bhagat Rav is located in Madhya Pradesh while it is actually located in South Gujrat and is a coastal site. Alamgir in District of Meerut of Uttar Pradesh is also a site of Harappan culture. No coin was recovered during excavation of any Harappan site. It is wrong to say that 1200 coins were recovered during excavation at the site of Mohen Jodaro of Harappan culture. It is true that 100's of seals (mark of identity for authorities) were recovered from Mohen Jodaro site of Harrappan Period. There is difference of opinion amongst the archaeologists about one of the seals having some engravings of a figure. Some of them, say it to be engraving of Pashupati (Shiva) while the others do not agree with this and they are of the view that it is a figure of Shaman. (Shaman are ritual specialists that have certain powers who can transcend from one world to another world and communicate with spirit of animals and act as a

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healer or a medicine man and 'Shamans' have been identified in many societies of all over the world and it is different from the word 'Shraman' which is associated with Buddhist religion. 'Ojha' can be identified as 'Shaman' to some extent but Shaman has more spiritual powers. The Harappan society also would have had some religious practices. Some of the cylindrical objects found during excavations of Harappan period by some archaeologists have been described as games-men. Terracotta female figurines have been found from excavations of Harappan site but it cannot be said with absolute certainty that all of them relate to a cult known as 'mother goddess'. At the site of Kali Bangan fire-altars have been identified, containing ash and animal bones and at the site of Nageshwer there were two interpretations - one excavator identified it as fire-altar and another as pottery-kiln. Animal figurines have also been recovered during excavations at the site of Harappan period. The material used for preparation of such figurines was terracotta. Wheat and Barley were the crops grown during Harappan period. I do not agree with the suggestion that destruction in the Sindhu-Valley Civilization was because of havoc. This is true that Marshal an Archaeologist, has said that the destruction of Indus-Valley was because of havoc but thereafter in the last 50 years a lot more research has been

S. Varma

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done and the different reasons have now been given, for the said destruction. Both, Mortimer Wheeler and Gordon Childe did attribute invasion as one of the factors for destruction but later Gordon Childe himself revised his views. The view that the Aryan invasions were responsible for destruction of Indus-Vally Civilisation does not hold good today. There was a movement of Indo Aryan speakers over 100s of years of small groups who settled in north-western part of sub-continent. I agree with this proposition which I have stated. We need more study to come to a definite conclusion whether the cylindrical objects were of Shiv lingas or games-men. Similarly in respect of female figurines found whether they are of mother Goddess or just toy objects, More research has to be done. Similarly, in respect of ascertaining whether female figurines found were of mother-goddess or just toy objects, we need more study. Indo-Aryan people who came in groups as stated by me followed certain religious practices. They worshipped natural phenomena. The evidence regarding the earliest time of image worship starts from Gupta period and since then the temple construction also began.

Statement read and verified

S. Varma

17.4.2006

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Statement recorded on my dictation in open court.
Cross examination could not be concluded. Put up
tomorrow for further cross-examination.

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17.4.2006

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

18-4-2006

P.W.32 Dr. Supriya Varma

(Cross examination of P.W. 32 Dr. Supriya Varma in continuation of her statement dated 17-04-2006 on behalf of defendant No. 3 Nirmohi Akhara by Sri R.L. Verma, Advocate started, the witness stated on oath).

It is correct to say that Gupta period is also recognised as pre-medieval period. It is also correct to say that Gupta dynasty was ruled by one of the ruler known as Chandra Gupta II. I believe that it is correct to say that Chandra Gupta II is also known as Vikramaditya. I have not come across any inscription at village Karamdada in Faizabad District which may be attributed to Chandra Gupta II period. I have not seen during excavations at the site in question any inscription attributed to Gupta period but I read it in the report that there was a coin bearing inscription 'Shree Chandra' and 'Garud' can be seen on one side of the coin - which may be interpreted to belonging to Chandra Gupta II period. Some historians believed that Gupta period was the golden period of Indian history but some other historians dispute it. The historians who believed the said period to be as golden period, did

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not believe that period as golden only because there was architectural temple constructions but there were other factors also like development of literature and art. It is not correct to say that architectural development was dependent upon Gupta period because in terms of art there was development prior to the Gupta period. If we talk of temple architecture then real development finds place in early medieval period, in which period there were some very finest temples constructed. It is correct to say that the image personification of statues and deities was known from the Gupta period but such personification might have been in existence prior to the said period. It is correct to say that the rulers of Gupta dynasty were known as vaishnavites. As far as I know the structures of temples or huge buildings in Gupta dynasty period were plain and simple comprising of one small square roof with either flat roof or small shikhar which cannot be described to be either free or not from foreign impact; but it is correct to say that such structures were constructed of plain stones slabs. Most of them stones slabs used in structures were plain but a few were decorative pieces. To my knowledge motifs or decorations on the stones slabs in the outer walls bearing images of flowers, human images, musical instruments were used in the early medieval period following the Gupta dynasty period. Once large structures

S. Vaino

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of temples began to be constructed, numerical pillars with architectural designs as per astrological norms were used in the Mandaps. It is true that archaeologists make inferences on the basis of evidence and context. No inference can be drawn out of the situation where some pillars in a temple premises, of ten feet heights in group can be used for a mass gathering during festival etc. To my knowledge it is not correct to say that many God statues or images of deities were usually installed in Gupta period temples. However, as I know that in Devgarh in Jhansi District, the statue of Lord Vishnu of Gupta dynasty period was found to be installed. In Gupta dynasty period neither there were big rooms of temples nor Chabutras on which deities were installed. A deity is normally placed on a raised platform. It is correct to say that in most of the temples of that period, the temples with raised platform faced east. It is not correct to say that in Gupta period temples, the outer walls were plain and inner side of the walls contained structures and engravings. I may add voluntarily that there was a brick temple which has been found at Bhitargaon in Kanpur district which by some scholars is dated to late Gupta period and it has on its outer walls from a height of 8 ft. above the ground ^{as level or} decorations. Towards the northern and southern ends of the wall No. 16 at the site in dispute there are supporting walls on both sides i.e. eastern and western sides of the walls. It _____

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is not correct to say that towards north the wall in eastern side abuts the main wall 16. I may add that on both the sides of wall 16, there were enclosure walls of the mosque and these enclosure walls were 70- 90 cms. wide while the width of wall 16 was 1.77 meters. On the northern side the enclosure wall is angular in shape. I do not agree with the suggestion that the important feature and distinction between a temple and mosque is that in temples provision for a kitchen is generally found. In fact, most of the temples of Gupta or early medieval period did not have any evidence of kitchen being there. To my knowledge, there was no provision of kitchen in a mosque. Seeing plate no.3 of ASI report, Vol II, I can say that the oven and hearth visible in it were of 19th century; perhaps it would have belonged to the period after which Ram Chabutra was constructed in 1856. Certainly it was not a part of mosque. In plate no.8 of ASI report Vol II a wall is visible at a depth of 4 Meters ^{from a} ~~to~~ top. Perhaps it belongs to early historical period, may be Kushan or Gupta period. The ASI in its report has referred to a wall towards west of wall 16 to be as buttress wall which in fact is the same as supporting wall. It is incorrect to say that the platform visible in plate no. 12 was in trench J-3 as marked by ASI. In fact this brick court yard is in K-series of trenches and not in trench J-3 as trench J-3 was excavated down to

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10 meters. J-3 is visible where a ladder is put across in this very plate. As I can say the brick tiles visible in plate 12 do not belong to Gupta period because a coin which according to ASI report pertained to Mughal period was found there. This coin (Registration no.69 mentioned at ^{in antiquity register to be passed at} Page 7) by the A.S.I.) was found beneath the brick pavement. This has been mentioned in antiquity register that this coin was found in K-5 layer-3, below the brick pavement. I cannot guess or calculate as to which period these tiles belong to as it can be ascertained through Stratigraphy and datable archaeological material. The tiles were only 40 cms below the surface, according to my calculation these tiles were possible of medieval period. It is incorrect to say that medieval can be divided into pre medieval as that is outside the medieval period. It can only be divided into early medieval, medieval and late medieval periods. According to my knowledge these periods can be dated as below:-

early medieval- 6/7th century up to 12th Century A.D.

medieval- Generally 12th to 18th Century A.D.

late medieval- Generally 18th century or late Mughal period.

I have no doubt about the depths of the antiquities mentioned in the ASI report but at the time of excavation when I was there then A.S.I. tried not to disclose that they

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were taking depth from top of the debris, which has to be indicated in plus and that below in minus. We, in fact, had to point out and get it rectified. The members of the ASI team used tape to measure the depth and height. Plumb bob for measuring the depth was used for the drawing of the structures. It is difficult to disclose as to whether at the site, as visible in plate no.12, there was a pavement or a court yard.

In plate 67 of Vol.II of ASI report, same pavement which is shown in plate no.7 has been shown. The plate 67 is of baulk of K-4 and J4 and of trench K-4. In plate 67 in the floor, 'ghat' shape cut is shown. It is correct that the above pavement is on the eastern side of the make shift structure. It is correct that there are gaps in between two tiles which were laid on the pavement/courtyard shown in plate 67 of Vol. II of ASI report. In plate-4 of the report of ASI, Vol. II, pegs fixed by the excavators are visible. In plate 4, an iron ladder is visible and in front of that ladder trench G-8 was carved out. It is correct that trench G-7 was not fully excavated and only western part of that trench was excavated up to depth of about 13 mtrs. In plate 4 in trench G-8 on the eastern corner as per ASI report, pillar base is shown but I do not agree with that. In plate 4 what is visible is a layer of alcrete blocks beneath which there is some fill and thereafter layers of brick-bats are there. Trench G-8 was just at the western end of Ram

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Chabutara. I have used word protruding in para 18 of my affidavit, which means that a portion of a brick or an antiquity is sticking out, i.e. partly it is inside the section and partly projected outside. In such a situation, this antiquity or brick-bat or stone is not to be pulled out from the section and it should be allowed to remain intact there so that the same could be studied with full stratigraphy in its full context.

Q. Whether the words used by you in para 18 of your affidavit like bricks and brick bats are used in an isolated form?

Ans. The words, 'brick and brick-bats' referred by me in my affidavit are in the context of the section of the trench of this para and in fact, deals about the section of the trench. It is correct that in plate 64 of the report Vol. II of ASI the articles are visible in the section. In plate No.5 of ASI Report, trench G-7 is shown and the wall of this trench facing eastern side is of Gupta period. It is not correct to say that Gupta Dynasty was followed by Pal dynasty as there was a gap of about 300 years between the two dynasties. It is wrong to suggest that immediately after fall of Gupta period, one Gopal from Bengal has installed Pal dynasty which ruled for 45 years. Herself volunteered that in fact, Gupta dynasty was followed by later Gupta kings, Maukharis and then Harsh. It is true that a broken

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stone inscription was found in trench J-3 in a pit. having inscription of 'ngapal' but according to my opinion, since the inscription was broken this was not the complete term. I cannot say whether Nayapal was one of the kings belonging to Pal dynasty. Herself volunteered that Pal dynasty kings were followers of Buddhism. Perhaps the period of Pal dynasty is between 9th -10th century. I cannot give the exact number of pits which were found in various trenches on the excavated site. However, these pits are of very large dimensions, sometimes four to five mtrs. in length, breadth and depth. In archaeology, normally, pits are referred to smaller holes which could have been dug for various purposes, such as for dumping rubbish, and we can also have pits for the purpose of foundation while making structures. Even filling uneven ground could be described as a pit. I do not agree that pit can be created by natural process. The layers found in the trench are numbered from top to bottom by the archaeologist. The purpose of the marking of layer as one to three is to indicate different strata. Marking of different layer is done on the basis of soil colour, soil texture, compactness of the soil and cultural material. It is not correct to say that while marking or by giving number, an archaeologist is required to touch physically the section but he has to observe and thereafter to give number. As an observer, I was not

S. Varma

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allowed to go inside the trench, especially the deep trenches at the disputed site but I did step down in those trenches which were excavated only up to one and half metres. It is correct to say that sometimes water is also sprinkled in the section to improve the visibility. Layers are never of equal size and they are always of unequal size. It is correct to say that cultural periods start from bottom, meaning thereby that the classification of the numbering starts from bottom and it goes up because the earliest is at the bottom. It is correct that several layers put together comprise one cultural period. Contemporary layer means it is in relation to some other layers, e.g. layer 14 in J-3 could be contemporary with layer 18 in trench G-7, both belonging to NBPW period. Similarity of number is not necessary because it may vary from trench to trench.

Q. Whether in a trench, if a particular section has got a pit in a strata and if an archaeologist gives a finding after perusing the finds of other three sections of similar strata, will that finding not be a good finding ?

Ans. Sections are different. However, while excavating inside the trench, an excavator has to be sure whether he is excavating a stratified layer or a pit. The findings from stratified layer are reported as coming from layer so and so which is determined according to the section and objects

S. Vainma

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coming from pits have to be mentioned that they have come from pits sealed by a particular layer.

It is not possible that in a particular layer, finds may belong to different cultural periods. Sometimes it may happen that in case of reuse of the material, a find belonging to the earlier period may be found in a layer of the subsequent cultural period but vice versa it is not possible. Before coming to the conclusion, the archaeologist has to examine each and every finds recovered during excavation from a particular trench to determine the period. In case, out of the ten finds recovered, archaeologists associated with the excavation are unanimous in respect of 9 finds but have different opinions in respect of the last one, then all these things are to be recorded in the report prepared by them. I have not read the report of Chirand excavation site but I have read the book, 'Archaeology from Earth' by Mortimer Wheeler. In archaeology, relative chronological cultural study is necessary before arriving at a conclusion which basically means stratigraphy. Method of association in archaeology means associated cultural material in a layer. In a layer, so many different articles may be found, such as bangles, potteries, bones etc. The bangles may be of iron, copper, glass, ivory, terracotta and shell depending upon the period. In Hastinapur excavation, glass bangles belonging

S. Vajma

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to the 7th century B.C. were found in excavation but I am not sure whether this was the first time that the glass bangles were found during excavation or they were found in any prior excavation. The historians who have studied about the Mahabharat have given the Mahabharat period as from 1000 B.C. to 400 A.D. During this period, Mahabharat was written, edited and revised as per study of the historians. Sub para 1 of para 6 of my affidavit mentioning the period 1, 2 and 3 refers to the report of the ASI on excavation. The sign of the earliest period at the disputed site as found during excavation is of NBPW which has been shown at page 37-A of Vol. I (Text of ASI report) in purple colour. Similarly, at page 37-B of the above report also, NBPW period is shown by dark blue colour as the first period. The signs of the upward period are also shown in different colours on the above two pages of the report. On page 37-A of the above report, in trench G-7, floor (FL 4) shown by brick red colour denotes brick crush layer which was found during excavation. Brick crush layer is different from lime and surkhi. The use of lime, surkhi plastered floor is found during the seventh century A.D. onward in the Sindh area of Indian subcontinent. The material used in the plaster of the Chabutara shown in plate 15 Vol. II of the ASI report may be of lime and surkhi or just lime plaster. The floor just

S. Varma

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beneath the Chabutara has a plaster of lime surkhi. The ASI has not excavated the Ramchabutara area in a proper manner as they ought to have as per norms of the excavation based on stratigraphic principles as a result of which we cannot properly study and indicate the floors in relation to the floor.

According to me, in plate 15 above, there is only one floor above the Chabutara. On the right hand side of the said Chabutara in the corner, only the mortar layer is there and not a floor. In plate-18 of the above report, there is a Chabutara but beneath the same is not a floor but only lime surkhi mortar. In plate 31 of the above report, main floor of the excavated site, i.e. floor No.1 is shown.

I do not agree with the report of the ASI that there is any pillar base in trench G-8. By saying that ASI people created pillar bases, I mean that while excavating, they removed brick bats selectively from some portion leaving the other portion to give shape of a pillar base and it is because of this reason that the shape of the pillar bases as also the size and depth vary from pillar base to pillar base. I do not agree with the suggestion that the pillar is round in shape and the brick bats set in regular courses and having two stone slabs in the middle. However, it is true that two concrete slabs are there in the middle. I do not agree with the ASI report that it is a pillar base. The objections

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referred to in para 14 of my affidavit against creation of the pillar bases were prepared to safeguard the principles and ethics of the profession and not for any professional gains. I do not agree with the suggestion that plates 59 and 60 show a shrine but according to me, it is Buddhist votive Stupa. Pottery is generally used as a chronological marker by archaeologist for fixing a period. If beads and pestles are coming from the period one to three, it is NBPW, Kushan period, thus these can very well be used by ordinary people. These are the household objects. It is wrong to suggest that I have come to depose here for professional gain because if I get any professional gains the same would be because of my academic publications. For staying at Ayodhya during excavation, I did not spend money from my pocket and it was not an enjoyable experience.

