

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

Other Original Suit No. 4 of 1989

Sunni Central Board of Waqf,  
U.P. And Others ...Plaintiffs

Versus

Gopal Singh Visharad  
And Others ...Defendants

**Statement of P.W. 16**

**Prof. Suraj Bhan**

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SUNNI CENTRAL BOARD OF  
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GOPAL SINGH VISHARAD  
AND OTHERS ...DEFENDANTS.

**STATEMENT OF P.W. 16**

22.2.2000

Surajbhan S/o Sh. Ratan Singh R/o 181 Sector VII, Rohtak  
stated on oath:

I was a professor in the Department of Ancient Indian Archaeology in Kurukshetra University, Rohtak. I retired in June 1991. Before joining Kurukshetra University, I was a lecturer in the Punjab University, Chandigarh. I worked as professor for about 12 years. I have studied on Babri Masjid. I have written also on this subject. I had seen the disputed site the Babri Masjid on the spot. I myself had gone there. I had taken measurements at the disputed place with the help of draughtsman and photographer. During my research work I did not find any such evidence which could prove that Babri Masjid was built there after demolishing any temple situated there. According to the research made by Prof. B.B. Lal and A.K. Narayanan, there was no evidence of any habitation before the 7th Century B.C. at Ayodhya. The witness was shown Paper No. 110 CII/8 that was filed in suit No. 5. Having seen that the

witness said, "This article was written by me and a letter enclosed with it bears my signatures. The article attached to the letter; which covers Paper No. 11OC/1/9 to 110 C1/13, is written by me. (Shri Devkinandan Agarwal opposed this point and said that the above said document is not the original copy, that is, it is not the original document and therefore it cannot be admitted for evidence, nor it can be proved. This objection shall be examined at the time of hearing of case.)

The corrections and cuttings made on the photostat copy of the article were done by me only. I cannot tell with certainty whether it's original (copy) is with me or not. Whatever I had written in this article is correct according to me. But after my study on Ayodhya I have added something to it. During my visit to Ayodhya Prof. R.S. Sharma, a draughtsman and photographer were also with me. After finishing my research work., I had sent a report to ICHR. At this point the attention of the witness was invited to a report- "Rama Janam Bhoomi- Babri Masjid- A Historian Report", enclosed with an Application No. 7 O/2000 O.S. No. 4/89 which was sent by Home Secretary to the Government of India, which covers papers/documents No. C2-190/1 to 20. This report was jointly prepared by me alongwith three other persons, viz. Dr. R.S. Sharma, Prof. M. Athar Ali, Shri D.N. Jha. This Report is enclosed to a covering letter dated 13 May 1991, which has been signed by R.S. Sharma and Prof. Athar Ali themselves and Prof. R.S. Sharma has signed this letter on my behalf and Athar Ali has signed on behalf of Prof. D.N. Jha. The designation given in this letter is correct.

The designation as given on the reverse of the first page of the report should have been "Indics Study" in place of "Social Science". All the four of us had jointly given this

report the final shape. I fully agree with the contents of this report even today. In this research work, I had written the portion pertaining to "archaeology", that is, the contribution pertaining to archaeology was from my side. The report that has been shown to me is the same that I had sent. Whatever is written in this report is correct. I can identify the signatures of R.S. Sharma and M. Ahtar Ali and the signatures appended on this report are of these persons only. Exhibit No. 662 has been given to this paper/document.

xxx            xxx            xxx            xxx

(Cross-examination on behalf of Nirmohi Akhara, Defendant No. 3 by Sh. Ranjit Lal Advocate:)

I had completed my primary education upto class VI in Punjab. I am originally a resident of village Asauda, Distt. Rohtak which now comes under Distt. Jajjar. I had taken my Graduation Degree from Delhi University. My subjects at graduation level were Economics and Sanskrit. in addition to English and Hindi; History was not my subject at the graduation level. I started studying Sanskrit from class V. I did my M.A. (Sanskrit) from Delhi and thereafter M.A. in Archaeology and Culture from M.S. University of Baroda. I was not required to write any thesis for M.A. (Sanskrit). My special paper in M.A. (Sanskrit) was on Dharmashastra.

In Delhi University M.A. Course, Dharmashastra is a special paper. This subject relates to Brahmanical tradition. By Brahmanical tradition I mean the tradition that started from Vedas and Sanskrit literature was created/written in that tradition, whether it related to religion or to social facts. It does not mean Sanatan Vedic Hindu religion. I don't remember as to how many parts were there of this subject. I passed my M.A. Examination in two years. At that time Dr.

Chaudhary was the Head of Department. I have not completely studied the Vedas but have studied only those parts of Vedas which were prescribed in my course of study. Vedas are four in number. Vendangas are six. The four Vedas are 1. Rigveda Samhita. 2. Yajurveda Samhita, 3. Samveda Samhita, 4. Atharvaveda Samhita. Among Vedas, Rigveda's first part is the oldest one. That means that the ancient part of Rigveda is the oldest among the Vedic literature. I have read some portions of Rigveda which were prescribed in my course of study. There is a difference of opinion about the date of Rigveda. I, however, think that the timing of the oldest part of the Rigveda is second millennium B.C. In my opinion other parts of Rigveda are less than 1000 B.C. old. That means it dates before the period of Lord Buddha. Rigveda contains prayers to gods, the gifts or donations that are given to the Brahmans are also told. Some information can be found about the social, political, economic and cultural life of the people at that time.

There are some stories also in Rigveda. Rigaveda starts with the prayer to the God Agni. Agni has no human form as such, i.e. there is no clear cut image of Agni. In the ancient part of Rigveda no image of gods is given or described. In the later portion of Rigaveda also no god has been shown in human form. However, some gods like Vayu and Agni etc. have been worshipped through Mantras. During Rigvedic period gods were offered prayers and sacrificial oblations, but not in the way as adopted later on during the period of Puranas. According to me, the Vedas were not the only basis of Vedic religion. These Vedas contain not only the tenets of Vedic religion but also many other things and beliefs etc. There is no concept of temple (Mandir) as such in the Rigveda. The first Sutra of Rigveda is 'Om, Agnimidey purohitam. Those who follow Brahmanic

tradition and the Vedas, believe that Veda is a book gifted by God and it is revelation by God. During the older Vedic period there were three 'varnas' or classes: Brahman, Kshatriya or Rajanya and Vaishya. This is wrong to say that Rigveda is limited to the prayers and gifts and oblations to God. Some people may subscribe to this view, but in my opinion what I have said above is correct. It is wrong to say that during the period of Rigveda there was no political, social, cultural and economic life. This is also wrong to say that there was no Varna (class or caste) at that time.

Question: According to your view, what are the sources or bases of Hindu Vedic Sanatan Dharma (religion)?

Answer: This assumption that Hindu, Vedic and Sanatan are one and the same Dharma/religion; that is, it is a uniform religion, is wrong, according to me.