Statement read and signed.

S. Verma

April 18, 2006

Statement recorded in open Court on our dictation.



April 18, 2006

Cross-examination on behalf of defendant No.3
Nirmohi Akhara by Shri R.L. Verma, Advocate recorded
and concluded. Put up tomorrow for further cross-
examination.

S. Vaino

ES B. J. P.
18.4.2006

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

19 - 4 - 2006

P.W.32 Dr. Supriya Varma

(Cross examination of P.W. 32 Dr. Supriya Varma in continuation of her statement dated 18-04-2006 on behalf of defendant No. 2/1 Mahant Suresh Das, by Sri Madan Mohan Pandey, Advocate started , the witness stated on oath).

I have mentioned about a chapter which I had authored in a book, referred to in para 3 of my affidavit and since the book was scheduled for release on 1.4.2006, I mentioned it so in contemplation at the time when I got my affidavit prepared on 27th March, 2006. The law of 'super position' is different from the law of 'super imposition'. Prior to April 5, 2003, I had not visited the site in dispute. I was aware of the controversy about the disputed site from mid eighties. Since the controversy was going on for the last two decades, I do not recollect as to when this controversy picked up wide publicity. I read in the newspapers about the opening of locks. Perhaps it was sometime in the year 1986. If I remember well, Vishwa Hindu Parishad raised a demand about the site in question. I also came to learn from

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the newspapers reports that some dispute was pending litigation in some Court. I do not recollect that I paid much attention to the fact as to who were parties to the dispute, as I was more interested in the academic part, particularly the history of the disputed site. Since, then I was busy in research of my Ph.D. study, I did not ^{or dwell on} dwell upon the dispute and its intricacies. In the year 1991, I studied a book on the disputed subject which was edited by one Prof. S. Gopal, son of late Dr. Radhakrishnan, former President of India. Besides that, I ^{or have} also read the books written by S.P. Gupta and T.P. Verma, titled as "Ayodhya-Ka-Itihas Evam Puratatva". Also I ^{or have} read the book, titled as "Ayodhya", written by Hans Bakker. Also I ^{or have} read reports, published in 'Indian Archaeology - A Review' regarding excavations conducted at Ayodhya by Prof. A. K. Narain and Prof. B.B. Lal. I know about the dynasties, rulers of which ruled Ayodhya where the disputed site is located but I cannot tell the names of the rulers. The same may be quoted as below in serial down the line :

1. Mughals(sixteen century)
2. Lodhi (15th century)
3. Sharqi (14th- 15th century)
4. Altamish, Slave Dynasty(1226 A.D.)
5. Gahadwala towards the end of 11th century.

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I cannot accurately disclose the period of Gahadwala Dynasty but if I remember it was perhaps ^{ca 1056} 1086 to 1196. I cannot disclose who was the ruler before Gahadwala Dynasty and even the historians are not categorical about the names of the rulers of the dynasties. The situation in the History is hazy from 650 to 1050 A.D.

It was within my knowledge that this Court had issued an order regarding excavation of the disputed site. Also I know that the order regarding excavation was passed for a particular purpose. I am also aware of the fact that prior to excavation, a G.P.R. survey had been conducted at the site under the orders of the Court. I have perused the summary of the G.P.R. survey report. G.P.R. survey is a scientific method but as with many scientific methods, there is only degree of accuracy which can be achieved. The result of G.P.R. survey cannot be hundred percent accurate. The result may be confirmed after actual digging of the spot. It is true that anomalies were pointed out in the GPR survey report but they proved to be incorrect. Out of the 186 anomalies, pointed out by the GPR survey report, only 39 were confirmed to be correct and in this way, the ratio of accuracy was less than 25%. Those 39 anomalies include structures as excavated by the ASI but not the pillar bases.

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Since I do not accept that any pillar bases were found during excavation except in the northern area, I do not agree with ASI report that pillar bases were found in the area of the 39 anomalies having been pointed by the GPR survey report. The pillar bases which are acceptable to me form part of Z series of trenches. The area of the Z series of trenches was surveyed by the GPR survey team but I am not hundred percent sure as to whether they had covered that area or not. If I remember exactly, then barring the make shift structure and the barricaded area, the entire area around the make shift structure was possibly surveyed. I cannot be sure as to whether entire excavated area was or was not surveyed by the GPR survey team. I did not do any verification of the anomalies found to be true by the excavating team nor I tallied such anomalies with the G.P.R. report either at the site during excavations or after submission of the report – the reason being that the GPR report is only a tentative finding which has a very wide degree of relative accuracy and it cannot be taken as a gospel truth. As an archaeologist, I can say that too much credence cannot be attached to the anomalies pointed out by the G.P.R. survey team because the positions indicated by the GPR report may vary within 3mtrs plus minus for various reasons like soil conditions, humidity, rock etc. Except the site in dispute, there is no other excavated site where the excavation followed the

S. Varma

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G.P.R. report. It is true to say that the GPR report had suggested that existence of anomalies could only be confirmed by excavation and it was perhaps on this basis that the Court had issued order for excavation. A.S.I. in its report has given a chart of all such anomalies which were confirmed during excavation. I have seen that chart and the chapter of Report which says that 39 anomalies had been confirmed. I have no expertise in the GPR survey technique.

I visited the site of excavation three-four weeks after it had started. When I reached at the site, excavations were going on in J and K series. Then there was no trench, excavation of which would have been completed. It is true that each trench was being supervised by an archaeologist. It is also correct to say that excavation was being conducted as per norms of grid system of excavation – which is one of the accepted system of excavation. It is correct to say that the excavation work was going on in presence of the parties and their nominees; and two judicial officers under the orders of the court were also supervising the excavation. So long I was there, the presence of the parties, their nominees and supervision of the judicial officers continued. Generally, for antiquities, it was three dimensional recording but for other finds, just a depth was recorded. Photography and Video recording of trenches and also of antiquities were also being done. The only method of

S. Vajra

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excavation is to dig layer-wise, so at a time, you dig 5cm to 10cm but sometimes larger digs were undertaken by ASI, perhaps because of the haste that was there. It is incorrect to say that two methods of excavation are horizontal and vertical. As a matter of fact, it is only one method of excavation which means that one excavates slowly, taking small digs at one time, comprising of 5 or 10 cms. in thickness. Horizontal excavation means that one has to lay down the trenches all over the area and excavate them all. Vertical means that one has to choose one or two trenches and go down, while digging, up to the natural soil. I may explain that horizontal and vertical excavations are two parts of the same method of excavation but the actions are different depending upon the nature of mound, site and the problem in mind. It is possible to come to a conclusion by excavating vertically, relatively with a view to know the quick result about the relative chronology of the site, i.e. the relative period. To ascertain cultural sequence of a site, two methods are possible – the first being a gulley or exposed section along the edge of the mound after surface ^{or p. m.} scraping can help us to determine the chronological sequence and the other is to dig one or two trenches by way of trial cuttings. In this way, we can ascertain result of the sequences and other structures. Horizontal excavation is necessary only if we want to know more about the relative chronological

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sequence. Certainly in that situation, we have to go for many more trenches and open them horizontally but in each trench, one has to go vertically as well up to the natural soil. It is true that at the site in dispute, excavations were made horizontally as well as vertically. It is not correct to say that the calculation of cultural sequence period-wise cannot be made unless vertical excavations are taken recourse to. I do not agree with the suggestion that the ASI team had excavated the site in dispute according to the accepted norms of excavation. The basic principle of accepted norms of excavation, i.e. digging layer-wise has not been followed by the ASI team. In the case in hand, the diggings were not made after removing the complete layers, meaning thereby that the excavations were not made step by step, i.e. after recording and removing the entire layer while digging successive layers.

There are other three errors which were committed by ASI in doing excavations at the site in question. As I mentioned earlier, bricks-bats, bricks and other objects were pulled out from the section which should not have been done and about which I have already stated. Thirdly, the method in which Ram Chabutra area has been excavated is also not correct. A part of structure should have been left attached to a section so that we could ascertain the Stratigraphy of Ram Chabutra which is not possible since it

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was totally destroyed. The last point is that pits and fill deposits were falsely shown as stratified layers. These are the four main mistakes which have been committed by the ASI in relation to the method of excavations. During the course of excavation, I prepared objections in writing pointing out all these irregularities and handed it over to the parties concerned. That objection was not signed by me. If I remember correctly the first objection prepared by us was submitted by parties before the observer on 21st May, 2003. Thereafter, several objections were filed during the months of June and July, 2003. The complaint dated 26th June, 2003 referred in para 6 at page 6 of my affidavit was jointly prepared by myself and Dr. Jaya Menon but it was not signed by us. It is true that this complaint was only in respect of trench G-8.

In the objections dated 26th June, 2003 as referred in my affidavit at page 6, we had pointed out objections in regard to stratifying the layers incorrectly by ASI with regard to trench G-8. Besides the complaint dated 26th June, 2003, there are several other complaints written by myself and Dr. Jaya Menon starting from May 21, 2003 up to July, 2003. These complaints were in regard to all the four points as stated above.

Q. In Archaeology, depth of a trench is not material for getting some result but the Stratigraphy and year of

S. Vainu

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construction of structure alone are material. Do you agree with this proposition ?

Ans. I do not agree with the above proposition. Although the Stratigraphy is necessary for ascertaining period of structure which can only be ascertained in relation to section and the depth is important because for the recording of all the findings, including antiquities and structures depth of these things are necessary and are to be noted. Therefore, the depth is equally important for coming to the final conclusion. In relation to the disputed site the digging up to natural soil was not necessary in all the trenches. It is correct to say that the ASI excavated up to the required depth. Stratigraphy is one of the principles of archaeology for ascertaining the relative chronology in relation to a site. Through section reading as well as study of archaeological material found in different layers an Archaeologist can ascertain a period. Periodization is normally done on the basis of layers and cultural material found in the layers by the Archaeologist. As far as I know Century wise periodization is recognised under archaeology because certain diagnostic material do establish chronology in terms of centuries. Dynasty-wise periodization is a subject of historians although sometimes Archaeologists do follow it. It is true that in excavation on the disputed site the ASI has adopted all the three methods for the purposes of

S. Vaidya

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periodization. In the report periodization has been done on the basis of above three methods but so far as dynasty is concerned, ASI people have referred to Shunga, Kushan and Gupta. Mughal and Post Mughal have been merged together. Post Gupta and Rajput I am not including because it does not speak of specific dynasty. Volunteers that she does not agree with the periodization given by the ASI.

Carbon dating is done in respect of charcoal samples found in a particular layer on the basis of which period of layer is determined and in this way the other objects found in the same layer are relatively considered to be of the same period. During excavation ASI people collected certain Charcoal samples from different layers and the carbon dating was got done. On the basis of this carbon dating, ASI people have not given period because the period given by them does not tally with the carbon dating report and, therefore, they left it open. Carbon dating is also prone to error. A definite opinion can be arrived after a very large number of dates which tally in the same layer then only it is accepted. In fact I have taken note that the ASI team got the carbon dating of findings recovered during excavations, but for the purpose of determining the period of these findings they did not rely only on the result of carbon dating, rather used it as an additional factor. The periodization done by the ASI is on the basis of cultural material and a bias because

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this report contradicts the earlier reports made by Prof. B.B. Lal and Prof. A.K. Narain. The report of Prof. B.B. Lal has not yet been published and therefore I have not read it but I am giving statement on the basis of summary findings reported in 'Indian Archaeology- A Review.' Prof. B.B. Lal has published an article in 'Indian Archaeology- A Retrospective' (in four volumes) published by ICHR. In the said article of Prof. B.B. Lal there are one or two paragraphs in regard to excavation in Ayodhya. The said article was published sometime in 2000. The excavation by Prof. B.B. Lal was part of the project called Archaeology of Ramayan Sites. I have not read any other article of Prof. B.B. Lal on excavation in Ayodhya after excavation by ASI at the disputed site. Prof. B.B. Lal in his findings in 1975 to 1980 on the basis of excavation did not report about any pillar bases. It was for the first time in the year 1989 in an article published in a magazine, namely, 'Manthan' that the existence of pillar bases was mentioned by him. Volunteers that the said magazine is published by RSS. Prof. B.B. Lal had excavated in Ayodhya at a place adjacent to the southern boundary wall that existed at that time on the southern side of the disputed place. In the close vicinity of the disputed site, Prof. B.B. Lal had excavated on the western and northern side of the disputed site also but beyond the boundary wall. Sita Ki Rasoi where also

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excavation was carried out by Prof. B.B. Lal, is on the northern side of the disputed site. There used to be a platform on northern side which was commonly referred to as Sita Ki Rasoi. I do not know where Sita Ki Rasoi actually existed for the reason when I went there was no platform existing on northern side. I have seen the place where the deity is at present seated. I have read only the report of Prof. B.B. Lal that excavation was done at Sita Ki Rasoi which lies to the north of the makeshift structure but I have not physically seen the exact place where the excavation was carried on by Prof. B.B. Lal. I do not know at what distance from the trenches made by ASI on the disputed site, Prof. B.B. Lal made excavation on the western side. My guess is, on the basis of photograph in regard to the excavation on the southern side by Prof. B.B. Lal that it was at a distance of 7 - 8 meters from the trenches made by ASI people. I cannot definitely say whether Prof. B.B. Lal excavated on the northern side of the disputed site or not but my above statement that he excavated on the northern side is based on my information that Sita Ki Rasoi where he excavated was on the northern side of the makeshift structure. The information regarding Sita Ki Rasoi is based on the report of Prof. B.B. Lal published in IAR.

Statement read and verified



S. Varma
19.4.2006

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Above statement of the witness was recorded on our dictation in the open Court.

Cross examination of this witness could not be concluded. Put up on 20.4.2006 for further cross examination.

S. Varma

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19.4.2006

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

20-4-2006

P.W.32 Dr. Supriya Varma

(Cross examination of P.W. 32 Dr. Supriya Varma, in continuation of her statement dated 19-04-2006, on behalf of defendant No. 2/1 Mahant Suresh Das, by Sri Madan Mohan Pandey, Advocate ^{Continued} started; the witness stated on oath).

The two reports of Prof. B.B. Lal pertaining to the site in question have been published in the journal known as 'Indian Archaeology- A Review'. In the report of Prof. A.K. Narain, three spots are mentioned as to have been excavated by him but I have not visited those spots nor I am aware of those spots. During my stay at Ayodhya, I did not enquire about the said spots because it was difficult to ascertain from the surface as to where exactly the excavation would have been carried out over 30 years ago. Till date I have not enquired the distance and direction of those spots from the site in dispute. I have learnt from the report of Prof. A. K. Narain that the entire Ayodhya is one site and the stratification can be similar. In archaeology entire Ayodhya would be referred to as one site. I have read the book titled as 'Ayodhya, Archaeology After

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'Demolition' written by Prof. D. Mandal. Prof. Mandal has referred to the excavation made by Prof. B.B. Lal at the spot close to the site in dispute and the author has made his own observations on such excavation. Prof. Mandal has referred to the findings of pillar bases of Prof. B.B. Lal and he has contradicted Prof. Lal's theory of pillar bases. It is correct to say that the trench opened and excavated by Prof. B.B. Lal is close to the disputed site. The theory of pillar bases is referred to the said trench. It is correct to say that the trench opened and excavated by Prof. B.B. Lal adjoins south west corner/ trench excavated by the ASI. I understand that a reference to the report of Prof. B.B. Lal has been made by ASI. Seeing the report of Prof. A.K. Narain referred to at page 40 of paper No. 291C-1/4 (Indian Archaeology – A Review, 1969-70), I can say that it is the same report which I have referred to above.