The basis of Vedic religion are Shrutiyan called Vedas. I have read Manu and Yajnavalkya Smriti but only partially. I cannot tell that Manu and Yajnavalkya also called Shruti as Vedic religion. I mean to say that I do not remember this now. I do not accept this view that shruties/ vedas are God-given. I regard them as human creation. In modern times, the way to find out or test the truth in scientific manner is to see, think, understand and test its correctness. According to this method Vedas are human creation. Dharmashastras are called Smritis as well. This is also correct that Smritis were also written by human beings. Smritis are human work because traditional customs have also been incorporated into these books. This is wrong to say that the Rishis (Seers) to whom the Vedas were revealed, were the composers of these Smritis. This is also wrong to say that the Smritis were named after those Rishis. Names of some of the Smritis are : Manav Dharmashastra, Yajnavalkya Smriti. I have heard the name of Narad Smriti, and also of Brihaspati Smriti. There is Katyayan Smriti also. I don't

know whether there is any Vyas Smriti or not. This is wrong to say that Narad, Katvavan and Brihaspatil were Vedic Rishis. The above-said three smritis mentioned by me above are not the basis of Vedic religion. I have read some portions of Manu Smriti and Yajnavalkya Smriti. I do not remember whether the portions of Manu Smriti that I have read, have any reference or description of a temple or God. I have read the "Day-bhaga" portion of Yagnavalkya Smriti. Day-bhaga is a portion of Yagnavalkya Smriti. There is no description of temple (Mandir) or idol (Murti) in that portion. Manusmriti has shown the types of Varnas (caste system). I have not read about the worship of idols in Manusmriti. I have not read any Bhasya or commentary on any Smriti. Six Vedangas are: 1. Shiksha, 2. Kalpa, 3. Vyakaran, 4. Jyotish, 5. Chhanda and probably 6. Mimansaa. Then said: It is Nirukta. Mimansa is the part of philosophy; not of religion. There is difference between Dharshan (philosophy) and Dharma (religion). Darshans are parts of Dharma with Karmakanda and there are other Darshans also. Non-dualism (Advaitvad) is a darshan ( a school of philosophy) and it is used in many religions. This is correct that Vishistadvatavad is also a Darshan. This is wrong to say that it is solely based on Vedic religion. This is correct to say that Shankaracharya was the founder of the present form of Advaitvad. This is correct to say that Mathas, idols and temples were in existence when First or Adi Shankaracharya was born. I know somewhat about the Puranas. The Puranas are about one hundred in number but eighteen out of them are considered as main Puranas. I have read in some book that the basic Puranas are 18 in number and this statement of mine is based on that study. The composition of these 18 basic Puranas started in the Gupta Period and continued for many centuries. These Puranas were not in existence before Gupta Period. That is, the Puranas were not in existence in the present form

before the Gupta period. The Gupta period covers the fourth, fifth and partially sixth centuries. The stories included in these 18 Puranas were in vogue even before the Gupta period and were later on included in the Puranas at the time of their compilation.

The stories which were in vogue before the Gupta period were already compiled in other books before the 18 Purans and were later on included in these Puranas. Among other stories included in the Puranas, some should have been current among the people in general and some were perhaps rewritten in new form.

In Puranas and Smritis it is nowhere written that some stories are related to the period before the Guptas and books or sources from which they and have been taken. Puranas are full of descriptions of temples, idols and places of pilgrimage. Period of Pauranic literature starts with Gupta period. Historians do not know about the Pauranic period. Narad, Katyayuan etc. may be names of many persons, not of one person only. In the same way many persons could have names like Brihaspati, Vidyapati etc. Temples, idols and places of pilgrimage etc were being established during the period of Puranic Literature. In the Puranic period the worship of Vishnu, Kali and Shiva etc started sometime before. The construction of temples started in Gupta period. I mean to say that during the period before the Guptas the form of temples was not the same as at present but deities were worshipped on the raised platforms. That form of worship prior to Gupta period on platform started somewhere during the second century B.C. There was no need of having any idol or image of a deity on the platform in those days. Further said, "These idols started to be made at the beginning of the Christian era. Gods and goddesses were worshipped on the platform

but there were no idols thereof. There are descriptions of these deities, their images, clothing, arms etc. included in the Puranic tales. Full image of these deities was not shown before the period of Puranas. I don't remember whether some of their images were described or not. I have not read Vishnu Puran. I have read Ayodhya Mahatmya in Skandha Puran. This means that Ayodhya Mahatmya is a part of Skandha Puran. Veda is the basis of religion (Vedic), but only the 'Kalpa' portion of Vedanta is related to religion, rest is not. Bhasya is also not the basis of Vedic religion. This is correct to say that if any person describes a temple, in Vedanta and Bhasya, that description cannot be considered as basis of religion. This is wrong to say that current customs, traditions and conventions might have been bases of Vedic religion, because they had no historical existence; I mean to say I do not know this. There was no topic as religion prescribed in the subject of Sanskrit, but questions were asked on such topics, so I had studied this topic from this point of view only. Between the days of my student life and the time I wrote this article, I have read about what the design of a temple is but I cannot tell the title of the book I read on this subject. But there were some course books on architecture like Hindu architecture, Buddhist architecture and Muslim Architecture also, and I have gone through them. I studied these books between 1958 - 1960. During the days of Puranic literature, Mandir was regarded as a place for Devalaya i.e. the place of deity. During that period there used to be idol installed in the temple whatever was its form. This is correct that the design of a mandir has been described. During the Puranic age, there was a difference of design between the temples of northern India and those of southern India. But every temple must have its sanctum sanctorum (garbhagriha). Garbhagriha is really essential where the idol of deity

remains installed; presence of other things is not essential. Any particular form or design is not prescribed for a temple.

Temples have 'parikrama'. Shikhar is not necessary in a temple. During the Pauranic period, the importance of worship of site or place, in addition to the temple, is also shown. The word 'Hindu' has been interpreted in different ways during different times. 'Hindu' religion is not monolithic. It is not compulsory for a Hindu to have faith in gods and goddesses. The person having no faith in gods and goddesses can also be called Hindu, e.g. the Aryasamajis. I cannot say that Astik and Nastik (believer and non-believer) both are Hindus or not. The meaning of words 'Astik' and 'Nastik' kept on changing from time to time. "Astik" was sometimes defined as a person who believes in sanctity of Vedas, while at the other times it was interpreted as a person who has faith in God. In my opinion any person can be called Astik if he has faith in some doctrine. Similarly, 'Nastik' mean one who does not have faith in God and/or Vedas. I don't give much importance to 'Astik' or 'Nastik', it is not correct to say that one who follows the Sanatan Dharam (sacraments) of Hindu must be an Astik. I follow Arya Samaj. I have grown up among those sacraments. I still follow one principle of Arya Samaj, other principles I may not believe and that one principle is that the acceptance of truth and rejection of falsehood must not be delayed in any way. Arya Samajis don't worship idols, and I am also not an idolater.

Teachings of Islam were not taught during my M.A. studies. I don't remember as to which is the root of the word 'Dharma' in Sanskrit. Presently what is called as Hindu religion is a mixture of many religions and the followers of different religions have many castes in them. This religion has so many gods and goddesses-some are

old while others are new ones. Some people give ample importance to 'Guru'.

After finishing my studies, i.e. doing my M.A. Sanskrit, I did nothing for about one year. After that I went to Baroda and joined the Archaeological Survey of India. I did my M.A. (Archaeology) in 1960 or so. I acquired this degree during my service under A.S.I. After that I acquired my Ph.D. Degree. I started service in 1956 and got M.A. degree in 1960. During my service days, M.A. classes were held in the morning. I got Ph.D. degree in 1975. My topic of research in Ph.D. was "Pre-historic Archaeology of Saraswati and Drishadawati Vallies". An archaeologist must have a knowledge of Historiography, it is important also. For a scholar of Archaeology the knowledge of history is important but not essential. Further said, "This depends on the area where he works. The study of archaeology is done not by making man as its basis but putting society in the centre of his studies. According to me Society is an organisation of people living at different places. Man and society are both inter-related.

There is no period like 'Manav Kal' in the archaeological knowledge nor this word is used to denote any particular age. The knowledge of archaeology got a separate status of a science in India in the 19th century. Archaeology divides the development of man technically into 5-6 periods. These periods are stone age, food production age, urbanization etc. This is not correct to say that the whole period is divided into three parts only viz stone age, copper age and iron age. This classification was done in the 19th century. The archaeological knowledge started in Europe; but from which country is something, which I can't say. It is said that the invention of script was first done in Egypt. Broadly speaking, it can be said that

with the invention of script the historical period of archaeology started. The period prior to the invention of script can be called pre-historic age. The civilization dawned in about 2500 B.C. in the western India. It is correct to say that for an archaeologist the knowledge of history after the advent of historical period i.e. after the invention of script is not essential but is important to him. It is not essential for an archaeologist to have knowledge of that script or language. Then said, "It is important to have knowledge of language, but the knowledge of script is not that important". Epigraphy stands for the study of old documents. There was no script during pre-historic period, i.e. there were no written sources, so the knowledge of epigraphy is not essential.

Question: For the study of pre-historic period, an archaeologist have to utilize which source of knowledge.

Answer: Physical remains will have to be relied upon.

For pre-historic period physical remains were the only source material, no other source was available. In archaeological studies, physical remains are used as source material. They are used as evidence as well, if their reference is available otherwise, they cannot be treated as evidence. To arrive at a conclusion the archaeologist has to keep in mind the physical remains, time period, age and place, but at the same time he has to keep the prudence of the society under consideration. I have read some portions of the book written by Steward Piggad. I do not remember whether Mr. Piggad accepted archaeology as a part of history and not an independent subject. My Ph.D. thesis has not yet been published. I have discussed Saraswati Valley in my thesis. It is situated in Haryana and Punjab. It is a dry channel at present. The second valley Drishadwati

is in Haryana. Some parts of its dry channel are seen somewhere. I have done both survey and excavation work in Saraswati Valley. Some tools and implements were also used in this work. I have done this survey by walking along the course of the river. The survey is done by the Surveyor himself on the spot. He takes the help of other persons also. Now there are other techniques also to do this job, which help the surveyor

Verified the statement after hearing

Sd/-

Suraj Bhan

22.02.2000

Typed by the Stenographer in the open court as dictated by me. For further cross -examination in this case on 23.02.2000 . Witness be present.

Sd/-

22.02.2000

Dated 23.2.2000

(Sworn statement of P.W. 16 Dr. Suraj Bhan in continuation of his statement dated 22.02.2000)

I had not done any excavation work in the Saraswati Valley during the days of writing my thesis, but I had done it before I wrote my thesis. This excavation work was also done after writing my thesis. I had done excavation work at four places in the Saraswati Valley before writing my thesis. I already had some experience of doing excavation work as

I had done excavation work at Lothal and Bhagatrao in Gujarat. When I did excavation work at Lothal, I was then a member of the Western Circle team of the Archaeological Survey of India. I did this excavation work at Lothal during 1956 to 1960. Before the excavation work started at Lothal, no town of Indus Valley Civilization had been discovered in India. The distance between Lothal and Mohanjodaro might be about 400 K.M. I had the knowledge about the ancient Indian cities even before my starting excavation work at Lothal. This is correct that literature can be a base for excavation work. I have read many books on Indian civilization. I read Kumarsambhava of Kalidasa in my M.A. (Sanskrit). I read the Meghaduta as well, I had partially read the Raghuvansh. The period of Kalidasa was during Gupta Age, which was 5th century A.D. This is correct that the Raghuvansh is related to Raghu dynasty, in which Rama is said to have been born. I don't remember at the moment whether Raghu was a ruler of Kaushal. Kaushal is the second name of Ayodhya. It is written that in the Raghu dynasty, Aja was son of Raghu, Dilip was son of Aja, Dasharatha was son of Dilip and Rama was son of Dasharatha.

I consider these details as a part of a plot of a literary work, but in the capacity of a historian I do not consider that these were proved historical facts. I agree that Kaushal was a city that is, it was a region. This was a political unit. I have not read the Ramayana manjari and the Dashavtar Charitra written by Kshemendra. I have read the Uttararamacharita which was written by the great poet Bhavabhuti. The period of Bhavabhuti was the seventh century A.D. Uttararamacharita is the depiction of the last part of Rama tale. At this point of time, I do not remember the names of the characters mentioned there. The above said Rama Katha that I have mentioned is not the Rama

Katha of Tulsidas. It is correct that Rama of Bhavabhuti and Rama of Tulsidas were one and the same person. I do not remember whether there is a mention of Ayodhya city or not in the book of Bhavabhuti. I also do not remember whether there is a mention of River Saryu or not. I also do not remember whether there is a mention of Tirathraj Prayag. I have heard the name of Tirathraj Prayag. There is a mention of River Ganga in the book of Bhavabhuti, but I don't remember whether there is a mention of Panchavati, Kanyakumari, Chitrakut, Kiskindha, Nandigrama in the book of Bhavabhuti. I have read certain portions of Ramayana, written by Valmiki. There is a difference of opinion about the time of the Ramayan of Valmiki. I think he lived between 200 B.C. and 200 A.D. There is a description of Rama in the Valmiki Ramayan also and the same Rama has been described by Tulsidasi in his Ramayana. The hero of Valmiki Ramayan is Rama but Valmiki -has depicted him as a human being the first part of his book but later on in the subsequent portions Rama has been depicted as God; and he has been regarded as incarnation of Vishnu.

I remember some characters of Valmiki Ramayan, other than Rama and some I don't remember. The names of some of the characters, remember, are: Dashratha, Kaushalya, Sita, Bharat, Lakshman and Ravan, Vibhishan etc. The trip of Ram via Kanyakumari to Lanka cannot be proved on the basis of Valmiki's Ramayan. There is a mention of Lanka in the Ramayan by Valmiki. Mention of Kanyakumari may also be there. In the Ramayana of Valmiki there is a description of Chitrakuta, Panchavati, Bhardwaj Ashram, Prayag, Ayodhya, Saryu, Tamasa and Ganga rivers. The places mentioned in Valmiki's Ramayan cannot be identified today by the same name. That means it is not necessary that the places are called by the same names as were prevalent in Valmiki's Ramayan. The

location of Kanyakumari is the same as was shown in Valmiki's Ramayana. I do not know whether Kanyakumari is a town or a city or a Tehsil. This is correct that a country named Sri Lanka is situated on the south of Kanyakumari. In Valmiki Ramayana Ravan has been described as a King of Lanka. The Lanka of Valmiki Ramayan is situated in Madhya Pradesh, as has been told by Prof. Sankaliya. I have not done any research work on this subject whether it could be possible that the Lanka of Valmiki Ramayana is in Madhya Pradesh or not. Prof. Sankaliya has written a book, the name of which I do not remember at present, it is written in that book. Perhaps the title of the book is Ramayana. At the moment I do not remember dispute of Madhya Pradesh where Prof. Sankaliya has located Lanka. It is correct that Madhya Pradesh is not surrounded by sea or ocean on all sides. I have not been to Panchavati but I have read its name. People regard Panchavati a holy place because it is related to Rama. At present I do not recollect that Panchavati has some other location or not. As far as I remember Tirathraja Prayag is one and only one place in India. I have heard and read the name of River Tamasa, but I have not seen it. I have seen Ayodhya. I do not have at present in my mind any other place in India, named Ayodhya. River Saryu just adjacent to Ayodhya on the northern side. Valmiki while writing the Ramayana has indicated Rama as his contemporary. I do not remember whether Valmiki has given a description of any building in his book. Valmiki has described the situation of Ayodhya. According to Valmiki Ramayana and the knowledge of Archaeology, river Saryu is on the northern side of Ayodhya. But even this I cannot say with certainty. Further said, "According to me and also Valmiki, Ayodhya is very much there, but I do not know whether Valmiki has described or not the River Saryu in the north of Ayodhya, but it is correct that Saryu is on the north of Ayodhya. There is a mention

of Nandigram in Valmiki Ramayana but I don't remember as to on which side of Ayodhya it has been mentioned. When I went to Ayodhya for research work then I came to know that Nandigrama is on the south east of Ayodhya, but I did not go to Nandigram.