It is correct to say that dating is done by two methods- firstly relative, secondly chronometric i.e. absolute dating. Relative dating is determined on the basis of Stratigraphy whereas absolute dating is based on carbon dating, TL dating and other dateable material like coin etc. It is correct to say that from the findings of the A.S.I. it is established that there was some structure beneath the floor of disputed site and I also concede that there was some structure beneath the site in dispute. The ASI has reported

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about the existence of 50 pillar bases at one place and perhaps 67 at other place but according to me, the number does not seem to be correct as there is no consistency. Also I do not accept the report of ASI that these were the pillar bases except those in northern area. I do not accept the findings of ASI that 12 out of the indicated numbers of pillar bases were completely exposed; as a matter of fact they were part of the floor bases. I clarify that no pillar base was exposed by ASI. Rather it were floor bases that were exposed and partially cleared and partially it was left exposed and then labelled as so called pillar bases. I do not know the exact number of so called pillar bases which were allegedly exposed by ASI. Some so called pillar bases have also been reported in baulks. I am not aware of the exact numbers of the so called pillar bases existence of which was allegedly shown in the baulks. An archaeologist can create pillar bases even in the section by pulling out brick bats from the section while excavating and preparing the section. The ASI has shown so called pillar bases in the baulks by removing brick bats from the section and some time it is part of wall as is figure 3A, same pillar base 33 is also marked as wall 24. Such so called pillar bases appearing in the section were not created in my presence but from the close study of the section, I could say that there were created pillar bases. The ASI has shown in the

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Chart at page 60 of its report (Volume-1) a pillar base in the trench no.20 F-2 G-2 baulk but as I said earlier it can be created. Similarly the pillar bases shown at sl. no. 40 to 42 at page 65 of the aforesaid volume, three pillar bases have been shown at F8-F9 and G-8 and G-9 baulks but again I say that all these pillars were creation of the ASI. It is wrong to suggest that it is ^{or not us} possible to create a pillar base in a section of baulk ; rather it is very easy to ^{or do so or} go through. Pillar bases ^{or of or} shown in the baulks ^{or} F2 G2 ^{or} was created in my presence and I lodged complaint against ASI observations. It was created between 16 to 20 May, 2003. Besides me, Mohd. Abid was also present at the time of aforesaid pillar base being created. This pillar base and pillar base no. 21 were created during aforesaid period of five days. I complained against the ASI to the observers about both the aforesaid pillar bases. The complaint was lodged in writing. I completely disagree with the suggestion that I am making a wrong statement to the effect that the aforesaid pillar bases were created by ASI.

I do not know whether the GPR report has revealed anomalies exactly on the spot where subsequently ASI has shown the pillar bases. I do not know whether ASI has indicated 22 pillar bases exactly on such spot where anomalies were shown in GPR report. No doubts the ASI has sketched a chart in its report indicating the places of

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pillar bases allegedly found on the spots on the anomalies. Since I do not accept the very existence of pillar bases, I did not consider it necessary verify the genuineness of ASI report on the basis of GPR report. It is incorrect to say that four floors were found during excavation underneath the disputed site. However, I agree that the three floors were found. So called pillar bases which are part of the floor bases are found underneath successive floors. So called pillar bases were only associated with floor no. 2,3 and 4 but not with floor no.1 which was of Babri Masjid but I reiterate that all these pillar bases were part of floor bases. It is correct to say that there were four floors in all i.e. ground floor no.1 of the mosque and three subsequent floors underneath. I understand that this the floor of Babri Masjid and not of any temple and I do not know as to whether Hindus call that floor as of Ram Janam Bhumi. Some of so called pillar bases are associated with baulks or in other words appeared to be part of baulks.

Q. Whether the ASI got the samples of floor nos. 2 and 3 carbon dated or not.

Ans. No. It is wrong to say that the floor nos. 2 and 3 were carbon dated, what was obtained was one charcoal sample in filled deposit between floor nos. 2 and 3 and on the basis of one sample in filled deposit which should not have been used for describing dates of floor nos. 2 and 3.

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Carbon dating is ^a subject of Scientist because percentage of carbon is to be measured which takes place in laboratory. It is correct to say that the ASI got carbon dating done from Birbal Sahni Institute, Lucknow which is a renowned Institution of ^{Paleo} Botany. The Charcoal sample found in filled deposit which was sent for carbon dating indicated that said object was estimated to be between 900 to 1030 A.D. It is difficult to precisely give the age of the fourth floor because the cultural material is mixed up and is coming from filled deposit. According to me the floor nos. 2, 3 and 4 cannot be periodized but it can be guessed and on the basis of the Stratigraphy it can be suggested that all the three floors are prior to year 1526. I do not think that these floors can be guessed to be old as old as prior to 1300 A.D. but I can certainly place them between 1300 to 1500 A.D. on the basis of Stratigraphy, findings of structures and cultural material that have come from the filled deposits. Yes it is correct to say that the ASI has in its report fixed the period of these floors on the basis of Stratigraphy and as I recollect they have fixed these floors to be that of medieval ^{Sultanate} period. All the three floors no. 2 to 4 are attached with wall no. 16. Wall no. 16 is the same wall which is just below the wall no. 5. Undisputedly, wall no. 5 was that of the disputed structure. It is correct to say that below wall no. 16 is there wall no.

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17. Yes it is correct to say that ASI has shown a circular shrine which according to me is Buddhist Stoop. It is that so called circular shrine is not attached to any floor. The said shrine is not raised at any floor but it was found in Mud in a trench. The said shrine is associated with wall nos. 19A, 19 B and also 20 to 22. The disputed site was a mound. Top of that mound was not entirely levelled because the central portion has debris on which make shift structure is standing. The length of the top of the mound is approximately 50mtrs from south to north and from west to east, it is about 30mtrs. In between, there was a make shift structure and except that part, the entire area was levelled. I cannot say as to whether the materials which are usually found in the mound were present there or not because by the time I reached there, the work of excavation had already started. I also did not enquire as to what was the natural position of the mound before excavation of the site in question. It is not necessary that levelling of a mound is normally done by a human being. It is true that if a mound is to be reoccupied for habitation purpose, the levelling is necessary. During early historical period, which includes NBPW, Shunga, Kushan period, the disputed site was inhabited by regular settlement. The Witness having seen figure 3A of Vol. I of ASI report answered that 28 walls have been numbered by the ASI in this figure and there

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are, as it appears from this figure, 3-4 more walls which have not been numbered by the ASI. The witness further said that in this figure 3-A, walls 5,6,7,8,10,11 and 12 and 18-D^{or are in} of the Babri Masjid/disputed structure and walls 9, 3 and 15 are outer enclosure walls of the Babri Masjid/disputed structure. In this figure, walls 1 and 2 are close to the Ram Chabutara but since stratigraphy is not clear, I cannot say as to which period they belong. I also cannot say that whether these two walls were part of disputed structure or not. Walls 13 and 14 shown in figure 3-A are the retaining walls of the disputed structure and the mound on which the structure was standing. It is true that these two walls are the part of disputed structure. Wall 15 shown in figure 3-A of the report is the enclosure wall in the northern area. From walls 16 to 28, except wall 18-D are the walls underneath the disputed structure. It is not correct to say that walls 16 and 17 are running parallel from south to north as there is slight deviation in wall No.17. Wall 16 is 50 mtrs in length and 1.77mtrs in width. Wall 17 is approx. 1.86mtrs in width. The length of wall 17 what is visible in southern area of this figure appears to be about 5-6mtrs. and what has been labelled as in wall 17 in the northern area appears to be about 2mtrs. in length. In my opinion, wall 17 excavated in northern side cannot be connected with wall 17 found in southern side. It is correct

S. Varma

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that excavation was not carried out in the mid of wall 16 but I do not agree that similarly the mid of wall 17 was not excavated to that extent as wall 16 has been because much larger area of wall 16 has been excavated. Besides that, when I measured wall 17 with the help of ^{or scale} ruler to find out as to whether both sides of that wall, i.e. northern and southern side, it did not tally exactly. I would not ^{or label} label wall 17 found in southern side and wall 17 in northern side as one and the same and I would have given two different numbers. According to me, wall 17 in the southern side is not connected with any other wall and it appears to be retaining wall for wall No.16. My answer is the same in respect of wall No.17 found in northern side. Wall 16 is attached not only to floor 2 but also with floors 3 and 4. As per my opinion, the period of wall 16 as per Stratigraphy and cultural material and other structures like walls, this could be assigned to the medieval Sultnate period which, according to me, is probably between 13th to 15th centuries A.D. It is correct to say that wall 16 appears to have been constructed in many courses. The witness having seen plate No.52 of Vol II of ASI report said that in this plate, in-situ photograph of wall 16 is shown. In this wall, there are three phases of construction. As is visible, in the first phase of construction 10 lower brick courses are there, in second phase, four courses and then three courses in the third

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phase. I cannot say as to what is the gap between the three phases of construction. As per my opinion, the lower 10 courses could be assigned to early thirteen century but it would be hypothesis. However, the ASI has assigned this phase of construction to 11-12th century A.D. In this very plate, walls No.5 and 6 are also visible. In plate No.34 of Vol. II of ASI report, walls 16 and 6 are visible. It is also insitu photograph of the wall. It is correct that in this plate, a plaster portion of wall No.16 is clearly visible. Stone slabs have been used in the foundation of wall NO.16. In plate No.62, ^{or in photograph or} insitu figures of wall 16 is visible. In this plate, wall 16 is shown in 10 courses in the first phase, in four courses in second phase and two more courses in the third phase and there is a foundation underneath the stone slabs. As per my opinion, ^{or and or} foundation of the first phase of 10 courses would have been constructed simultaneously. Yes, ^{or one or} some of the stone slabs used in the foundation of wall-16 ^{or a 16 or} are having floral motif. In plate 55, photograph of wall 16 from northern side is shown. It is correct that underneath the foundation stone, there are courses of bricks which are covered with plaster. It is insitu photograph. Walls No.5, 6 and 16 in plate 24 which is insitu photograph of those walls are visible. All the photographs of the walls in Vol. II are insitu photograph of the concerned wall. It is true that

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lower portion of wall 16 is plastered. This is also true that wall 5 is resting on wall 16 which was used in foundation for wall 5. Wall No.16 extends beyond wall No.6 as it appears from photograph in plate 24. Plaster of wall No.16 is of the time of the construction of this wall. Wall No.16, according to me, was used as a wall prior to the construction of the disputed structure. In this way, wall 16 was wall of some other construction which was existing prior to the construction of the disputed structure. I do not agree with the suggestion that wall 17 was the foundation of wall No.16. In plate No.26, stone slabs can be seen as the foundation of wall No.16. One of the stone slabs is having motifs. Such type of slabs can be used in temples as well as within palaces. In plate No.29, walls 16, 6 and 18-D are visible. From this photograph, it is also clear that the other portion of wall 16 is plastered. In this portion of wall 16, there is one moulded brick. Such types of stones cannot alone be used in the temples but could be used in houses and other places. The scale, shown in photograph, helps the archaeologist to ascertain the dimensions of the structure of the wall. There is no relation of the scale to the lower portion of the wall shown in the picture. Walls 6 and 16 are visible in plate 33 also. The scale shown in plate 33 is on wall No.16. The scale is not for the purpose of identifying the wall but to help the archaeologist to

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measure the dimensions. According to me, wall 6 is also the foundation of the disputed structure. Above wall 6, there was southern wall of the southern chamber of the disputed structure. Plate No.34 is also the photograph of walls 6 and 16. In this photograph also, wall 16 is plastered in one corner. There below, there is foundation of stone slab. The brick courses in photograph of plate 34 below the stone slabs form part of the foundation. In wall No.6 shown in photograph of this plate 34, there are calcrete stone slabs. In the photograph of plate No.41, the wall Nos. 5 and 16 are visible. One row of calcrete stone slab, shown in lower portion of wall No.5 and wall No.16 is the foundation of wall No.5. Lower portion of wall 5 and wall 16 jointly form the foundation of wall No.5. Since the width of wall No.5 is not clear in plate 41, it is not possible to state whether the width of wall No.5 and 16 was the same or not. Since wall No. 5 is not clear, it is not possible to state the exact width of wall No.5. I do not have any source of information other than the report and photograph and my personal observation. Since at the time of excavation, wall No.5 was not properly excavated, I cannot tell the exact width of wall No.5. The ASI has given the width of wall No.5 in its report which is round about 1 mtr. It is true that ASI has given the width of wall No.5 as 3 mtrs in its report. Since to me, it was not clear on the spot,

S. Varma

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I cannot say anything about the correctness of the width of wall No.5 given by the ASI. I tried to ascertain the width of wall No.5 at the time of excavation but since the same was not clear on the spot, I was unable to state the exact width of wall 5 and after the submission of the report, there was no occasion for me to verify the correctness of the ASI report regarding width of wall No.5. It is true that the portion of wall No.5 was resting on wall No. 16 which was used as foundation. In photograph of plate No.15, wall Nos.16 and 17 on the northern side are visible. Stone slab in the photograph is not the foundation of wall No.17 but it is lying in between wall 16 and wall 17. I have not heard about the word, "Kapotpalli". In photograph of plate No.51, walls No.16 and 17 are visible. It is true that in this photograph, there are brick courses in wall No.16 but some brick courses appear in wall No.17 also. Wall No.17 is below as well as behind wall No.16, meaning thereby that wall No. 17 is acting as supporting wall of wall No.16. It is true that there are some stone slabs visible in wall No.17, out of which, one has floral motif. Below this stone slab, there are brick courses but I cannot say whether the same served as foundation of wall No.17 or not. The excavation below the stone slabs of wall No.17 was conducted up to a depth of about one metre. This one metre area appears to be wall collapse in the form of debris and brick bats. It is

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true that normally, supporting wall always runs parallel to the main wall. The witness herself volunteered that in some cases, deviations can be there. Wall 16 is not exactly parallel to wall 17 for the reason that there is slight deviation in wall 17. I do not agree with the suggestion that wall 17 cannot serve as retaining wall of wall No.16. I do not agree with this suggestion also that the length of both walls 17 and 16 is more or less equal. However, it is true that wall No.17 was constructed earlier to wall No.16 but to me, the height of wall 17 was raised at the time of construction of wall 16. Wall No.16 is partly resting on wall No.17. Stone slab with floral motif in photograph of plate No.51 can be used in temples as well as in other construction, such as Buddhist structures, Jain structures and palaces. It can be used in Islamic structure also.

Statement read and verified

S. Vama

20.4.2006

Above statement of the witness was recorded on our dictation in the open Court.

Cross examination of this witness could not be concluded. Put up on 21.4.2006 for further cross examination before the Commission.

CS JPN S
20.4.2006

S. Vama

Before: Commissioner Sri H.S. Dubey/O.S.D.(R.J.B.-B.M.)

High Court of judicature at Allahabad, Lucknow Bench, LKO.

Date: 21-4-2006

P.W. 32 Dr. SUPRIYA VARMA

(Commissioner appointed by Hon. Spl. Full Bench vide order dated 20-04-2006 passed in O.O.S. No. 4/89 Sunni Central Board of Waqf, U.P& others Vs. Gopal Singh Visharad and others)

(Cross examination of P.W. 32, Dr. Supriya Varma in continuation of her statement dated 20-04-2006 on behalf of defendant No 2/1 Mahant Suresh Das, by Sri Madan Mohan Pandey, Advocate continued, the witness stated on oath):-

It is wrong to suggest that wall no.16 and 17 are of the same length and It can not be said that wall 17 was constructed in 11th and 12th century. Wall no 18-A and 18-B are attached to one of the floors attached to wall 16. It is true that wall no. 18-C is attached to wall 16. Wall no. 18- and 18-C run perpendicular to wall 16. It is also true to suggest that wall no. 18-D is parallel to 18-C but they belong to different periods. wall 19-A and 19-B are outside circular shrine in east west and south north direction. Wall 19 B is said to be sealed by layer 5-A in the final

S. Varma



report but in site notebook it is said to be sealed by layer 7. In my opinion it is sealed by layer 7. Layer 5-A is slightly different in period from layer 5. These layers 5 and 5-A belong to trench E-A. According to the ASI report layer 5 is of post Gupta-Rajput period. According to me this stratification is wrong and this period i.e. post Gupta-Rajput period has also been incorrectly identified by ASI. I am expressing opinion regarding the periodization and Stratigraphy. According to me layer 5 has been falsely shown to be a stratified layer.

Q: Under the aforesaid circumstances are you in a position to express your opinion regarding periodization of layer 5 and layer 5-A as shown in the report of ASI?