I don't have any special knowledge of the solar system and can't find the direction with its help. I have not done any special study on this. I do not remember nor I have any knowledge whether other members of my team possess knowledge of this kind or not. I do not remember whether I had any talk in Ayodhya with Prof. Sharma on the knowledge of direction and angle etc. based on Solar System. The western limit of Ayodhya is upto the dry bed of the river. I cannot tell whether Guptar Ghat is its name or not. I had been to Guptar Ghat but I cannot tell its location. What is there in the east of Ayodhya I do not remember now. I had gone upto the river on the east of Ayodhya. All the ghats on west and east of Ayodhya where I had gone, were of Saryu River only. It is correct that Saryu is in a curved shape near the ghats on the west and east of Ayodhya where I had gone. But I cannot say whether this curve is bow-shaped or not. I have seen bow and arrow and I know these things. Bow has a string and it is somewhat less than half square. This is not correct to say that if a direction is fixed by locating a point in between the string of the bow and the Kaathi, then rod of the bow would be on east, north or west side and the string would be on the southern side. If a bow is joined with some other bow after removing the string, then it will take the shape of a fish. I have not read Vishnu Puran. It might have been written in the Ayodhya Mahatmya that Vishnu at the behest of Brahma gave Ayodhya a fish-like shape. I don't remember whether there is a mention of Ganges and Kishkindha in the Meghadut of Kalidas. I have not read the Balramayan of

Rajashekhar. I have no idea as to which of the books related to Lord Rama in addition to the Valmiki Ramayana and the Uttararamacharita, I had read before 1956 or 1990. The Uttararamacharita is a work of Shri Bhavabhuti, I do not remember whether I had read any book relating to Ram after 1990. By the time of my matriculation examination, perhaps I had heard the names of Tulsidas or I might be knowing that name. At the time of studies for M.A. I knew that Tulsidas was a great poet. I have read the biography of Tulsidas. Tulsidas was called a 'Sant' also. Tulsidas was a devotee of Ram, Tulsidas's famous work is Ramcharitmanas. I have not read whole of the Ramayana of Tulsidas. I have read some lines of this Ramayana, which were quoted in other books. I do not remember now as to in which book I had read these Dohas. In the capacity of a historian even I did not try to know as to what has been written in the Ramayana of Tulsidas. It is said that Tulsidas had composed his works in the 16th century A.D. I have heard that the Ramayan of Tulsidas contains the description of Ram's life from Avodhya to his victory over Lanka. It is heard that there is a description of Ram's life from childhood to his victory over Lanka. Tulsidas had composed his Ramayana in Ayodhya. This is correct that I have not read Tulsidas's Ramayana therefore I cannot tell about its authenticity, but if the knowledgeable persons vouchsafe, its authenticity can be accepted.

Volunteer, "Whatever is written in this book can be a plot of a story and a mythology. This is correct that as I have not read this book, therefore, I cannot authentically contradict or support any view. I have not studied logic.

This is not always correct to say that the knowledge of poetry, fiction and literature is essential for acquiring knowledge of archaeology or that these things could be

regarded as main basis of that. This will not be correct to say that unity in diversity of Indian culture has been confirmed only by the knowledge of archaeology. I had done archaeological excavation work during my excavation of the Saraswati region in Haryana. I had done both area excavation and vertical excavation. To ascertain the importance that is the archaeological importance of a particular area in trial trenching assessment is done by some digging. To have an idea of the design and culture of a settlement, area excavation is done which is also I called horizontal excavation. This is done in vast areas. This is correct that in order to know the culture fully, area excavation is done. In other words, for having the full knowledge of settlement at a particular place, area excavation is done. During my excavation projects I have done area excavation on large mounds that is, I had done area excavation of a part of that area. This is correct that if archaeological details about a building are to be gathered, then a basic standard of measurement will have to be taken, but this alone is not sufficient. This is called datum line. Datum line is put in the trench. If it seems necessary and some material is found then carbon dating is also done. In my view, carbon dating of 'kasauti' stone cannot be done.

This is not correct that for acquiring the archaeological knowledge, knowledge of language and script is necessary, but if you have this knowledge it is important. This is correct to say that in India art of writing started during the days of the Indus Valley Civilization. After the Indus Valley Civilization the art of writing vanished for a long time, which again appeared with the knowledge of Brahmi Script. There is no inter relationship between Brahmi Script and the Indus Civilization script. This is correct that language and script are two different things. According to my knowledge, there was no such

primary language which was spoken or understood throughout India. Different languages have developed at different times with the development of different societies and their inter relationship has also developed. The names of the above said languages are not known, but it is believed that there were many languages. Sanskrit is a language related to the Indian culture and traditions. And other related language is also given by Sanskrit. In my view the full fledged form of Sanskrit language starts from the north-west portion of India in 2<sup>nd</sup> millennium B.C. Besides the above, I am not aware as to which language was contemporary to Vedic Sanskrit at which place and which language has emerged from Sanskrit. Pali and Prakrit languages were established in Maurya and Buddha period before the Christian era. By Buddha, I mean Mahatma Gautam Buddha.

Lord Buddha was not the founder of Buddhism. Buddhism was not in existence during the life-time of Buddha or even before that. After the death of Buddha, his followers had started Buddhism on the basis of his teachings. There are a number of philosophies of Buddhism, through which Buddha expressed his philosophical views. One of his philosophies is that there are four eternal truths and there are eight modes of achieving that truth. Apart from the philosophies of the Buddha himself, there are philosophies of Mahayana sect; for example, 'Shoonyavada'. This is not correct to say that Lord Buddha had invented any language. I have stated above that Pali language got established in the period of the Buddha and the Mauryas. By Mauryan period, I mean the period of King Ashoka. This is wrong to say that Pali is the simplified form of Sanskrit. This is correct to say that Pali language was used by the followers of the Buddha for spreading Buddhism to the masses. There is a difference between the Pali and Prakrit

language. Scripts derived from Brahmi are used in India. I cannot tell as to how many scripts are mentioned in the 'Lalit Bistar': It has not yet been decided as to how the Brahmi Lipi originated. However, since people believe that it originated from phonetical source, I don't know whether the origin of Brahmi is described in the Jain Literature and Parnavrna Sutra, Samavayanga. I do not remember today whether Brahmi script had evolved from Greek letters or not. I have no knowledge as to what has been written by Old Fee Hamlar.

I do not accept this view as correct that trading with Greeks started only after Alexander's invasion and the Brahmi Script was invented with help of Greek letters. This is not correct that the Aryans had invented Brahmi Script to protect Indian Vedas. (Volunteer, "The invention of Brahmi Script was done to meet the economic and social needs. It is correct and seems probable as well that Brahmi Script originated in India only as said by Larson Edward Thomas and General A. Kalligham. This is wrong to say that according to the Puranic traditions of India, Brahma had created Brahmi Script and that is why it is called Brabmi Script. This is also wrong that Brahma bestowed Brahmi Script on the Brahmins and that is why it is called 'Deva Lipi' also. These are myths of Brahmanical traditions. This is wrong to say that Jain Tirthankar Admath used the Brahmi Script for teaching his daughter Bampi. These are all myths. This is correct that Jains and Bauddhas both propagated Brahmi script (then said) after a particular period of time." He added, "I have not read Chinese Encyclopedia and therefore, I can't say whether there is any mention of Brahmi Script in that or not. Whether there are inscriptions of Brakmi Script in Ayodhya or not, the question was put before me and my team when we were there for research work. In other words, we had heard that

there were inscriptions of Brahmi Script at Ayodhya. Only I and my colleague Sharma had gone to Ayodhya for research work, I could decipher Brahmi letters earlier, but cannot do it now. I have read rock-inscriptions of Ashoka written in Brahmi Script in Girnar. Apart from them, I have read inscriptions found on the Ashoka Pillar at Ferozshah Kotla, Delhi and some portion of inscriptions inscribed on the iron pillar near Qutab Minar. There is also an Ashokan rock inscription at Hisar; I have read that also. There are certain caves near Bhuvaneshwar in Orissa; there also I have read Ashokan inscriptions written in Brahmi Script. In Sanchi also I have read inscriptions in Brahmi Script. There are 13 rock inscriptions of Ashoka at Girnar. I do not remember the order of these inscriptions. This is wrong to say that there are only two inscriptions in Girnar which are called Ashokan Rock inscription I and Rock inscription II. The inscriptions of Girnar are in Prakrit Script. I had no difficulty in reading Prakrit language. I could read Brahmi Script after 1956. But now due to lack of practice for the last 10-15 years I cannot read it, that is, I feel difficulty in reading Brahmi. When I had gone to Ayodhya for research work, I was finding difficulty in reading Brahmi Script. I do not know whether Sharmaji who had gone with me to Ayodhya could read Brahmi Script or not. Sharmaji had some working knowledge of Sanskrit. By working knowledge I mean that he could make out the meaning of the passage after reading it. I don't remember as to what were the qualifications of Sharmaji. Sharmaji is a well-known historian and I generally meet him many times in conferences of Indian History Congress and other seminars and meetings.

Nobody had asked me to write the Report Exhibit A-62; but all the four of us had jointly decided and written the Report. We had sent this Report to Subodh Kant Sahay on

our own. We had willingly met together and jointly decided to write such a report. All the four of us met at Delhi and had taken this decision in that meeting. Out of four of us, I belong to Kurukshetra, Athar Ali is from Aligarh, and the remaining two are from Delhi. I don't remember as to when or on what occasion four of us met for the first time and took this decision. When the four of us decided to prepare such a report, the problem of Ayodhya had become burning topic for India. I don't remember whether we took this decision at somebody's residence or at some public place. This problem was under discussion among us even before we decided to prepare such a report. This was done normally, not through correspondence but through meetings, or on telephone. I had no telephone of my own, but I could do from outside. I don't remember as to whom I had contacted on telephone for the first time. I however could talk to both of my colleagues living at Delhi. Even before taking this decision all four of us were exchanging our visits and used to go to meet others at their home (Then said:) In Delhi I had never gone to Athar Ali at Aligarh. Athar Ali Sahib too did never come to my place. I had no direct telephone conversation with Athar Ali Sahib before taking this decision. I had no house at Delhi, nor I have any even now. I had talks on telephone with Sharmaji and Jha Sahib. These telephone calls were made by me from Kurukshetra. Whenever I went to Delhi, I had gone to Sharma's house many times. I know Sharmaji and Jha Sahib even before we took up this project. Sharmaji originally belongs to Patna. I don't know his qualifications, I only know that he is a great scholar and historian. I am quoting him as a great historian because a number of his articles and books have been published. Sharmaji is a scholar of ancient as well as medieval history, I don't remember the titles of the books published by Sharmaji. I can't say as to how many books written by Sharmaji have been published, but I can

definitely say that many books have been published (then said:), "I have read his five to six books. The 5-6 books, I have read are on social, economic and cultural subjects. Shri Sarmaji has a great knowledge of archaeology, but I cannot tell whether he possess any qualifications in archaeology or not. Shri Sharmaji is not a field archaeologist. I don't remember whether Shri Sharmaji was teaching at Patna University or working at some, institute before shifting to Delhi University. This of course I know that he was at Patna. I do not remember as to when Shri Sharmaji joined Delhi University. I also don't remember as to when he retired. I think Sharmaji had already retired when we decided to prepare the Report I don't know whether Sharmaji was a Aryasamajist or he followed archaeology as his religion.

I had never attended any ceremonial function at Sharma's place. I don't remember whether I had known Sharmaji before my meeting with Jha Sahib. Apart from Sharmaji and Jha Sahib of Delhi University, there are other historians, such as, Prof. K.N. Shrimali and Miss Bhatia. I don't remember whether historians like S.C. Mishra, S.K. Shrivastava are in Delhi University or not. I never got any invitation for any function organised by Deptt. of Archaeology in Delhi University. At the moment, I don't remember the place in Delhi where I had attended the conference of Indian History Congress. But I can certainly tell that the place was somewhere near Nizamuddin Railway Station. I don't remember as to who had sent its invitation to me that is, who had organised this Conference. I think many historians from India and abroad were present there. I don't remember the month or year of the Conference; Then said: It was held in the month of December. I don't remember whether this Conference was held before or after our writing this report. I don't remember

as to how many delegates participated in the conference. I can't tell whether delegates from all Indian Universities had attended this Conference or not. As far as I remember, most probably, Arjun Singh had addressed and inaugurated this Conference. Shri Arjun Singh was probably a Minister in the Union Government. Many people from Aligarh University had attended the Conference. Their names are: Irfan, Habib etc. I don't remember the names of other persons. I know Irfan Habib Sahib even before we met at the Conference. I don't remember whether Athar Ali had come from Aligarh or not.

I don't remember as to which post Athar Ali was holding at that time. I do not know the qualifications that Athar Ali possessed at that time, but he was considered a scholar of medieval history. I honour his scholarship because whenever we met I was impressed by his scholarship. I was very much impressed by his knowledge of medieval history and mythology, i.e. mythology of history. Shri Athar Ali Sahib was not a field archaeologist, but he could easily make use of archaeology. I mean to say that he did not know how to work in the field but he was good at table work. I don't remember as to where Athar Ali Sahib was educated and upto what standard. This is also not known whether he originally belonged to Aligarh or any other place. I met Shri Athar Ali Sahib at some conference and was impressed by him, but I don't remember the place of the conference. Shri Athar Ali himself was equally eager to work on the report as I was. I don't know as to how much senior was Prof. Irfan Habib to Athar Ali, but he was certainly senior to him. Shri Irfan Habib Sahib is a scholar both of History and Archaeology." (Then said) , "He is a great scholar of history". He is a very good research worker of archaeology like Sharmaji, but he was not a field archaeologist. I had no talks with Habib Sahib regarding writing this report, nor I asked for any help from him. I think

when decision to prepare such report was taken, Shri Athar Ali was in service at that time.

I know Prof. D.N. Jha since long, but I cannot tell the number of years of my acquaintance with him. I was a teacher when I first met him. But I don't remember as to where I was teaching at that time — in Kurukshetra or Punjab University. I met Prof. D.N. Jha after I had worked in Gujarat, but after how many days, I don't remember. I met Jha Sahib for the first time at some Conference. I don't remember as to when and in which conference he had met me. I do not know where was he working at that time. He was introduced to me as a scholar, while giving his introduction; no qualification was added to his name. I was too much impressed by Jha during our first meeting. After meeting him, when I made further enquiries about him, I came to know that he was at Delhi University and he had written many books and research papers. I don't remember as to after how many days, I could get this information. Shri Jha Sahib has written a book on ancient history. I don't remember its title but I have read it. Shri Jha Sahib has written a book with Shrimati Sahib and have read that too. This book is also on ancient history. Sh. Jha is not versed in the work of field archaeology (Then said, he is not an expert). I know that Jha Sahib has got no qualification in archaeology. But what qualification he has got in archaeology, I don't know. He is Ph.D. but I don't know the subject of his Ph.D. As for as I remember, Prof. Jha has got recognition at Indian History Conference, but I cannot say whether he had got this recognition before writing this Report or after that. I don't remember whether D.N. Jha Sahib wrote his name as Dr. D.N. Jha or not before writing this report. I had a correspondence with Shri D.N. Jha and, therefore, I recognise his writing and signatures. I don't remember as to after how many days of our first meeting, I started going to his house. This is wrong to say that the

residence of Shri D.N. Jha was used as an office at the time of writing this Report. There was no question of any dispute arising in his house or Library regarding writing, reading anything there. There used to be discussions about this matter at his house and many people joined the discussions. During discussion on this matter at Sharma's residence. Sometimes Jha Sahib was also present there and at other times he was not there. I don't remember as to whether Athar Ali had come to Sharma's house or not. Before writing this report we had fixed some norms etc., but I 'don't remember. All the four of us had however distributed our portion among ourselves. I don't remember whether we had any written scheme of distribution of our work. Shri Sharmaji was allotted the work of studying old literature. I got the job of studying archaeology. Shri Athar Ali was allotted the work pertaining to medieval history. I don't remember as to which job was allotted to Jha Sahib. We had sent an application under our signatures to the Central Government. But I don't remember whether I had signed the original copy of the application or the office copy of the same as well.