A: Yes, I am in a position to express my opinion regarding layer 5 and layer 5-A and I say that these are not stratified layer these layers comprise the filled deposit and filled deposit should not be stratified. After the Gupta period the site appears to be deserted or not in use and it was re-occupied in the Medieval Sultanate period and what is constituted as layer 5 and layer 5-A constituted the fill deposit that were brought here to Level the site when it was reoccupied in the Medieval Sultanate period.

It is true that wall no. 19-A is rest on wall no. 20. Wall no. 20 is earlier than wall 19-A. It is true that wall no. 21 is in east-west direction and north the site of circular

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shrine. Similarly wall no. 22 is running east-west in the south direction of circular shrine it is longer than wall 21. It is correct to say that this wall 22 lies below the foundation of wall 16 in west-side. This goes to show that wall no. 22 is earlier to wall 16. Wall no. 25 runs in north south direction which is situated in the east of the disputed structure. Wall no. 26 is earlier to wall no. 25. Just below wall no. 26 is wall no. 27. which is running in north south direction with a slight angle. The period of wall no. 27 has been indicated by ASI as Kushan period. I also date this wall to Kushan period. Huge calccrete blocks are attached to wall no. 28. It is in trench J-3. ASI has dated it to Shunga period and I agree with this conclusion. Shunga period can be dated between 2nd B.C and 1st B.C. century. Kushan can be dated between 1st century A.D. to 3rd century A.D. Wall no. 16, 18-A, 18-B and 18-C are more or less contemporary. Whereas wall no. 17 is earlier to wall 16. Wall no. 16, 18-A, 18-B and 18-C might have been part of the same structure. In figure 3-A of the ASI report vol. 1 pillar bases have been shown. I will not be able to tell that how many of these pillar bases were excavated in my presence. Some pillar bases might have been excavated when I left the site. Some pillar bases might have excavated before I reached at site. ASI has given isometric view of the pillar bases which have been

S. Vame

shown in figure 23 A and 23 B. According to me excavation conducted by ASI was complete for ascertaining and complying the orders of the court. It is correct to say that for getting result in compliance of court orders excavation by horizontal and vertical methods were necessary which has been done by ASI. In this case only vertical excavation was not sufficient. The court by its order required from ASI team to repeat about existence of structure, if any underneath the disputed structure. I agree with the finding of the ASI regarding existence of the structure underneath the disputed structure but I disagree with the interpretation arrived at by ASI. I do not agree with the procedure followed by ASI. I think, very categorically it is very difficult to say that some of the finds of ASI relate to Hindu religious structures because these finds could well have been a part of palaces Budhist structure, Jain structure and Islamic structure. Having shown plate 59 and 60 of ASI report vol.2 The witness stated that it is correct to say that plate no. 60 is insitu photograph of circular shrine. It is true that Budha stupa is always solid. The structure shows a Pranal but Experts who visited site and measured the angle of slope with the help of sprit Level had found that the slope which was necessary for the water to pass out was not there. It is correct that I was not present when this structure are was

S. Vaima

expressed nor I have visited this spot there after but I can express my opinion on the basis of information given by expert as well as the information in the final report and site notebooks. Prof. D. Mandal , Prof. Ratnagar and Prof. Suraj Bhan have given this information. Having shown photographs annexures 27,28 and 29 an text with written reply of defendant no. 3 Nirmohi Akhara against the objection filled by the plaintiff of suit no. 4/89 para wise reply on its behalf the witness stated that these photographs are of the same circular shrine mentioned above. Photographs of annexure 28 is exposed photograph of a gap said to be of circular shrine. In this photographs place of water is not very clear has the some bricks or mud mortar have fallen off. Having shown plate no. 60 again the witness stated that it is true that the said parnal is in the northern side. It is wrong to suggest that I am intensely giving false statement with preconceived notions that on this point regarding circular shrine and parnala .

I have gone through the chart of the confirmation of anomalies pointed by GPR survey and confirmed by ASI in excavation. Since the GPR report refers about the anomalies found at the disputed site therefore I accept that anomalies must have been found. It is also correct to say that the anomalies referred to by GPR report were

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excavated at the site of disputed site by the ASI. I have already said that according to the ASI out of 184 anomalies 39 anomalies were confirmed. The use of lime plaster is starts from Neolithic times that is 3500 B.C. or even earlier. Lime-Surkhi mortar and plaster is generally associated with the coming of Islamic architecture which began around 7th A.D. century in Sindh area and subsequently would have spread over rest of Indian sub continent Use of lime plaster was noticed in very few area during Harppan period such as in area where water was likely to have flown. Harppan period can be dated from 2600 to 1900 B.C. It is wrong to suggest that lime plaster was commonly used during Harppan period. I have heard about the book titles as " Mohan Jodaro and Indus civilisation" written by John Marshall, some times in the year 1930 but I read this book about 20 years ago. It is correct to say in that book Johan Marshal has expressed his view ' From the analysis of various samples of mortars and plasters from Mohan Jodaro in Sindh another third millennium B.C. Harppan site it may be concluded that gypsum and lime mortar/ plaster was quiet common. Lime plaster was generally mixed with gypsum but lime plaster free from gypsum has also been reported both from Harppan and Mohan Jodaro. (above statement was given by the witness after going through the extract of the

S. Vaima



journal titled as "History today" . Paper no. (296C1/1to 296C1/9 filed by Shri, Rakesh Pandey Advocate during the cross examination of p.w.29.)

Learned cross examiner referred an article of H.C. Bharadwaj captioned as " Lime mortar, plaster and surkhi in ancient India(paper no.296C1/1to 296c1/9) after going through this article the witness stated that I agree with the view that the lime plaster and lime mortar were in use from 3000 B.C. on wards but a distinction has to be made between lime plaster lime mortar and lime- surkhi mortar, lime- surkhi plaster . So far as use of lime mortar plaster and surkhi in ancient India is concerned I agree with the views expressed by Shri H.C. Bharadwaj in his article. I have not checked the reference given in this article but I presumed that it is correct. I have not read about excavations at Nangarh district Monghar by Cunningham reported in Annual Report of ASI. I agree with the view express by A Kanighum that the use of mortar lime plaster along with lime and surkhi at early period (1st century B.C.- A.D. 1st century) . I agree with the views express by Shri H.C. Bharadwaj regarding excavation of Sarnath Bhitar district Gazipur, Abhsab, district Nawadah Bihar regarding use of lime and surkhi as has been referred at page 74 of above article. Original journal History Today no.4 of 2003 published from Indian history and culture

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society was shown to the witness who stated that paper no. 296 C1/5 to 296/9 are Photostats copy of the above article. I know about Prof, R.S Sharma. He has written a book titled 'Perspective In Social And Economic History of Early India' I have read this book Prof, R.S Shram has expressed his view regarding use of ' Choona Misrrit Eit Ke Tukdhe Ka Farsh' I think Dr. Sharma expressed his views regarding use of aforesaid thing during since 1st century B.C. Dr. Sharma has also written a book titled ' Prarambhik Bharat Ka Arthick Evam Samajik Itihas' (the extract from above book which has been filed as paper no. 294C-1to 294C-1/4 by Shri Rakesh Pandey advocate during the cross examination of p.w.29. The above reference of this book is given at page 212(paper no 297C1/4). In this book written by Prof, R.A. Sharma the facts about Mughals may not be there but perhaps about the coming of the Arabs might be there.

ASI has given some figures of sectional elevations of different pillar bases floors and walls. They have also given Stratigraphy as well as plan structures. As far as plans are concerned except those concerning the pillar bases I agree with the rest of the plans given in the ASI report. The excavation had also been conducted in front of the make shift structure where Ram Lala is seated. Ram Lala is seated at a raised platform. Excavation was

S. Varma



conducted by ASI in the east-north and east of the place where Ram Lala is seated. I have seen the idol of Ram Lala at the spot. Some finds were recovered during excavation in front of the place where Ram Lala is seated. In the north east corner of the same area also some finds were there recovered.

Having seen the plate no. 69 of the ASI report the witness stated that the things which are visible in these photographs had archaeological value. They are important finds: I agree that these are pot shreds of stamped ware of the Kushan period. The red ware is decorated with sun flower motifs and Triratan symbol on the shoulder. A ghut shaped pit is seen in plate no. 67 of the ASI report vol. 2. It is just in east of place where Ram Lala is placed.

The dimension of the pillar bases shown by the ASI in the northern side and southern side are more or less similar. The pillar bases of northern side and southern side are some what aligned but there is some deviation in several cases. The construction pattern of some of the pillar bases on the northern side and some of the southern side are similar. The difference between pillar base and pillar foundation is that in a pillar base the pillar would be set and pillar foundation is what lies underneath the pillar and the pillar base. I disagree with the suggestion that the

S. Varma

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pillar foundation is an excavated pit on a plain space in the centre of which bases are constructed.

Having shown the plate no. 48 of ASI report vol 2. the witness stated that I do not agree with the suggestion that this is a pillar base on which the pillar would be set. Although it is correct to say that bricks appear to be in courses. According to me it is part of a floor base. I agree with the suggestion that there are two calcrete blocks on one side of so called pillar base since it is in one side and not in the centre it would not have been load bearing capacity. I do not agree with the suggestion that in the centre of these pillar bases in order to carry load of pillar square or rectangular stones are fixed and surrounded by orthostate because in my study what I found, as in case of 'Sanghol' there is small square pit around which there is rectangular brick pillar base and there is no stone. It is true that ASI has given concordance of some of the trenches showing relationship of different areas of the excavations. I agree with this chart. The word 'super position and super in position' are more or less same term which are used in archaeology. It is true that Stratigraphy is based on geological law of super position. It is correct to say that the dating of layers is based on carbon dating potteries, coin and dated inscribed materials. Filled deposits are used to

S. Varma



raise floor levels and lay a fresh floor and these filled deposit comprised of brick bats, stone slabs and earth.

Q: What is difference between a dump, pit and layer?

A: Layer is the result of human activities at a site over 100 of years which can be read in section. A pit is a dug out hole in the earth for throwing garbage or there can be natural depressions which can be filled up and some times these are also referred as pit. For building activities also foundation pit are dug. Dump is referred to as a heap or pile of either waste material or if it is lying on the surface of the mound.

Identification of bones is the subject of Zoo Archaeologist I am not a Zoo Archaeologist. I can say that bones were found during excavations but I can not identify the species to which they belong. Since I have not examined the bone I am not in a position to say whether they have cut marks or not.

Excavation at any site is conducted on the basis of the licence granted by ASI. It is granted to field archaeologist. On the basis of this licence the field archaeologist along with other field archaeologists conduct the excavation at a site. The team for excavation consist are experts and some labourer. Till date we have got a licence for getting trial cuttings at the site of Indorekhera

S. Vame



in Bulandshasher district. Licences as a team leader has not been granted as a by ASI in my name. I have not excavated any site independently but nobody archaeologist ever excavate independently as there is always a team. Since excavation is not done independently the report is also not given independently it always goes in the name of all the team members.

It is wrong to say that I have not taken part as an excavator in any excavation. In fact I have excavated at different sites.

Learned cross examiner drew the attention of the witness para to 10 of her affidavit who after going through it stated that contents of this para are based on archaeological knowledge and assumptions which have been made by me and which could be made by other archaeologist. In the second line of para 14 of my affidavit I have used the words created 'pillar bases' because in my opinion and observation floor bases were cut and pillar base created In my opinion barring pillar bases 1 to 8 ,13 and 14, all other pillar bases were created by ASI. According to me this creation of pillar bases was right from the beginning of the excavations till the end of it. When I was at the site in April 2003 no pillar bases had been excavated when I returned to the site around 10th May 2003 some pillar bases had already been excavated from

S. Varma



10th May onwards I begin observing and between may 16th and 20th I found that pillar base was created in trench G-2 and on may 21st a complain was filed in this regard. Except the complaint which are mentioned in para 14 of my affidavit some other complaints were also filed by Dr. Jaya Menon. It is true that the complaints were made by me and Dr. Jaya Menon in this regard however I do not know wheater any such complaint was made by any other expert nominee or not. It is true that in my affidavit I have not used the term floor base for pillar base but I have said that these so called pillar bases were part of the floor construction technique and I have also described the same in para 16 of my affidavit. It is wrong to suggest that I am giving wrong statement in order to support the objections filed by Sunni Central Waqfs Board. It is also wrong to suggest that since some of the objections of Sunni Central Waqfs Board were prepare by Dr. Jaya Menon and my self as such I am giving wrong statement in the matter. Dr. Jaya Menon has also appeared in this case as a witness I have seen the affidavit filed by Dr. Jaya Menon. It is true that my affidavit is very similar to that of Dr. Jaya Menon. It is wrong to say that I have not excavated any site therefore I have no practical experience in this regard to the contrary I have been excavating since 1984 when I first excavated in Nageswer I do not agree with the suggestion that I am not

S. Varma

a field archaeologist. It is also wrong to suggest that I have no practical knowledge specially when I have stated that I have been excavating since last 20 years. I know that this dispute is between some Muslim parties and some Hindu parties. I do not think this is a matter between two communities. It is wrong to say that I am giving wrong statement to support Muslim parties. It is also wrong to suggest that due to some preconceived notion I am giving false statement to support particular parties.

Statement read and verified.

S. Vame

21-04-2006

Cross examination of the witness on behalf of defendant no. 2/1 Mahant Suresh Das in other original suit no. 4/89 recorded and concluded. Cross examination of this witness is continuing^{ed} put up on 15-05-2006 before Hon'ble special full bench for recording remaining cross examination of the witness. Above statement was recorded on my dictation in open court.

H.S. Dubey
(H.S. Dubey) 21.4.2006

Commissioner

21-04-2006

S. Vame

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

Date: 15-5-2006

P.W. 32 Dr. SUPRIYA VARMA

(Cross examination of P.W. 32 , Dr. Supriya Varma, in continuation of her statement dated 21-04-2006, on behalf of defendant No.13/1 Māhant Dharm Das, in O.O.S No. 4/89, by Shri Rakesh Pandey ,Advocate, who stated on oath as under):-

I do not agree with the suggestion that early Muslim invasions were for the purpose of loot and plunder. Also I disagree with the suggestion that in entire northern India including Ayodhya, Muslims did not establish up to 12th century A.D.; rather it is correct to say that in some parts of northern India, Muslims had established up to 12th century A.D. but in the region around Ayodhya, they established after 12th century A.D. Yes, I have heard the name of Percy Brown. His book on Architecture in India is in two volumes – the first volume is titled as, “Hindu and Buddhist Architecture” and the second volume on “Islamic Architecture”. Mr. Percy Brown is an authority in Islamic architecture in India. I do not agree with Percy Brown’s view that Muslim Architecture comprised of three phases viz. the first was that of destruction and desecration and the second phase was that of dismantling the buildings

S. Varma

Percy Brown

for removal of building structure with a view to use that material in the construction of mosque and tomb, and the third was that of construction of fresh building structure with the fresh building materials and carved stones. I disagree with the suggestion that Muslim structures were not available prior to 1528 A.D. in Ayodhya. In Ayodhya, there is a tomb near Kotwali which is indicative of Tughlaq period architecture. Prior to 1528 A.D., there existed a structure at the site in dispute. According to me, four floors were found during excavation of the disputed site. All the floors were of lime-surkhi. The floors were laid on the base of brick-bats. It is true that in figure 19 of ASI report, Vol. I, eastern wall is cutting floor two. It is correct to say that in figure 5 of ASI report in Vol. I, the southern wall of the disputed structure is going over the brick wall which is wall 16, foundation of the disputed structure. In this figure 5, wall 16 has been shown between E9 to E8 and E8 to E6. It goes beyond E6 between F4 and E6 and then further north up to almost ZE2. To clarify, I mean to say that wall 16 is from E8 to ZE2. According to me, this wall is not connected with any pillar base. Wall 16 is visible as plastered up to floor 3. In fact, there are traces of plaster as shown beneath E7 and E8. Wall 16, i.e. a brick wall, was used as a foundation to the disputed structure and calcrete wall was the wall of the disputed structure. The wall 16 was of erstwhile structure. Above

S. Varma

B. J.

the brick wall was the wall of the disputed structure and the brick wall was used as a foundation. Beneath brick wall in E7 was the foundation wall of the disputed structure and below wall 16 was the foundation of wall 16 which was made of calcrete and stone slabs. As is evident between E9 and E8, different building materials were used in foundation of wall 16 and the materials were not uniform in nature. Foundation is never plastered and that is why there was no plaster in the foundation of wall 16. It is true that the southern wall of the disputed structure, as shown in figure 6, is cutting floor 2. Floor 1 of the disputed site was of the disputed structure and it dates to 1528 A.D., i.e. the time when disputed structure was raised. It is correct to say that floor three in figure 6 is underneath the floor 2. The southern wall of the disputed structure cuts in floor 2. Floor 3 is below southern wall of the disputed structure. In depth, it is approximately 30-40cm below the southern wall of the disputed structure. According to this figure 6, southern wall is not touching floor 3. It is true to say that in figure 6, floor 3 is not touching the southern wall of the disputed structure. It is correct to say that according to figure 6, there is no relationship between floor 3 and the southern wall of the disputed structure.