I had put my signatures on many copies. I don't remember whether after signing the application, we had sent it to Shahbuddin Sahib or not. Shahbuddm Sahib had not given any papers to me in this matter. In the meeting of Ram Janam Bhoomi/ Babri Masjid Committee which was constituted by the Central Government, all the four of us were given some papers that pertained to both the parties.

Verified the statement after hearing

Sd/-  
Suraj Bhan  
23.02.2000

Typed by the Stenographer in the open court as dictated by me. For further cross -examination in this case on 7.03.2000 . Witness be present.

Sd/-  
23.02.2000

Dated : 07.03.2000

(In continuation of 23.2.2000 statement of P.W.16 Dr. Suraj Bhan on oath:)

The Brahmi script is written from left to right. During his survey an investigator expresses his opinion or decision on the basis of the following items:

- (1) Materials retrieved during investigation
- (2) Inscriptions
- (3) Written articles (literary)
- (4) Coins

Broadly an investigator does his job on the basis of the above four items. Government gazetteer can also be a basis but it should be a secondary. In the written evidence, history as well as religious books could also be considered as the basis but only in the form of raw material, i.e. events of the past and not in the form of historical facts. Poetry and epics could be used as a raw material. Accounts of foreign tourists could also be used as raw material. I have gone through the report about Ayodhya excavation by Professor B.B. Lal which was published in the Archaeological Review and also other articles and the article of Dr. S.P. Gupta on the subject. This is correct that Dr. S.P. Gupta was the Director of Allahabad Museum.

I have not read in any authoritative book on history about the number of temples demolished by any Muslim ruler during his period of rule.

Question: Can you tell on the basis of your knowledge or your information as to when did the foreign Muhammadens had invaded India for the first time?

Answer: India of yesteryears was not what it is today. During that time, there was no invasion on India by Muslims, rather Indus had been invaded.

The civilization of Indus Valley was identified as Indus culture in 1920-21. I cannot tell as to when was the Indus Valley explored, it is a question of Geography. Mohanjodaro and Harappa were excavated after 1920-21. This is correct that after excavation, the archaeologists came to know of its civilization. During excavation of Mohanjodaro and Harappa, no such evidence or idols were found which could be termed as compatible to the forms of Vishnu, Brahma, Chaturbhuj or Shankar. This is correct that figures were found. The remains found during the above excavations do not reflect any caste or organised religion. Out of the figures found during excavation of Mobanjodaro and Harappa, some are of human beings, some of animals and a few were of the human being and animal-combined. So far my knowledge goes, it is correct that during the above excavations, some of the figures found had two faces, but no figure had four or eight arms. It is correct that during excavation of Mohanjodaro and Harappa, a figure of a woman had been found a part of which had been blackened due to smoke. Some scholars have identified it as Matri Devi.

During the above excavation, no figure was found with three faces or having a horn on the head or sitting in a lotus-posture, however, images of identical nature were found on 'Mohars'. Some scholars have identified them as the erstwhile image of Shiva. It is correct that it is held that a number of figures have been found in the above excavation on the basis of which it could be inferred that people of that time were idol-worshippers. The remains of Indus Civilisation that were found in the excavation of

Mohanjodaro and Harappa, identical remains were also found in Punjab, Haryana, north-west Rajasthan and Gujarat and some scholars believe that a few remains were also found in western U.P. and northern Maharashtra, but I do not agree with it.

In most parts of India, Nand rulers are regarded as the first kingdom who ruled the country during the 4 century B.C. This is incorrect to say that their rule terminated with Gupta Empire. According to me, it is correct to say that Chanakya was there in the concluding period of Nand empire. Some scholars hold that Kautilya the author of 'Artha Shastra' had been there in Nand-Maurya period. Kaushal State and Kashi State were not independent States, rather they were a part of Nand empire. The Ayodhya of today was a part of Kaushal State and Banaras fell under Kashi State. This is incorrect to say that Gupta dynasty followed the Maurya dynasty. The Gupta dynasty ruled from 320 AD onwards. There was a gap of around 500 years in the termination of the rule of Maurya dynasty and installation of the rule of Gupta dynasty. Idol worshipping was not permissible in Vedic rule, there were no temples. The word 'Hindu' is derived from Indus. Some people believe or have stated that residents of this place were called as Hindus but those who called them Hindus were the persons who had come from outside. Those living here identified them as Vaishnav, Shaivya, Shakya. They were known or identified by many other names. This is correct that Vaislmav, Shaivya and Shakya were idol- worshippers, i.e. they worshipped idols and temples were also there. Vaishnav worshipped the incarnations of Vishnu, Shaivyas worshipped Shankar and his many forms whereas Shakyas were regarded as worshippers of gods and goddesses." Later on, he stated that he had not done a deep study of the subject. He added, "Idol-worshipping and establishment

of temples had not taken place during Maurya period. A number of religious faiths existed during Maurya period and Buddhism was dominant amongst them. Idol-worshipping was not prevalent during Maurya period, there were no temples also. I do not know the number of rulers during Maurya period. The rulers of Maurya period included Ashoka and Chandragupta Maurya. I have not gone through the literary works of Maurya period in original. Some portions of Ramayana and Mahabharata which were written during that period were a part of the literary works of that period. Ramayana and Mahabharata — both are called epics. Amongst the two books, the initial portions of Mahabharata epic are regarded as old and ancient. I do not remember the number of parts or sections of Mahabharata.” Later on, he added that by looking at the sections, it could not be said as to which was an ancient one. He added, “Research had been conducted in this direction, but its gradation has been done differently. I have read some portions of Mahabharata, but at this point of time, I do not recollect their names. I have not undertaken any study to find out as to which of the two books i.e. Ramayana or Mahabharata was written earlier, but scholars believe that some portions of Mahabharata had been written before Ramayana. There is yet another view that some portions of Mahabharata were written after Ramayana. The leading characters of Mahabharata are Pandavas and Shree Krishna. Mahabharata includes the incident relating to Ramkatha. I do not remember if there has been a mention of Hanuman Ji in Mahabharata or not. I have read some portions of Ramayana. I do not remember if there is any mention of any character of Mahabharata in Ramayana. It is correct to say that in Ramayana, Ayodhya has been described as Kaushal and Ayodhya. I do not remember if there is a mention of the name of Valmiki, the author of Ramayana in Mahabharata or not. I also do not remember if

there is a mention of the name of Shri Vyas, the writer of Mahabharata in Ramayana or not." Later on, he added, "It is also not correct to say that Vyas Ji alone was the author of Mahabharata. I and all the scholars are of the opinion that Mahabharata has not been the creation of a single man. I cannot tell the number of persons who had written Mahabharata. I do not remember the names of various co authors of Mahabharata. I am not aware that besides Vyas ji, who was the other man who had written Mahabharata.

I do not have any deep knowledge about the 'Arthshastra' of Kautilya because this has not been my subject of study or research. Kautilya and Chanakya are the two names of the same person. A foreign traveller had come during the period of Kautilya and Chanakya whose name was Megasthenes. Chanakya was regarded to be belonging Brahmin class. I have heard the name of Garuda Purana, but have no knowledge about it. Puranas can also serve as raw material for writing history. I do not know if the family-line of 'shastras' is given in Garuda Purana or not. I do not remember if I have ever heard anywhere that the family-line of Ikshwaku dynasty is given in Garuda Purana. It is correct to say that these Puranas do provide some material to the historians belonging to the period of post Vedic period to Gupta period, i.e. some Puranas provide material and some do not.

This is incorrect to say that the frontiers of India, i.e. the geographical situation described in Ramayana was similar to the one prevailing during the Maurya period, rather the frontiers had extended heavily during the period of Ashoka of Maurya dynasty. The geographical situation described in Ramayana was not similar to the one prevailing even prior to Ashoka. During the period of Ashoka, the frontiers of his kingdom terminated slightly

beyond Kanyakumari. I have not read the play entitled 'Mudra Rakshas' written by Vishakh Dutt. I do not remember if he had written that the kingdom of Ashoka was surrounded on all the four sides by oceans, but I am aware that it is not correct. I have not read 'Raj Tarangini' written by 'Kalhan'. It is held that 'Raj Tarangini' of Kalhan belonged to 12<sup>th</sup> century and not the Maurya period.

I have not read the book 'Raj Tarangini' and, therefore, cannot say whether it is mentioned there that Chandragupta had settled Srinagar after capturing Kashmir. Mahendra, son and Sanghmitra, daughter of Ashoka and the grandson of Chandragupta had gone to propagate Buddhism in Lanka through sea. Lanka was independent State at that time. Possibly its name was Lanka even during that time. Magasthenese belonged to Rome and had written the book entitled 'Indica'. He was the ambassador of Selucus. I do not know whether Magasthenese has written in his book 'Indica' that the kingdom of Maurya dynasty extended till Kanyakumari and was surrounded on three sides by oceans. This is incorrect to say that 'Kushan' and 'Shung' dynasties had followed 'Gupta dynasty'. Kushan and Shung dynasties were there. Pushyamitra Shung was the founder of 'Shung dynasty'. Shung dynasty had seen a rise due to the fall of Maurya dynasty. Possibly people of Shung dynasty had defeated king Brihadrath of Maurya dynasty. Pushyamitra Shung was a Brahmin. I do not remember if Pushyamitra addressed himself as a king or not. One Suresh Mishra had accompanied me during my visit to Ayodhya. He was probably conversant with Brabmi script. I do not remember whether I was aware at the time when I visited Ayodhya for investigation that the rock-inscriptions written by Pushyarnitra were available in Ayodhya or not, but I had read about such rock-inscriptions in some book of archaeology." (Later oh, he stated that he had read about it

in some journal, i.e. archaeological journal). He added, "I do not believe that the kings of Gupta period were Brahmins. Some people believe that they were Vaishyas. This is also correct to say that the kings of Gupta period were followers of Buddhism. Gupta rulers were idol-worshippers and temples had also been constructed." (Later on, he stated that many kings of Gupta period were followers of Bhagwat faith) He said, "Gupta period started from the year 320 and extended slightly beyond the year 500. It is incorrect to say that Hindu Sanatan Dharam had started degenerating at the time when Buddhism was on a rise from Maurya period to Gupta period. The fact is that Hindu Sanatan Dharma came into being after Buddhism. Manu's arrangement (of society) in classes prevailed from Maurya period to Gupta period (Later on added that it was an arrangement in classes, it is not correct to call it Manu's arrangement)". He said, "Pushyamitra identified himself not as a king but as an army chief. I do not remember whether Pushyamitra descended kingdom on his son or not. I am aware of 'Mahabhashya' of Patanjali a contemporary of Pushyamitra. The name of the book written by Kalidas is 'Malvikagnimitram'. I do not remember whether I have read this book or not. I did not feel it proper nor thought it necessary to go through Malvikagnimitram and Mahabhashya of Patanjali, which contain description of Ayodhya at the time we undertook investigation in Ayodhya because the basis of the article of Dr. S.P. were the documents of Vishwa Hindu Parishad and Babri Masjid Committee I had undertaken my research on the same basis I did not excavate myself' (Later on, he added that the report of Dr. S.P. Gupta was based on the report of B.B. Lal). He added, "I am a student of Archaeology. I was a part of the investigating team as an archaeologist, others were not. I did not undertake any excavation work in Ayodhya nor it was my purpose also. During the course of

our investigation, we had made use of the basis of Archaeology described above. During the investigation of Ayodhya case, I had studied the rock inscriptions available at Babri Mosque. I did not study the other rock inscriptions of Ayodhya because they were not relevant nor they fell under my subject of investigation. My investigation was limited to the documents submitted to me” (Later on, he added that since the matter written on rock inscriptions was in Persian, so instead of reading them himself, he got them read by others). He added, “By rock inscriptions I mean words written on stone slabs or stones. It is not that all the inscriptions in Persian have been engraved with Surkhi or cement on walls.” The document entitled ‘Ayodhya Prastar’ by Dhandev is in Brahmi script. I do not know whether it is mentioned in this book that the king army chief Pushyamitra of Kaushal had performed ‘Ashwamegha Yagna’ two times or not, but I know that it is a fact. I do not know if it is mentioned in this book that the building of religious-minded father Palgudev was built by Dhandev, the sixth son of Kaushki of Pushyamitra. It was during this time that Yavans had invaded Ayodhya. I do not remember whether I had read in Mahabhashya or seen somewhere about the fact of invasion on Ayodhya by Yavans. By Yavans, I mean the persons who had come from Bactria. Pushyamitra defended his country by fighting against Yavans and chased them away. After the Pushyamitra period, Indo Greek Shakpallav and later on Kushan ruled India. During Maurya period to Gupta period Buddhism prevailed amongst rulers as well as outside also. There has been nothing like a Muslim invasion on India but there have been invasions by rulers. It is believed that Islam came into being in the year 711 -712. Mahmood Ghaznavi was the ruler of Gazni and a follower of Islamic religion. I do not remember as to when did Mahmood Ghaznavi invade India. There were mainly two reasons behind the invasion of Mahmood Ghaznavi on India

— the first was to loot and the second to establish his empire. Mahmood Ghaznavi is also known as a plunderer and a few identify him as the one who demolished temples. I am aware of Sonmath temple. Mahmood Ghaznavi had demolished Somnath temple and he had gone back after demolishing it. This is incorrect to say that he did not stay here to establish his empire. He had established his empire on the western portion of Punjab. I cannot tell the area on which he established his empire. I am mentioning this fact because I had read it somewhere — in some history book. Mahmood Ghaznavi was looted in Sindh region, but I cannot tell the exact place where he had been looted. Jats had looted him. Presently, the Jats are the followers of Hindu religion. This is again something, which I have read in some history book. I do not remember the book or the name of the author in whose book I read all these facts. At the time when Mahmood Ghaznavi came to India there was no Indus province as such, Indus region was of course there. I do not know the State under which Indus region fell during those days. I do not remember as to who was the ruler of Sindh at that time. It is incorrect to say that Mahmood Ghaznavi was the only plunderer and this is also incorrect to say that he had not established any empire here. Mohammad Gauri had invaded after the lapse of a long time. I have read the name of Chandbardai, but I have not read the book entitled ' Prithvi Raj Raso' written by him. I also cannot tell as to against whom Mohammad Gauri had fought his first battle. I am not a historian. I am an archaeologist. I have not heard Prithvi Raj Raso. It was not a Hindu rule during those days. Prithvi Raj Chauhan was the ruler of Delhi. I do not know if Prithvi Raj Chauhan was an idol-worshipper. Mohammad Gauri had invaded India numerous times but I do not remember the exact number of such invasions. I am not aware whether Mohammad Gauri had demolished any temple in India or not. Mohammad

Gauri had also invaded with the aim of looting as well as establishing his empire. After looting i.e. after invading he would return to his capital city and posted his Governor on the captured area. I do not remember the man whom Mohammad Gauri had designated as the Governor here. I have heard the name of Qutubuddin. This is incorrect to say that he established the Das dynasty here. I possess only a broad knowledge of the Muslim history after Qutubuddin. I have not studied it thoroughly. It is incorrect to say that a number of temples were demolished from the time of Qutubuddin upto the time of Baiwant. I have heard the name of Malik Kafoor. I have not heard that a number of temples were demolished in South India during his period. Mughal period starts from 1526 before which Lodhi dynasty ruled India. Babar was a resident of Fargana and had come from Kabul. He was a follower of Islamic religion. I do not remember for how many times did Babar come to invade India. His Panipat battle is well-known. The battle took place in 1526. I have not read any inscription at the disputed building. The rock-inscriptions presented to me at the disputed building were in Hijri era, which on conversion appear to be of the year 1528-29. I do not remember the Hijri year mentioned on these rock inscriptions.