No floors are shown in plate 49 of ASI report, Volume II. Numbers shown therein indicate layers. In plate 55, two floors have been shown, i.e. floor 1 and floor

S. Varma

B. Singh

2. These are attached to wall 16. Floor 3 was also attached to wall 16. Floor 3 may be of pre-fifteenth century but I cannot say exactly as to which period it belongs to. However, it can be assigned to be of Sultanate period but I cannot say the specific date. Floors 2 and 3 are the floors of previous structure belonging to Sultanate period. This opinion that floors 2 and 3 belong to Sultanate period is for the reason that these two floors were found just beneath the disputed structure which was of Mughal period. It is correct that in figure 3A of Vol. I of ASI report, walls 18-A, 18-B and 18-C are shown. I do not agree that walls 18A, 18B and 18C are partition wall but, in fact, they are enclosure walls. These walls enclose particular area which is rectangular in shape. Since all these three walls are very thin, therefore, it cannot be said that they were load bearing walls. Apart, all the three walls are resting on floor without there being any foundation of these walls and that is why it cannot be said to be load bearing wall. Walls 18-A and 18-B, though running at right angle and there is a slight gap near the corner but probably they meet each other and the ASI has also indicated in the dash line but thereafter either that wall has gone of or that part was not excavated by the ASI. It is true that ASI in the course of excavation found 62 human figurines and 131 animal figurines but I am not sure about the number and also its identification. Sometimes, Hindu Gods and Goddesses can

S. Varma

B. J.

be represented as terracotta human figurines. It is correct that Hindus regard some trees, such as Pipal as sacred. Plates 104 and 105 of the ASI report ^{Be volume II} show human figurines which must have been recovered during excavation by the ASI. Since it has been reported by the ASI in its report that it has been recovered during excavation, it must have been recovered by them in the course of excavation. It is true that plate 129 of ASI report is of cobra head. Similarly, plate 130 of the report is of bull head. In plate 131 of ASI report, as per my opinion, it is not an elephant. I am not sure that plate 132 of Vol. II of ASI report is of elephant head. Plate 133 of ASI report is of bull figurine. I am not sure whether plate 135 of ASI report is of elephant or not. These animal figurines which are shown in plates 129 to 135 were recovered during excavation by the ASI. It is true that elephant is worshipped by Hindus as Ganesha, bull as Nandi and cobra as part of Nag Devta. It is correct that followers of Islam do not worship these animals. It is true that these animal figurines are normally not found in the mosque but we have to be careful about the context in which figurines - whether it is of human or animal, are found and it is only context, which would determine the function of these figurines. I do not agree with the suggestion that since in Islam, worship of human or animal figurines is prohibited, they were destroyed and smashed and it is those smashed and destroyed figurines, which

S. Vaino

R. J.

were recovered in the excavation. It is true that bone indicates food habit but it also indicates the flora and fauna of the site in question. I disagree with the suggestion that sacrifice of animals is usual phenomena of Hinduism. I am not sure whether followers of Kali sacrifice goat and sheep but Shakti worship is sometimes associated with animal sacrifice and thereafter taken as 'prasad'. In rare cases, Samadhis are found near the temple. It is not correct to say that bones recovered during excavation at disputed site were only from dumped material; rather they were found in all levels including fill deposits. Fill materials are brought for construction purpose. Earth, which is brought from some other place for the purpose of filling, may contain bones, human and animal figurines including other materials. I do not agree that bones found in excavation are not a decisive piece of evidence. To me every find has its importance and it has important role in deciding the period and the nature of the site. I completely disagree with the suggestion that animal bones are not a decisive piece of evidence. The first Volume of ASI report from pages 164 to 172 contains details about the glazed tile and ware recovered from the excavated site. It mentions the trench number, layer, depth and measurement of those glazed^{pe} tiles. I disagree with the suggestion that glazed^{pe} wares and glazed tiles recovered by the ASI cannot be assigned to Muslim period alone. Use of glazed^{pe} tiles begins from 7th century

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A.D. with the coming of Arabs in Sindh area. I agree that the glazed^{le} wares have been found in Kushan period but the glazed^{le} ware of Kushan period are different from the glazed^{le} ware associated with later period. It differs both in terms of chemical and physical composition and appearance. It is true that glazing started during Kushan period but the glazing technique found in Kushan period is different from that found in later period. I cannot say as to whether glazed^{le} tiles are used in Hindu buildings in Gwalior Fort. I am also not aware that in Gwalior Fort, Hindu deities are depicted in such glazed^{le} tiles. I am not aware whether pre-Islamic Persian people were using glazed tiles and glazed wares or not. I do not know whether pre-Islamic Persian people had invented the glazed wares and it was brought to India from there by pre-Islamic Persian people or not. There are methods by which the difference between the glazed tiles and glazed wares of Kushan period vis-a-vis the later period can be shown. That apart even by appearance also one would notice the difference between the glazed tiles and glazed wares of Kushan and later periods.

Q. There is no contemporary sources to throw light on the production technique of glazed tiles and glazed wares?

A. I am not expert of Arabic and Persian and therefore, I have not examined the sources and therefore, I am not in a position to say as to whether any description of production technique is there or not. However, so far as the

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archaeological study is concerned, as I have answered above, there is a difference of chemical composition and physical appearance on the basis of which both the glazed tiles and glazed wares of the two period were distinguished.

I cannot say as to whether Percy Brown in his book has said that glazed tiles and glazed wares were brought from Persia and it was not produced in India. It is not correct to say that the glazed tiles and glazed wares, which were found during excavation, were because of rat hole activities or tree root activities for the two reasons, firstly, such a huge quantity, which was found by the ASI could not have been there because of these two activities and secondly, those objects i.e. glazed tiles and glazed wares could have hardly moved maximum by 10 cms and besides that such big pieces cannot be moved by rats. The glazed wares recovered during excavation are in fragmentary condition and to some extent the original shape of such glazed tiles and glazed wares can be made out.

I do not agree with the suggestion that in plate 43 of the ASI report Vol. II pillar bases have been shown. In fact, the pillar bases asserted by the ASI are part of the floor base. The floors are made of bricks^{Fig.} and brickbats, which is plastered by lime - surkhi. I mean to say that brickbats are scattered over the entire area and it was covered by lime - surkhi. ASI people have removed the

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brickbats between the two so called pillar bases shown in plate 43 of the ASI report Vol. II but the brickbats were scattered all over. It is apparent from the fact that they are visible in the section in plate no.43. It is wrong to suggest that such pillar bases cannot be created. As a matter of fact, they were created before me. I did make complaint regarding creation of pillar bases by ASI. The complaints made by me were given to the Muslim parties, who passed it to the observers^{Re} present there. It is wrong to say that the complaint was prepared at the instance of any Muslim party. The complaint was not signed by me, as I was told that I could not sign the complaint. It is wrong to suggest that I did not make any complaint in this regard. It is also wrong to suggest that there is no such complaint on record.

In plate 46 Vol. II of the ASI report the top floor, one floor in the section and another floor on which the scale is resting, are shown. I do not agree that the pillar base, shown in the plate, as a matter of fact, is a pillar base. I do not agree with the suggestion that so called pillar base in plate 46 has a solid foundation of stone blocks. There are only two calcrete slabs that are visible and the rest is a heap of brickbats, both lying vertically and horizontally. It is wrong to suggest that such pillar bases could not be artificially created. The so called pillar base, shown in plate 48 of Vol. II of the ASI report, has cut through floor two. On one side this so called pillar base appears to be

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circular but on the other side it is not circular. Similarly, calcrete blocks are not in the centre, but towards one side. Brickbats, shown in this plate, are part of this floor base. The circular shape has been created. As a matter of fact, for making circular structures, the practice was to use wedge shaped bricks. I do not know whether so called similar pillar bases have been found in various excavation in South India including one in Golconda at Hyderabad.

I agree with the ASI report in regard to the pillar bases 1 and 5 shown in plate 37 Vol II of the ASI report. Lime plaster was in use from Harappan times, since before the Mauryan dynasty. In Mauryan-Shunga period mud mortar was much ^{more so} common than lime mortar.

Statement read and verified.

S. Varma

15.5.2006

Cross-examination on behalf of defendant No.13/1 Mahant Dharam Das, in O.O.S.No.4/89 by Sri Rakesh Pandey, Advocate could not be concluded.

Statement recorded on our dictation in open Court.
Put up on 17.5.2006.

S. Varma

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B.S. J.

15.5.2006

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

Date: 17-5-2006

P.W. 32 Dr. SUPRIYA VARMA

(Cross examination of P.W. 32, Dr. Supriya Varma, in continuation of her statement dated 21-04-2006, on behalf of defendant No.13/1, Mahant Dharm Das, in O.O.S. No.4/89, by Shri Rakesh Pandey, Advocate, who stated on oath as under): -

It is correct to say that the disputed structure was not constructed on the virgin land. In the sketch map figure 3-A of the ASI report, Vol. 1, Wall 16 is exhibited as the foundation wall of the disputed structure. Underneath the brick courses of wall 16 is the foundation made of calcrete stones and some stone slabs and all the three floors as well as top floor are attached to wall 16. Wall 16 is the western wall running from north to south, which is about 50 meters in length. Wall 16 is not supported by any pillar base. A wall cannot be supported by pillar base. It is correct to say that in figure 16 of ASI report, Vol. 1, the circular structure, which is shown as circular shrine is away from the central part of the disputed structure. It was on the southern side of the structure. In plates 59, 60 and 63, various structure activities with walls around the circular structure have been shown. It is not correct to refer the

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walls around the circular structure to be as subsequent structures; rather except one or two walls, all other walls around the circular structure are of earlier period and a few walls are contemporary. The walls around the circular structure were not intact to their entirety, only few parts thereof were found. It is wrong to say that the entrance in the circular structure was from the eastern side. According to me, there was no entrance from any side to the circular structure. No black stone was found at the site of the circular structure but two black stone pillars were found from the dump, which is lying above the top floor of the disputed structure. It is correct to say that the black stones pillars found during excavation in the dump were not load bearing pillars. It is wrong to say that these black stone pillars were placed at the front part of the disputed structure. It is wrong to say that the black stones pillars were embedded in front of the disputed structure. It is wrong to say that black stone pillars are used only in Hindu temples. I do not know that whether such stone pillars have been used in mosques in India, as I have not seen all the Mosques in India; nor I have any knowledge about black stones pillar being used in mosques but I recollect that there was a plan to construct another Taj Mahal of black stones behind the one in existence.

S. Vaidya

B. J. —

Yes, I know a little bit about Gahadwal dynasty. However, I do not know that the ruler of the said dynasty constructed the temples of such black stones. Yes, I do have knowledge of the floor construction technique, as referred to in para 16 of my affidavit. It is wrong to suggest that brickbats are not used in levelling a floor because even today 'gitty' or 'brick-nodules' are laid and then earth is put and then rammed, over which the plaster floor is made. All these materials are part of the floor and it is also like base of the floor. The plastering of the floor was of lime – surkhi laid on the base of the brickbats. Brickbats are not used in uniform manner but are just laid. It is wrong to say that all the so called pillar bases are either round, rectangular or square in shape. As a matter of fact, there is no shape of the pillar bases, they are shapeless. The so called pillar bases are ovoid or elliptical.

In plate 46 of the ASI report, Vol. II, the so called pillar bases can be said to be a heap of the brickbats, as the brickbats are not in courses. As a matter of fact, there are no course in the so called pillar base in plate 46. The brick bats are not laid in courses but they are lying haphazard. The so called pillar base depicted in plate 48 of the ASI report, Vol. II, definitely does have some courses of brickbats, as is visible. The so-called pillar base in plate 42 is not in perfect square shape. Similarly, the so called

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pillar base in plate 43 does not have course of brickbats nor it is square in shape. It seems to be slightly rounded. In plate 45 also, the brickbats are not visible in courses. In northern part of the disputed site, pillar bases nos. 1 to 8, 13 and 14 were pillar bases. The so-called pillar bases shown by the ASI are some time resting on floor two and some times they are cutting the floor and also they are underneath the floor 2. Floors three and four both belong to Sultanate period.

I have heard the name of Prof. R. Nath, who is not considered the top scholar on Architecture. I completely disagree with the opinion of Prof. R. Nath that there was Hindu temple at the site in dispute, which was demolished and efforts were made to raise a mosque over there. Yes, in the foundation of the disputed structure, a few decorated stones were used which were found during excavation. It is wrong to say that the complaints made by me to the effect that the ASI manufactured the pillar bases were frivolous. In fact, there were very serious complaints, which can jeopardise the professional ethic of Archaeological Survey of India. It is wrong to say that objections against the ASI report are the mental product of the parties because the parties were not realising as to what the Archaeologists were doing. The parties were also

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unfamiliar with the practice of archaeology on the excavation methods.

(Cross examination of P.W. 32, Dr. Supriya Varma, on behalf of defendant No.13/1, Mahant Dharm Das, in O.O.S. No.4/89, by Shri Rakesh Pandey, Advocate, recorded and concluded.)

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(Cross examination of P.W. 32, Dr. Supriya Varma, on behalf of the plaintiffs in O.O.S. No.5 of 1989, by Shri Ajay Pandey, Advocate, who stated on oath as under): -

I can identify wall 16 which is made of brick courses and some portion of which is plastered, as visible from plate no.42 of Vol II of the ASI report. No calcrete stone or decorated stone is visible in this wall. In Plate 50 of Vol.II of the ASI report, wall 16 is not visible but it is lying underneath row of calcrete slab. A part of wall 16 is visible which is also plastered on the top of the calcrete slab. In plate 51 of the Vol.II of the ASI report, wall 16 is visible, which is of brick courses. The decorated stone is visible in this plate is not of wall 16. In plate 53 of ASI report Vol.II, wall 16 made of brick courses is visible. In this plate, calcrete stone or decorated stone is not visible. It appears from the aforesaid plate that on the left side in the bottom, a portion of wall 16 is plastered. It is true that

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foundation wall is not plastered. In plate 104 of Vol.II of the ASI report, there is a male figurine. It is true that in this plate no.104, 'Uttariya' is visible. It is also true that in left arm of that human figurine, some ornament is visible. That figurine of plate 104 appears to be of 'Kushan' or 'Shunga' period. It is not possible to exactly identify as to whether it is of 'Shunga' period or 'Kushan' period. It is not entirely correct to say that evidence of mother goddess have been found in Harrappan Civilisation. Indus Valley Civilisation and Harrappan Civilisation is the same thing. Some people call Indus Valley Civilisation as Harappan Civilisation. I cannot say with certainty as to whether during Kushan period, worship of mother goddess was made or not. It cannot be said with certainty that mother goddess worship was there during Sunga period. However, there can be speculation in that regard. It is correct that in plate 105 of the ASI report Vol.II, bust of a female with ornament decoration is shown. Such types of figurine of terracotta used to be made in early historical period probably Ist and IInd Century AD. It is wrong to say that these kind of busts are necessarily related to sacred spot or used to be worshipped. It could be a bust of an important lady. Such types of ornamented terracotta figurine were used to be made in the large part of the country in the early historical period and even in

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subsequent period also. It is wrong to say that such human figurines represent Hindus alone. Prior to Gupta period, terracotta female bust shown in plate 105 of Vol.II of the ASI report could be of a lady, who may be either Buddhist or of any important lady of high stature. There was no practice in Buddhism or Jainism of worshipping terracotta female figurine shown in plate 105 of Vol.II of the ASI report. However, there is depiction of 'Yakshi' in stone of early historical period. It has function of protector. It was sign of protection of humans. It is wrong to say that use of 'Yaksh' or 'Yakshi' is only limited to Hindu Dharmshashtra. In fact, it is also associated with Buddhist religion. I am not aware that apart from Buddha religion, whether 'Yasksh' or 'Yakshi' was used or not. By appearance of a female bust shown in plate 105, I cannot say that it belongs to which religion. At the time of excavation, I did not see this bust probably I was not present there at that time. Word 'Yaksh' or 'Yakshi' is mentioned in the books of Indian Art. Buddhist religious books discuss only preaching of Buddha. They do not talk of Buddha Art and practices prevailing at that time. I cannot say whether the word 'Yaksh' or 'Yakshi' is referred or mentioned in any religious book of Buddhism. Besides that, I am not expert of any religion. I am simply an Archaeologist. I cannot specify but I recall that it is

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mentioned somewhere that such female figurine of stones of 'Yaksha' and 'Yakshi' are associated with Buddhist Architecture. I cannot say as to whether such types of bust are kept by Buddhist and Jainis ^{as} in their houses. In plate 107 of Vol.II of the ASI report, human legs are shown but it cannot be said that whether these legs are worshipped or not. It may be of some ordinary man. In this plate 107, some lower garment is visible, which looks like dhoti. In the modern times, the statute of Dhanurdhari Ram, Sri Krishna and Ganesha are shown wearing Dhoti. By modern times, I mean last 200 years. I have not seen any statue of Dharnurdhari Shri Ram, Sri Krishna and Ganesha with dhoti of more than 200 years old. I have seen the idols of Vishnu, Shiva, Shiv Ling and some others Avtaars, Gods and Goddess which are placed in temples of more than ^{ke} 200 year old. Since I am not an expert of iconography, therefore, I cannot say as to what was the dress of God Vishnu nor I have studied this. Since I am not expert on this subject, I cannot give any precise answer and can give vague answer in respect of dress of Lord Vishnu. I am not an expert of history of clothing and therefore I cannot say that as to whether dhoti represents the Bhartiya Vedic Sanatan culture or not. It is wrong to say that by looking a photograph, I cannot identify the

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cloths depicted in the said bust. However, as I said above, a dhoti as visible in plate 107 looks like dhoti.

Q. As you said above that you have ^{not} seen statue of 200 years old of Lord Vishnu, can you now say what was the dress of the statue?

R. I cannot say with accuracy that what was the clothing and how it could be described in technical term as used by Iconography. I can only guess that lower garment would be a dhoti.

I do not know that the lower portion of the human figurine shown in plate 107 in its complete form, is normally kept in the houses of Hindus. Human figurine in plate 108 of ASI report of Vol.II, is of a male. On the head of this human figurine, there may be a heap of hair or turban. Perhaps, there is some beard also in that human figurine shown in plate 108 of Vol.II of ASI report. It is correct that human figurine shown in plate 108 is covered by shawl. It is correct that this human figurine shown in plate 108 is holding a perforated disc.

I do not recollect correctly whether the statue of Lord Shiva which was more than 200 years old, had heap of hair (Jata) on head or not. In plate 116 Vol. II of ASI report there is a Mala around the neck of male figurine. Such type of human figurine used to be made in 1st and 2nd century A.D. In plate 121 Vol. II of ASI report there is a

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turban or some head gear of the human figurine. Such type of human figurine^{Re} were also used to^{be} made^{Re} during the period from 1st century to 4-5th century A.D. such type of figurine^{Re} were used to be made in large pairs^{Re} of the^{country. Re} human figurine shown in plate no. 121 vol.2 of ASI report according to me^{Re}, was made during the period from 1st to 5th century A.D. in northern part of country. Similar is the position in regard to plate no. 126 of the said volume.

During the excavation at disputed site I was contacted by Mr. Jilani, Advocate, for my visit to the site. I was contacted in the month of March 2003 but I do not precisely remember the date or week of the month. Sri Jilani, was not known to me from before. I got a telephonic call from Sri. Z. Jilani in the month of March, 2003 and it was then that he introduced himself to me on phone. Mr. Z. Jilani, requested me to visit the site and I did agree to his request. I myself also wanted to see the excavation at the disputed site and it was because of this reason that I agreed to his proposal. I did know since before the call from Mr Z. Jilani^{Re} from The newspapers that the excavation at the disputed site by ASI was going on. I normally read four newspapers but I do not remember with the certainly that in which newspaper, first time I have read about excavation. However, probably the news to that effect was reported in all the papers. I can not give the exact date and

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week in which I read the said news . Although I do not know the name, of the party to the suit but my nomination for the visit to the site was made by one of the Muslim party. I have not met the party who had nominated me for the purpose. None of the official of Sunni Central Waqf Board met me prior to my visit to the excavation site on the disputed land. I went to Ayodhya via Lucknow. On way to Ayodhya I was received at Lucknow on behalf of Sri Z. Jilani thereafter I went to Ayodhya in Car accompanied by a person who received me on behalf of Mr. Z. Jilani. Once I visited the site ^{with Rep.} Sri Z. Jilani and sometimes I took the bus from Lucknow and went to Faizabad alone. During my first visit in April, I met Sri Jilani at Lucknow. At that time Sri Jilani did not tell me anything about the dispute. Rather I was already aware of the dispute and the controversy leading to the excavation ^{Re} as it was covered by the Media. Nobody from Muslim side told me till date about the stand/ version of Hindus in respect of the site in question. None of the Muslim parties told me that there was no structure existing prior to the construction of the disputed structure. Besides newspapers I have read ^{Re} books and academic journals in which this issue in respect of the structure was discussed. I have given the details of the books also earlier in my statement. The journals that I have read were in regard to the historical or

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archaeological evidence. During the excavation on disputed site I and Jaya Menon had filed objections before the observers against the excavation. Besides I and Jaya Menon whether any other objections were filed by any one I do not know. I do not know that there may be other objections from others also. The first such complaint by me and Jaya Menon was made on 21st May, 2003. Although several other complaints were made in the months of June and July but I can not recollect exact dates of such complaints.

Q. Is it true that your objection was based on the assumption that the existing wall and foundation etc shown in figure 3A prepared by ASI is /were already existing there ?

A: It is wrong to say that complaint/ objections were based on assumption. Instead they were based on observation and at the time of filing complaint to the observers fig 3A was not even in existence.

Some of the things noticed in figure 3A were visible during excavation at the site when the objections were filed. Prior to the filing of the objection against ASI report I had already gone through the literature dealing with Mosque and Islamic Architecture as discussed by Mr. Percy Brown. Regarding Eidgah also there is a mention in the Percy Brown's book. The word Qanati Mosque has not

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been mentioned in the book of Percy Brown. I discussed
^{Re} with ^{Rep} some experts of Islamic architecture regarding Qanati
 Mosque. Dr. Nadeem Rizvi Reader in Aligarh University
 is one with whom ^{re} I have discussed about the Qanati
 Mosque. Dr. Nadeem Rizvi is Reader in the department of
 History. Dr. Nadeem Rizvi also visited the site once or
 twice during excavation. I do not know whether he filed
 any objection against the excavation or not. I cannot tell
 the measurement of Eidgah which I saw in Bhopal. I had
 seen the said Eidgah 10 years ago and I can not give the
 approximate dimensions also of the said Eidgah. The said
 Eidgah was surrounded by four walls but I cannot say the
 capacity of the said Eidgah. I cannot say whether only ten
 people or ten thousand people at a time could perform
 Namaz in the said Eidgah. I do not know how old the said
 Eidgah was. I have never seen Qanati Mosque. I do not
 know the necessary ingredients of Qanati Mosque,
 Mosque and Eidgah. It is wrong to suggest that since I
 have no knowledge of distinction between Mosque, Qanati
 Mosque and Eidgah and therefore my opinion in respect of
 wall 16 is incorrect because in all the three kinds of
 structures western wall is necessary and common and it is
 an important wall and the most important wall is the
 western wall. Northern end of wall no.16 was found in
 slightly damaged condition. Since in northern end of wall

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16 there was sharp -fall and also as there was retaining wall behind it which goes to suggest that the wall 16 was more or less ending at that point. The retaining wall was touching wall 16 at the end of the said wall. The supporting wall shown as Wall 19 in figure 3A is forming a triangle with wall 16. In fact the supporting wall is in slanting position to give support from the western side of wall 16. Wall 16 slightly tilts towards east while running from south to north. Volunteered herself that this is a special feature with the western wall of the Mosque. Similarly wall 17 while going from south to north is tilting towards east. The western wall of the disputed structure was of the length of wall 16. The dimension of the covered disputed structure was 30 x 15 meters and volunteers herself that the dimensions including outer area of the disputed site were 50 x 30 meters. When I visited the spot there was foundation wall alone of the disputed site. I had seen photograph of boundary walls of the disputed site. I cannot say what were dimensions of such boundary walls as the photograph do not have any scale. So far as length and width is concerned it is evident from foundation wall. But I cannot say the height of the boundary wall. I cannot exactly give the number of walls of the disputed structure but there were about eight walls of the covered area. I do not know the height of such wall. The height of a wall

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cannot be told merely by the inspection of the foundation wall. I do not know the exact number of black stone pillars of the disputed structure shown in the photograph. I do not know the figures depicted on black stone pillars. I do not know whether there was -figure of Yaksha depicted on black stone pillars. The black stone pillars were either on the corners or on the entrances of the disputed structure but they were in pairs. By saying that pillars were in pairs, I mean to say that they were identically situated on either side of the entrances. There were three entrances on the outer side of the covered structure and then there were inter-connecting entrances in each of the three chambers. I cannot say with surety whether black stone pillars were on either side of all the entrances of the disputed structure. ASI has based its report on the basis of excavation conducted by ASI at the disputed site and also the finds recovered during excavation. Foundation is always made from the bottom i.e. base and goes up. I am not a civil engineer. In Archaeology the opinion is based on the inferences drawn from the evidence recovered during excavation. However, there are various ways for dating the structure and finds recovered. Exact date of structure can be ascertained if there is inscription on the structure mentioning the date of construction. I do not know whether in engineering the height of the structure can be

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determined by looking on the foundation. It is true to say that the ASI stopped the excavation at the place ^{where they} found so called pillar bases irrespective of the floors. The depth and thickness of the floor depends upon the nature of the construction. There was no gap between floor 1A, 1B and 1C, as they are part of floor 1. The gap between floor 1C and floor 2 was approximately 25 to 30 cms. Similarly gap between floor nos 2 and 3 is approximately 25 to 30 cms. Gap between floor 3 and 4 was also same. The so called floor no 5 shown by ASI according to me is brick crush layer. According to me the gap between floor 4 and so called floor 5 is approximately half meter.

Statement read and verified.

S. Varma

17.5.2006

Cross-examination on behalf of plaintiffs, in O.O.S.No.5/89 by Sri Ajay Pandey, Advocate could not be concluded.

Statement recorded on our dictation in open Court.

Put up before Commissioner on 18.5.2006.

S. Varma

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17.5.2006

Before: Commissioner Sri H.S. Dubey/O.S.D.(R.J.B.-B.M.)

High Court of judicature at Allahabad, Lucknow Bench, LKO

Date: 18-5-2006

P.W. 32 Dr. SUPRIYA VARMA

(Commissioner appointed by Hon. Spl. Full Bench vide order dated 17-05-2006 passed in O.O.S. No. 4/89 Sunni Central Board of Waqf, U.P& others Vs. Gopal Singh Visharad and others)

(Cross examination of P.W. 32, Dr. Supriya Varma, in continuation of her statement dated 17-05-2006, on behalf of Plaintiffs in O.O.S. No. 5/89, by Shri Ajay Pandey, Advocate, who stated on oath as under): -

I have mentioned in my statement that I am Arya Samaji. I am not member of any Institution of Arya Samaj. I do not agree with many of the views of Dayanand Saraswati. I do not know how many Sanskar's for human being have been described by Maharshi Dayanand relating to Vedic text. I do not know that how many rules were formulated by Maharshi Dayanand. I have not read the book SatyarthPrakash written by Maharshi Dayanand. It is wrong to suggest that since I have not read the book Satyarth Prakash written by Maharshi Dayanand, I do not

S. Varma



know about the rules formulated by him nor I know the Sanskar's prevailing in Vedic text as described by Maharshi Dayanand therefore I am not an Arya Samaji. Volunteered that when ever any family function takes place in my family like marriage ceremony or naming ceremony, then a Pandit from Arya Samaj Mandir is called for the performance of the 'Havan' and recitation of the Vedic Shlokas which are part of the Arya Samaji practises. It is wrong to suggest that since I do not agree with so many thoughts of Maharshi Dayanand therefore I am not an Arya Samaji. Since my Grand father and Great Grand father were Arya Samaji and my father is also Arya Samaji therefore I am an Arya Samaji.

I know about the ' Namkaran-Sanskar' (naming ceremony) of a child. I do not know whether the namkaran Sanskar has been mentioned by Maharshi Dayanand Saraswati or not.

Q: If a Purohit of Arya Samaj goes in the house of Arya samaji persons for performance of the Sanskar's such as marriage ceremony, naming ceremony etc then whether he performs these rituals against rules of Arya Samaj?

A: I don't know.

It is also wrong to suggest that I am not an Arya Samaji. This is also wrong to suggest that I do not know about the rules of Arya Samaj. I know that Havan is

S. Varm



performed and Vedic Shlokas are recited and no idol worship takes place in Arya Samaj. I can also recite the 'Gayatri Mantra'.

Q: You know about the rules of Arya Samaj but deliberately avoiding to narrate about them, what is your reply?

A: It is wrong to suggest that I am deliberately not replying about the rules. What ever I know I have already stated. Havan and recitation of Shlokas are essential and I know the Gayatri Mantra.

Various size brick nodules (gitti) were used in the floors of the disputed structure. These brick nodules were used in all the floors of disputed structure. I can not say about the maximum and minimum size of these brick nodules. If I have not measured the size of brick nodules then as an archaeologist I would say that I cant tell about the approximate size of these nodules. The size of these brick nodules may vary from 1cm to 2,3 or 4cm. I am telling this fact on the basis of general observation. I can not give the exact size of brick bats used in the floor because there was huge variation in the sizes of these brick bats. I can not tell about the approximate size of these brick bats because I have not measured every brick bat found in the floor found at the site. From general observation I can say that these brick bats may vary from

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6cm. to 10cm. or even more. The maximum size of these brick bats could be 13cm. These brick bats were scattered all over the area underneath the floor. These brick bats were in a asymmetrical or randomly spread manner. These brick bats formed the base of the floor. Each floor has a base. Brick bats bases were in all the four floors. Base of the floor can be of different materials such as it may be of brick nodules, stone nodules, stone chip and small pieces of stone and earth rammed to level the surface on which plaster, which can be of lime alone or it can be ^{of} lime-surkhi, is laid. Some time large stones blocks can also be found and they are placed as bench marks. These large stones have been found underneath several floors. It is true that I have mentioned about the techniques of floor making in my above statement. I have already mentioned that brick bats were not in layers or courses. They were not even in single course. I have observed the above technique at the site of Ayodhya where during excavation it was apparent that the brick bats were part of the floor construction.

Q: Have you observed above technique of the floor making at any other places apart from the disputed site at Ayodhya?

A: Rammed earth, brick nodules and brick bats have been referred to at several excavation in the IAR volumes.

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Q: You have not read about the above floor making technique in any book please reply?

A: It is wrong to say that I have not read about floors and floor construction technique because in the volumes of IAR, floors and materials used, have been described. There are 50 volumes of IAR and therefore I am unable to name the specific volume number.

I can't say any specific site but there are number of sites where the floor that were found have been described. Its is wrong to say that above fact has not been mentioned in any of the volumes of IAR therefore I am not giving the specific number. Volunteered, in fact IAR 1975-76, or 1979-80, about excavation at Ayodhya by Prof. B.B. Lal mention finding floor of lime and kankar and brick bats. In the report of Prof. B.B. Lal the description of the material used is self explanatory.

Q: Whether in Prof. B.B. Lal's report regarding excavation at Ayodhya floor making technique have been mentioned?

A: The description of the floor is self explanatory about the floor construction technique. Similarly if walls are described along with the material used then the wall construction is self explanatory.

Ramming of earth along with stone chips, nodules is a universal method. The use of brick bats in the making of

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floor is universal method. I have already mentioned that description of floors have been mentioned in various volume of IAR. I have personally not observed where brick bats have been used in the floors but I have read in various volumes of the IAR. It is wrong to suggest that floor making technique mentioned by me with regard to disputed site Ayodhya have not been mentioned in any of the volumes of IAR. It is wrong to say that I am not mentioning about the specific site where above floor making technique has been used, because I have not read about the technique in the volumes of IAR.

I don't know what Prof. B.B. Lal means by 'lime kankar' therefore I can't tell exactly whether 'lime-kankar' floors were used prior to medieval period or not.

Medieval period starts from 7th century A.D, 7th century A.D to 12th century A.D is referred to as early Medieval period and 12th century A.D to 18th century A.D is referred to as Medieval period. Medieval period ends in the 18th century A.D. I don't know as to what is meant by 'lime-kankar' floor construction.

Q: Whether technique of making floors with the use of lime-kankar started prior to pre-medieval period or not?

A: It is neither clear as to what is meant by lime-kankar floor nor is it clear as to what is meant by pre-

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medieval period, therefore I can not answer this question.

Q: What was the floor making technique during pre-medieval period?

A: I don't know what is meant by pre-medieval period.

Q: What was floor making technique during medieval period?

A: In medieval period there would be lime surkhi on a base of rammed earth, brick bats and brick nodules.

Brick jelly is powdered from of brick and brick nodules are very small pieces of bricks. Brick jelly, brick crush and surkhi are the same thing. Floor is made of bricks also. Floor is made of mud also. This type of floor was made earlier and present time also. Floors were made of brick crush in earlier times. Path was also made of brick crush in earlier times.

Q: What is difference between pillar base and pillar foundation?

A: This question has already been replied by me.

Pillar base and pillar foundation are different things which have been explained in my earlier statement. It is true that area of pillar foundation is larger than the area of pillar base but it may not be so in every case.

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Q: On which type of land pillar foundation and pillar base are made of same size?

A: This will be determined not by the nature of the ground but by the function of the pillar. It is not necessary that pillar base and pillar foundation will be of same size in the sandy soil.

Learned cross examiner drew the attention of the witness towards plate no. 48 of the ASI report vol.2, the witness after being questioned stated that four courses of brick bats were visible in one part of the structure shown in this plate. I had seen this structure at the disputed site. The brick bats which are visible in this plate may have mud but no lime mortar was visible. Mud was used in between the brick bats. Calcrete blocks which are visible in this plate were just placed on this structure. ^{No} bonding was visible between the brick bats and these calcrete blocks. Having seen plate no. 46 of the same report the witness stated that calcrete slabs are visible in this structure, no mortar was visible, just mud was used in this structure. I have already stated that I did not know about 'Kapotpalli'. I have gone through the book written by Percy Brown and titled as "Indian Architecture-(Islamic period)". Percy Brown is considered authority as far as description of actual and specific structures and buildings go. I don't agree with some of the general statements made by Percy

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Brown in his above book but descriptions of specific building are fairly reliable. I have not challenged that part of this book with which I don't agree.

Q: Whether Muslim invaders destroyed the temples of India and reused the materials of these temples in construction of Mosque?

(The learned counsel Shri Abdul Manan raised the objection to the question and submitted that the words ' Muslim invader' used by learned cross examiner is objectionable and should not be used while putting question to the witness)

A: This question has already been asked and I have replied.

I have already stated that I have no problem with the description of various buildings mentioned in the book written by Percy Brown and I have stated earlier that I disagree with the three phrases of building activity described and discussed by Percy Brown.

Q: You agree with the views expressed by Percy Brown which are in favour of Mosque and don't agree with those views which are not in its favour what is your reply?

A: The issue is not about for or against. The point I am making is that Percy Brown's description of specific Mosque is absolutely fine. The problem is with some

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generalised statements that have been made regarding three phrases with out much supporting evidence.

Qutubdin ^{Aibak} was a ruler in the early 13th century. I have not read the book 'History of India-volume 2' by Elliot.

Learned cross examiner drew the attention of the witness towards page 9 (last para) of the book 'Indian Architecture' written by Percy Brown (paper no.126 C1/69) the witness stated that the facts mentioned in the first nine lines of this para have been read by me. Following lines of this para 'The conqueror entered the city..... worshiper of one God', are lines of a text Taju L-Ma-Asir of Hasan Nizami. I have not read it nor the context in which this statement has been made is known to me, therefore I can not comment on the veracity of this statement.

Learned cross examiner drew the attention of the witness at ^{page} 12 (last para) on the following lines of the above book "One more important structure.....re-erecting them in the form of a Mosque", the witness after going through above lines of the book stated that as no supporting evidence had been given I can not comment on the veracity of this statement.

Learned cross examiner drew the attention of the witness on the following line of para 2 at page 42 of the

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above book- ' but another building, a few miles out side the city.....from materials stripped from Hindu temples with in its vicinity' the witness after going through these lines stated that as no supporting evidence has been given I can not comment on the veracity of this statement. I have read about 'Atala Masjid' in this book.

Learned cross examiner drew the attention of the witness toward following lines of the last para given at page 42 of the above book- ' The Atala-Masjid takes its name.....were utilised in its construction' the witness stated that as no supporting evidence has been given I can not comment on the veracity of this statement.

Learned cross examiner drew the attention of the witness towards following lines of the above book given at page 48 (last but one para)-" In the example at broach the pillars.....the pillars of the Mosques are Hindu, while the wall are Mohammed. Following question was asked:- Whether the temple mentioned in above para had 48 pillars?

A: I do not know, whether there were 48 pillars because no supporting evidence has been cited.

Q: By reading above lines of page 48 of the book 'Indian Architecture' whether it is not clear that the temple mentioned in this paragraph had 48 pillars or the number of pillar of this temple were more than 48 or less than 48 ?

S. V. Ma.



A: I can not answer this question because no evidence is provided ^{in the} book which will enable me to answer this question.

I can not accept this statement that 'as a rule the pillars of the Mosques are Hindu, while the walls are Mohammedan's' ^{as} no evidence has been provided which corroborate this statement.

Statement read and verified

S. Verma

18-05-2006

Cross examination of the witness by Shri Ajay Pandey, Advocate, could not be concluded. Put up on 19-05-2006 for further cross examination of the witness.

^{H.S. Dubey}
(H.S. Dubey)

18.5.2006

Commissioner

18-05-2006

S. Verma

Before: Commissioner Sri H.S. Dubey/O.S.D.(R.J.B.-B.M.)

High Court of judicature at Allahabad, Lucknow Bench, LKO

Date: 19-5-2006

P.W. 32 Dr. SUPRIYA VARMA

(Commissioner appointed by Hon. Spl. Full Bench vide order dated 18-05-2006 passed in O.O.S. No. 4/89 Sunni Central Board of Waqf, U.P& others Vs. Gopal Singh Visharad and others)

(Cross examination of P.W. 32, Dr. Supriya Varma, in continuation of her statement dated 18-05-2006, on behalf of Plaintiffs in O.O.S. No. 5/89, by Shri .Ajay Pandey, Advocate, who stated on oath as under): -

I have stated that pillar bases were created by the ASI people at ^{the}disputed site ⁱⁿAyodhya. I have already stated that brick bats, which were scattered all over, were partially removed to create so called pillar bases. I have not said that ASI people were collecting the brick bats and placing them at one place in order to create the pillar bases. The depth of dig at one stretch used to vary from 10cm to 20cm.

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Q: The instruments such as 'Kudal or Gaiti' which were used for digging were making dig at one stroke up to depths of 10cm to 20cm what is your reply?

A: The instrument by it self can not determine the depth of dig. The labourers are given instruction as to what depth they have to dig and accordingly the labour would apply the force to comply with the depth they were instructed to dig.

The nature of the site, the cultural deposits and the structural activities will determine the depth of each dig at each site. The depth of a dig would depend on cultural material and structural activity. One can do scrapping with a knife which can be of 1cm, one can use the trowel and dig 2cm or 3cm, one can use small 'Gaiti' and dig 4cm, one can use big 'Gaiti' and dig 10 to 20cm, one can use 'Phawada' and dig about 8 to 10cm. I remained at the disputed site for 47 days. I have already stated that at one stroke the depth of a dig may vary from 10-20cm. One dig is one stroke. The Archaeologist of an excavation team do not have any instrument with the help of which structures and other things can be ascertained which are lying underneath. The excavation team at disputed site at Ayodhya did not have any instrument by which they could ascertain the structures or other things lying underneath the ground. I have already stated that brick bats were lying all

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over in a random manner. The excavation team at Ayodhya comprised the archaeologists of different religions like Sikhs, Hindu and Muslim. I don't know about ^{any} Christian among them. It is true that all the archaeologists were working at disputed site at Ayodhya under the orders of Hon'ble Court. It is true that at excavation site parties, their nominees and counsels remained there. It is difficult for a non archaeologist ^{to} understand the excavation methods. As I have already stated Hon'ble observers and parties of both sides may have been present at the disputed site but they were not in a position to understand whether archaeological methods and excavation methods were being followed or not. On a daily basis only one or two archaeologists may have been present but over the entire period of excavation perhaps six to seven archaeologists may have visited the site. By 'mud' I mean earth or soil. Earth or Soil is dry. Archaeologists use the word soil or earth for dry soil. Mortar is a binding material. I don't know whether in common parlance word 'Gara' is used for mortar or not. Binding materials are used for ^{binding} of bricks or stone. Bonding material can be of mud, lime, lime-surkhi. By 'mud mortar' I mean that mud and water is mixed and mud mortar is prepared.

Learned cross examiner drew the attention of the witness towards ^{Volume of} page 234 of the objections/ additional

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objection/ reply against ASI report, the witness after going through this paper stated that out of 25 persons whose name has been mentioned at this page, I knew Jaya Menon, Shereen Ratnagar, Suraj Bhan, Vishnu Priya prior to the commencement of the excavation at disputed site. At the disputed site I met Mohammad Abid, Miss Banani, Thakran, Nadeem Rizvi, Ataullah Naiyar, Tushar Sarkar and Nikhat Perveen. I do not know other persons. I met R.K. Chattopadhyaya later in a conference. R.K. Chattopadhyaya had been at the excavation site at Ayodhya. All the above persons are not expert archaeologists. Some of them are Historians and experts in architecture. Out of 25 persons which are mentioned at page 234 referred to, only six or seven persons are expert archaeologists. Jaya Menon, Chattopadhyaya, Thakran, Ashok Dutta, Suraj Bhan, Shereen Ratnagar and D. Mandal are expert archaeologists. It is understood that I have come here to depose as an expert archaeologist. At page 234 of the above paper at serial no. 3 name of Shri Abid has been mentioned. He is not Assistant Professor. Rather he is technical assistant in the archaeology section of A.M.U. The work of Mr. Abid as technical assistant is draftsman cum surveyor. At serial no. 5 name of Dr. Amol Rai is mentioned. As I am not familiar with the sites he has excavated, therefore I am not in a position to say whether he is an expert archaeologist or not.

S. Vainu



I can not comment whether Dr. Amol Rai is an expert archaeologist or not. Dr Amol Rai may be assistant director in archaeology department of West-Bengal but unless I am familiar with his archaeological work,

I can not comment whether he is an expert archaeologist or not. Mr. Nadeem Rizvi whose name finds place at serial no. 9 is an expert in Medieval architecture.

Q: Mr. Nadeem Rizvi has no concern with Archaeology, what would you say?

A: The expertise in architecture is different from expertise in archaeology.

Mr. Jafari whose name is at serial no. 10, is a historian. Dr. Sita Ram's name is mentioned at serial no. 16. I am not familiar with his archaeological work hence I can not comment whether he is expert archaeologist or not. Since I am not familiar with the archaeological work of Dr Sita Ram, hence I can not say whether he is expert archaeologist or not even though he may have retired as director from archaeology department of Bihar. I am not acquainted with the word 'Bijaura'. I don't know about the ornament known as 'Mani-Bandh'. I do not know about 'Kachaparudha- Yamuna', similarly I do not know about 'Makarudh-Ganga'. I don't know whether seat of Yamuna is 'Kachap' or not but I know that seat of Ganga is 'Makar'. I have already stated that I am not an expert of

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iconography therefore I can not say whether idol of Ganga seated on Makar' is installed in Hindu temple or not. Terracotta human and animal figurines were recovered in the early historical levels during the excavation conducted at Ayodhya by Dr. A.K. Narain.

Learned cross examiner drew the attention of the witness towards para 10 (last three line) of the affidavit which reads as under:-

" This material could have come from any where, even during and after the demolition of the Babri Masjid" the witness after going through, stated that this statement is based on the knowledge of an archaeologist and is well understood and accepted. The facts mentioned in the above lines are part of the basics of archaeology. All excavation reports always mention surface finding separately from those that have been excavated ^{from} underneath the ground. This is also mentioned in D. Mandal's book 'Archaeology after demolition'. I read the book written by Prof. D. Mandal ten years ago. This book has been published by the publisher 'Orient Longmen'- in 1993-94. I don't recall whether these facts were mentioned in the book of Dr. D. Mandal after visiting the spot or not but to my mind it was not necessary.

In the excavation conducted by Prof. B.B. Lal at Ayodhya how many human figurines were recovered during

S. Varma

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excavation has not been mentioned in IAR, where the summary of the findings of the excavation have been reported. I can't remember whether in IAR 1976-77 recovery of hundred human figurines has been reported or not. I have not heard about the word 'Kayotsarga'.

Learned cross examiner drew the attention of the witness toward¹⁰⁷ paper no. C1/¹⁰³ filed other original suit no. 5/89¹⁰⁴ page 53 para 1(sixth line) witness after going through this para stated that I do not know about 'Kayotsarga' mentioned in the above line. This particular pose which is being referred to comes well in the field of iconography. 'Kayotsarga' is found in human beings.

Q: Whether idols are related to Hindus only?

A: It is wrong to say that idols are associated with Hindus only. They are also associated with Buddhism and Jainism and in this particular context this 'Kayotsarga' pose is in context of a Jain figure. In Jain religion idols are worshipped. Even the idol of Bhagwan Mahavir is worshipped.

The use of baked bricks started in India in the Harrappan period. Baked brick and burnt brick are the same thing. The large photograph, paper no. 118 C1/146 was shown to the witness who after seeing it stated that this is part of iconography and out side the field of my expertise.

S. Varma

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Q: Whether any figure is visible in above photograph paper no. 118C1/146 ?

A: I have already stated that I have no expertise in the field of iconography.

Learned cross examiner drew the attention of the witness towards enlarged photograph, paper no. 118C1/151, the witness after seeing it stated that to identify any idol in this photograph, I have already stated that I am not an expert of iconography therefore unable to identify.

Q: Whether any human figure is visible in the above photograph paper no. 118C1/151 mention?

A: I have already stated that I am not expert in iconography therefore can't reply this question

Enlarged photograph, paper no. 118C1/148 was shown to the witness who stated that I can't answer whether any idol is visible in this photograph or not because I am not an expert of iconography. I can not comment whether human like figure is visible in this photograph or not because I have no expertise in iconography. I have heard the name of news paper 'Rastriya-Sahara'. I have already stated that I had read about the Court's order regarding excavation at disputed site in the newspapers. I did not inform any other person outside what I observed during excavation at disputed site of Ayodhya. I have heard about newspaper correspondents.

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Shri Praful Bidwai. I don't read news paper Rastriya-Sahara therefore I am unable to say that whether any article written by Praful Bidwai has been published in 'Rastriya-Sahara' or not. I know that the articles of Praful Bidwai are published in a fortnightly magazine 'Front-line'. I don't know as to whether the articles of Praful Bidwai are published in any other journal or news paper or not. I have never met Praful Bidwai till date nor I have ever spoken to him till date. I do not know whether an article of Praful Bidwai was published in the 30th June 2003 issue of Rastriya-Sahara. I don't know whether Dr. Jaya Menon informed Praful Bidwai regarding excavation or not. This question should be asked to Jaya Menon directly. I have already stated that I met Sayed Nadeem Rizvi at disputed site.

I have not heard any term like clay tiles. A.S. Attekar is a historian. I have heard the name of Prof. B. P. Sinha who is an archaeologist.

I have not seen 'Kanak-bhawan' mandir at Ayodhya. I have not visited 'Maniyar-Muth', Rajgir (Bihar). I have not read anywhere about 'Maniyar Muth' of Rajgir. I don't know whether Maniyar-Muth temple has been constructed in 'Ghut' shape according to 'Vrihad-Samhita'. I do not know as to who is author of this book. I don't know that according to 'Vishnu Dharmottar

S. Vama

Samhita' this temple has been constructed in 'Lingakar' shape or not. I have not heard the name of P.A. Mankad. I have not read the book 'Aprajita-Parichchha'.

Q: Whether in a book titled as 'Aprajita-Parichchha' edited by P.A. Mankad 64 types of temples have been described ?

(On the above question Shri Abdul Mannan raised the objection that neither this above book nor its abstract has been filed by the learned cross examiner therefore above question should not be allowed to be asked)

A: I don't know

Normally in ^{temples} niches are found seven to eighth feet above ground level as can be seen in 'Bhitargaon' temple in Kanpur district. Since I have not seen Manihar-Muth temple therefore I am unable to say that 13 niches starting from 1 foot height from the ground level are present in this temple or not. I don't know whether Kanakbhawan temple at Ayodhya has niches at the height of 1 foot from the floor level or not. I have not seen nor read about Golamuth mandir (Satna) M.P. I have read about Chirnath temple, it is not circular in shape. It may be ^{palynological} Palynological. So far I remember this temple has been mentioned in the ASI report regarding excavation at Ayodhya. I don't know whether there are three niches at the height of 3 feet from the floor level in this temple or

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not. I have read about the information mentioned in IAR report. I do not remember whether description of Chirnath temple is mentioned in IAR (1997-98) issue or not. It is wrong to say that I am deliberately not giving reply to the question put to me regarding temples. I don't know whether during excavation at 'Shikharakohanda' (Siddharth Nagar) four circular brick temples were found or not.

(At this stage learned counsel Shri M.A Siddiqui and Shri Jilani raised objection that above question which was put to the witness was misleading, learned cross examiner ^{could have} asked that whether witness has any knowledge about this particular excavation or not, only thereafter this question should have been asked.)

(In reply to the above objection the learned cross examiner submitted that to put question during cross examination is right of the cross examiner. At the time of putting question and prior to the reply give by the witness this objection should have been raised. After reply of the question this objection is not permissible. Apart from this the witness is an expert archaeologist and it is expected to her that she knows about different excavation which are related to any temple site. Above objection has been raised in order to suggest the reply of the question)

S. Vaidya



For raising floor level ^{fall} deposit brought from outside may or may not be sieved depending upon the nature of the building in association of the floors. I am not aware whether deliberately bones are placed inside a building for construction purposes.

If any building collapses and another building is built at that very place then the debris may be found there or it may be removed from that place or it may be reused. Same situation will be if a building is demolished and new building is raised at that very place but in both cases some remains of debris may be left behind. Not every piece of debris may be removed. If debris is left at that place then it may be used to level the ground of that area. If a building is hastily constructed at that place then the debris of earlier building may be there. If such debris is used in levelling the floor then it will be part of the floor construction technique. If debris is left then without levelling it no floor can be laid on uneven ground. I was not allowed to measure any thing at the site while excavation was going on but I have measured the distance between the so called pillar bases as has been shown in the figures attached with the ASI report. I was not allowed to enter into the deep trenches. I was allowed to stand inside the trenches which were not deep. Trench J-3, J-4, J-5, G-7 were the deep trenches. There may have been one or two more deep

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trenches also. I can not exactly recollect the number of deep trenches because I was at the site only till the middle of July 2003 and subsequent to that some more digging would have taken place so I can not say how many in all were deep trenches. It is true that many deep trenches were of J and K series but trench EF and G series also, were some deep down in some trenches. Unless I see the figures I can not recollect whether there was any so called pillar bases in the trenches in K and J series.

Learned cross examiner drew the attention of the witness to the ASI report vol. 1, the witness stated that ASI has not identified or labelled any so called pillar base in J or K series but in trench J-3 there are obviously two structure that are identical to what ASI called pillar bases. Since these two structures do not fall in the alignment of the so called pillar bases they have not been labelled so by the ASI. As I have already stated I was not allowed to measure any thing during excavation therefore I did not measure the distance between so called pillar bases.

Statement read and verified

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19-05-2006



Cross examination of the witness by Shri Ajay
Pandey, Advocate, could not be concluded and continued.

S. Varma

H.S. Dubey
(H.S. Dubey) 19.5.2006

Commissioner

19-05-2006

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

24-7-2006

P.W.32 Dr. Supriya Varma

(Cross examination of P.W. 32 Dr. Supriya Varma in continuation of her statement dated 19-05-2006 on behalf of Plaintiffs in O.O.S. No. 5/89, by Shri Ved Prakash, Advocate, who stated on oath as under):

I have already answered that the total number of pillar bases given in ASI report varies, meaning thereby that in the ASI report different numbers are indicated at different places. It is true that in figure 3-A Vol. I of ASI report the number of pillar bases is shown 50 but in the appendix, at the end of the report, that number has increased upto 67. ASI has not mentioned in figure 3A any pillar bases shown in 'L' series trenches whereas in the appendix so many pillar bases have been shown in the trenches of 'L' series. Said voluntarily that in figure 3A some structures have been shown as pillar bases as well as wall. In this context reference may be made to pillar base no. 33 and wall 24. Some structures have been described as wall as well as pillar base. Whenever I noticed that the ASI personnel have manufactured a pillar base, I complained in writing. Some objections in this regard were also filed by

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B. J.

the party which I had been representing. However, as on date I don't exactly remember the number of pillar bases. I have filed series of objections between May 21, 2003 to July 19, 2003. All the objections in this regard were prepared by me and Ms Jaya Menon but signed and filed by the parties. The first objection of May, 21, 2003 was related to trench G-2 only. In my objections dated 7.6.2003 I mentioned about structural bases of trench G-2 and ZF-1. As regards structural bases of other trenches mentioned at page 2 of those objections, I have not stated that all these trenches were excavated in my presence. What I meant, in my objections pertaining to those trenches was that I had noticed about such irregular excavation of so called structural bases during excavation in these trenches. In other words, the complaint was in respect of the procedure adopted for excavation by the ASI.

I have clearly mentioned about the structural bases (which was later described as pillar bases) in my objections moved on 7.6.2003, I do not know as to when the trenches referred in para 3 of objections dated 7.6.2003, were excavated. Since I was not present at the time of excavation of above referred trenches, I cannot exactly disclose as to when these trenches were excavated. It is wrong to say that I did not file objections about any sort of irregularity immediately I noticed at the time of my

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presence during excavation. I have always filed written objections through party. It is wrong to suggest that except the objections dated May 21, 2003 and 7th June, 2003, I have not prepared any other objection for the party I represented. It is correct to say that my objections of May 21, 2003 related to trench G-2 alone. It is completely wrong to say that no irregularity had been committed as mentioned in the objection dated 21st May, 2003, vis-a-vis, the irregularity during excavation in trench G-2 and it is also wrong to say that there was no occasion to point out any irregularity. It is wrong to say that there was no violation of archaeological principles while digging trench G-2. I have read the chart and figures given from page 56 to 67 (Vol.I) and I am of the view that the courses shown in the report are not correct. As a matter of fact there was no course as shown by ASI in its report. I do not agree with the details of the courses mentioned in ASI report. Also I do not agree about the details and descriptions of the so called pillar bases. I have not mentioned about all the individual 50 so called pillar bases in my objection filed through party from 21-5-2003 up till July, 2003. My objections were confined to only those so called pillar bases, excavation of which was personally observed by me and also through my personal study of Sections. The trenches G-2 and F-3 were excavated in my presence.

S. V. Rao

B. Rao

There were other trenches also which might have been excavated simultaneously when I was watching other trenches but since my physical presence could be at one place, I could not watch excavation of other trenches. It is incorrect to say that I had noticed excavation of only three trenches, namely, ^{Re} ZF-1, G-2 and F-3. I might have watched digging of other trenches also, although I do not, exactly recollect their names or numbers. I might have filed objections about other trenches also and if I remember exactly I was present during excavation of trench G-5 also.

In my objection I raised issues in addition to my objection about 'courses'. The other irregularities, I noticed were as follows:-

- 1 Excavation procedure was flouted.
- 2 Digging was not undertaken layer-wise. Rather it was done depth wise.
- 3 The excavated so called pillar bases, could not have been described as pillar bases.

The above irregularities pointed out by me did not confine to pillar bases alone but to the entire excavation exercise. The three irregularities pointed out above were also committed in respect of pillar bases.

Q. Whether any pillar base was/is in existence in Sections of the trench ?

S. Varma



A. Whenever structures are excavated, one side at least has to be left attached to the section of the trench, that is how an Archaeologist determine^{he} the Stratigraphy of the structure. So every so called pillar bases shown by the ASI is attached on one side of section of the trench. I am not sure as to whether objections of the party, I represented, were confined to only 19 pillar bases or more. Not a single so called pillar base was found in brick walls which were found during excavation. Sometimes a wall can be cut in a manner so as to fabricate the pillar bases. As I said earlier wall 24 and pillar base 33 were described as the same structure. I do not agree with the suggestions that the pillar base 33 is separate with the wall 24 shown in figure 3A of the report. I do not know as to whether the description of the site including walls, sections, pillar bases or any other thing shown in figure 3A is factually on telling terms with the real findings.

Except the site in dispute I have not supervised any excavation of a site of mosque and temple nor^{have} I got any such excavation conducted. I have read several books on the dispute in question giving respective versions of the Hindu and Muslim communities. Those books are following books:-

- i. By Sri S.Gopal- 'Anatomy of Confrontation.
- ii. By Sri D. Mandal- Ayodhya after demolition.

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- iii. By Sri S.P.Gupta and T.P.Verma- Archaeology and History of Ayodhya.
- iv. One pamphlet on New Archaeological Discovery.

In the book written by T.P.Verma and S.P.Gupta, the version of the Hindus that initially there was a temple whereupon a Mosque was constructed after demolition of the temple is given in these terms, whereas the Muslim's version mentioned therein is that there was a vacant land over which a Mosque was constructed and prior to the construction of the Mosque, there never existed any sort of structure whatsoever and the similar facts are mentioned in the book ^{Re} written by S.Gopal.

I never met any of the officials of U.P. Sunni Central Waqf Board. In the Idgah, I had seen before the excavation, besides western wall, there ^{were Re} ~~was~~ boundary walls on the remaining three sides with an entrance. In the said Idgah, there were no other wall ^{he} except the main western wall of Idgah that I had seen earlier and three boundary walls on the other sides. It is true that according to Islam, the places both Mosque and Idgah are considered to be the sacred places.

Q. Have you seen any place where on a part of the land of the Idgah any mosque has ever been constructed?

S. Varma

B. J.

A. I have not personally seen any such place but I have read that there can be different structural phases of religious places.

She herself volunteered that there are historical evidences where we do find successive phases of different mosques.

I do not remember the name of such book. I have certainly read it somewhere. I do not remember the writer of the said book. I do not even remember in which year the book was published and even the name of publisher. If Court wants, I can furnish the details after going through my notes. In Idgah or Mosque, animals are not slaughtered. The bones of animals cannot be found above the surface in such places but can be found during excavation if ~~material~~^{material} filled up^{material} is brought from outside. The bones of the animals are not buried by the people who go there for prayer in the land of mosque or Idgah. I have already stated what does 'Secularism' means to me. The word 'Secularism' applies to the individuals as well as to the Government. I am aware that Hindus adopt various types of practices to worship, such as, to worship idol, nature, animals, Gods and may not worship idol at all. Muslims do not believe in idol worship and it is not their concern about others. I think the Muslims do not oppose

S. Varma

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those who believe in idol worship or the persons of other religions.

Q. Do you know any place where after excavation the finds were dismantled?

A. Finds have nothing to do with dismantling because dismantling means pulling apart something or breaking it down.

At this juncture, learned counsel cross-examining the witness, confronted her with the statement in last para of the objections dated 7.6.2003 filed before the observer and asked that how in your objection you have made a request for dismantling the pillar bases?

A. What I have referred in my objections are not finds but fictitiously created the so-called pillar bases or structure bases which in fact did not exist at all and were actually part of floor base and this is how they should have actually been shown in the report and left in the trenches for others to see and therefore, I am asking in my objection only for the dismantling of those false and fictitious structural bases.

I do not agree with the suggestion that the above objections were raised and request for dismantling was made only to pressurise the ASI's people conducting the excavation. During excavation besides me and Jaya Menon, there were other Archaeologists also witnessing

S. Varma

B. J.

the excavation on behalf of the Muslim side. It is wrong to say that the others present there did not raise any objection. I have never applied in my name to obtain permission from ASI to carryout the excavation at any site. I do not agree with the suggestion that since I had not applied for licence, I was not qualified to carry out the excavation. I did not apply for licence in my name because I did not find any necessity of having any licence for excavation. It is wrong to suggest that I had never been in the excavation list of members of any team conducting the excavation at any site.

(Cross-examination on behalf of plaintiff in O.O.S. No. 5 of 1989 by Shri Ved Prakash, Advcoate recorded and concluded.)

(Shri D.P. Gupta, learned Counsel for the plaintiff in O.O.S. No. 1 of 1989 adopted the cross-examination already done on behalf of other defendants.)

Cross-examination on behalf of all contesting defendants recorded and concluded. Witness discharged.

Statement read and signed.

S. Varma
24-7-2006.

Statement written in open Court by the Stenographers on our dictation.

CS Begd h
24.7.2006.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.10866-10867 OF 2010

IN THE MATTER OF:

MOHD. SADDIQ (D) THROUGH LRS. APPELLANTS
VERSUS
MAHANT SURESH DAS & ORS. ETC. ..RESPONDENTS

AFFIDAVIT

I, Ashok Kumar Singh S/o Shri Virendra Singh, aged about 49 years, working as Officer on Special Duty, Home Department, Government of Uttar Pradesh, Lucknow, presently at New Delhi, do hereby solemnly affirm and declare as under:-

1. That in my aforesaid official capacity I am well conversant with the facts and circumstances of the case, hence competent and authorized to swear this affidavit.
2. That I have read and understood the contents of the accompanying applications and I state that the contents of same are true and correct to the best of my knowledge and belief.
3. That the annexures/documents are true and correct copies of their respective originals.

DEPONENT

VERIFICATION

Verified at New Delhi on this the 28th day of October, 2017, that the contents of above affidavit are true and correct to my knowledge and belief and no part of it is false or concealed therefrom.

DEPONENT

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
I.A.NO. _____ OF 2017
IN
CIVIL APPEAL NO.10866-10867 OF 2010

IN THE MATTER OF:

MOHD. SADDIQ (D) THROUGH LRS. APPELLANTS
VERSUS
MAHANT SURESH DAS & ORS. ETC. ..RESPONDENTS

**AN APPLICATION FOR PERMISSION TO
ADDITIONAL DOCUMENTS**

TO

THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUSTICES OF
THE HON'BLE SUPREME COURT OF INDIA.

The humble Application of the Respondent/
State of Uttar Pradesh above-named:

MOST RESPECTFULLY SHOWETH:

1. That the appellants have filed the above captioned Civil Appeal and the same is pending adjudication before this Hon'ble Court.
2. That the Respondent/ State of Uttar Pradesh is filing some documents which are essential for the proper adjudication the matter by this Hon'ble Court and hence prayed that he may be permitted to file these documents in the interest of justice.

PRAYER

It is therefore most respectfully prayed that this Hon'ble Court may graciously be pleased to:-

- a) permit the respondent/State of Uttar Pradesh to file additional documents and the same may be taken on record in the interest of justice.
- (b) Pass any such other order/orders that this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.

DRAWN & FILED BY:

[KAMLENDRA MISHRA]
ADVOCATE FOR THE RESPONDENT/
STATE OF UTTAR PRADESH

NEW DELHI
FILED ON 17.11.2017

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.10866-10867 OF 2010

IN THE MATTER OF:

MOHD. SADDIQ (D) THROUGH LRS. APPELLANTS
VERSUS
MAHANT SURESH DAS & ORS. ETC. ..RESPONDENTS

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