When I went to Ayodhya for the first time, I stayed in a hotel but I do not remember the name of the hotel. I also do not remember the people who had accompanied me on my first visit to Ayodhya, I do not remember even the number of persons. I had come all alone to Kurukshetra. When I came to Ayodhya for the first time, I had brought with me the papers which had been delivered to me. The papers had been handed over to me by the Government of India. I believe the details of the papers are mentioned in my report. In the context, by both the parties, I mean Vishwa Hindu Parishad and Babri Masjid Action Committee.

I and my three colleagues participated in the meetings called by the Government. Government had invited me to participate in the meeting. Besides me, S.P. Gupta was present on behalf of Vishwa Hindu Parishad. We did not come on behalf of Babri Masjid Committee rather we had an independent status. I was there in the meeting as an Archaeologist, Shri Gupta was the only other man but he had not undertaken any field Archaeological work, he had simply made use of the data. In my opinion, Shri Gupta is not a field archaeologist. I was given a written intimation on behalf of Government for participating in the meeting” (Later on, he stated that he recalled like that). He added, “I do not remember as to through whom I received this intimation letter. Possibly the letter was from the Ministry of Home Affairs or on behalf of the Minister. The letter was in the name of all the four members of my team for participating in the meeting. I do not know whether Government had invited any other historian to attend the meeting (Later on, he added that he as well as his four colleagues had requested Government to associate them in the dialogue). He added, “I do not remember if after this first meeting, I had gone to Ayodhya from Kurukshetra I had gone to Ayodhya in the month of February-March 1991. I had visited all other places besides the disputed site in Ayodhya and had travelled a lot. I do not remember whether on my visit to Ayodhya, I had stayed at Ayodhya or Lucknow. Possibly I might have stayed at Ayodhya and would move around daily and return to Lucknow. I am not aware whether any member of Babri Masjid Action Committee accompanied me to Ayodhya or not (Later on, he added that otherwise also he was not known to all). He added, “I do not remember as to for how long had I stayed at Ayodhya on my first visit. When I commuted from Lucknow, I do not remember the number of temples or places I had visited during my first visit to Ayodhya. When I

went to Ayodhya, we had made Lomush Ashram as the base to ascertain the disputed site and it was because of the greatness of Ayodhya. I do not remember if all the colleagues of my team were with me on my first visit to Ayodhya (Later on, Volunteer: that when he went to Lomush Ashram and started working from there, Suresh Mishra and Professor R.S. Sharma were with him). He added, "I do not remember if other colleagues of my team had stayed with me or not during my Ayodhya visit. I do not remember for how many days did I stay at Lucknow during my first visit. I do not remember for how many days I stayed in Ayodhya during my second visit. I also do not remember whether I had stayed in the same hotel in which I had stayed earlier on my second visit or not. I do not remember whether I had stayed at the same place today where I had stayed during my Ayodhya visit or not(Later on he stated that today, he had not stayed at the place where he had stayed during his Ayodhya visit). He added, "I also cannot tell the time gap in between my first and second visit to Ayodhya. I also do not remember whether during both of my visits to Ayodhya I daily came to Ayodhya from Lucknow and went back. I do not remember if I had ever stayed in the night at Ayodhya or not. I had gone to Ayodhya from Lucknow by Taxi once. I do not remember if my three colleagues all came from Lucknow or met me at Ayodhya itself. I do not remember how and when did I meet my three colleagues When I went to Ayodhya I did not meet any member of Vishwa Hindu Parishad or Babri Masjid Action Committee.

Verified the statement after hearing

Sd/-

Suraj Bhan

07.03.2000

Typed by the Stenographer in the open court as dictated by me. For further cross -examination in this case on 8.03.2000 . Witness be present.

Sd/-

27.03.2000

08.03.2000

(In continuation of 7.3.2000 statement of P.W. 16 Dr. Suraj Bhan on oath )

It is correct that in Buddhist literature, Ayodhya has been referred as Saket. I do not remember if in Patanjali also Ayodhya has been referred as Saket, but Ayodhya has been referred as such till the end. I do not remember from when the Tughlaq dynasty has started.

When we went to Ayodhya for the purpose of investigation, all the four of us did not assemble at one time in Ayodhya. As far as I recollect, Professor Sharma was with us during our one visit to Ayodhya. During our visit to Ayodhya, Professor Sharma and I moved around Ayodhya together and studied the geographical situation there. At this point of time, I do not remember if I had visited the place of pilgrimage named Nageshwar during my Ayodhya visit. I had gone to Vighneshwar during my Ayodhya visit. I do not remember whether I visited any other place of pilgrimage of Shankar except the one cited above during my Ayodhya visit. The above Vighneshwar place is located at some distance in north-west of the disputed site, I do not remember the name of the Mohalla. I had not gone to Vighneshwar Mandir with any guide. Professor Sharma and Mishra Ji were also there with me who had knowledge about this place. By Mishra Ji, I mean Suresh Mishra Ji, who is a Reader in some College in Delhi. He was a teacher during those days. At this point of time, I do not remember whether Professor Mishra and Professor Sharma had come together or not, but of course they had met me in Ayodhya. However, I have inkling now that both of them had come with me from Delhi to Ayodhya. My inkling is probably based on the fact that we had possibly

come by train and had stayed at one place. I do not remember that when I went to Vighneshwar Mandir, the name of the temple was written anywhere or not but people were telling there that it was Vighneshwar Mandir and Mishra Ji was also aware of it. It is not that I took it as Vighneshwar Mandir at the suggestion of Mishra Ji but people also told like this and then only I believed that it was Vighneshwar Mandir. At this point of time, I do not remember whether we had gone to Vighneshwar Mandir on foot or by some vehicle. We had certainly gone to the temple by a vehicle, but I cannot tell whether the vehicle had gone upto the gate of the temple or had halted at some distance. We asked a number of people residing in nearby areas as also Priests and Purohits and then only came to know that it was Vighneshwar Mandir. I do not remember the direction in which the main gate of the mandir opened. There was only one gate to enter the temple. It is incorrect to say that there were gates on all the four sides of the temple or it was wide open. At this point of time, I do not remember whether the road leading to the main gate was 'kachhi' or metalled. Dry bed of Saryu was there on the west side of the temple. Saryu river was also visible from the temple. There was also a ghat, but I did not try to find out the name of the same. Later on, he stated that he did not remember the name of the ghat.

I do not remember whether I had been to Saharsa Dahra Laxman Ghat or not, I do not remember whether there is any ghat with this name. Out of the ghats, I visited, I remember the name of only Rin Mochan ghat, I do not remember names of the remaining ghats. Swargdwar is a ghat adjacent to the bank of the river. I enquired from the people and then only came to know that it was Swargdwar ghat. In many cases, the name of the ghat was written on the walls of the ghat also. At this point of time, I do not

remember if the steps of Swargdwar ghat were made of concrete or it was a kachha ghat. Water of Saryu river was flowing at Swargdwar ghat. I do not remember whether the mosque built by Aurangzeb was there at Swargdwar ghat or whether the temple of Ahilyabai was there or not. Of course, I had seen both the above buildings in Ayodhya. When I went to see the mosque built by Aurangzeb, its structure alone was visible and people told me that it was the mosque, which had been built by Aurangzeb. I do not remember whether Prof. Mishra had told me or not that the mosque had been built by Aurangzeb. Tombs and minarets were definitely there on that mosque, but I do not remember their number at the moment. I do not remember the length and breadth of the mosque at this time. I also cannot tell whether there was a road or a street outside the mosque. I cannot tell whether the vehicle could go into it or not. Temple of Ahilyabai fell in which direction of the mosque of Aurangzeb — this is something, which I may not be able to tell. I cannot even tell the distance. I had seen the temple of Ahilyabai from outside only, I had not got inside the temple.

At this point of time, I do not remember whether there were any dome or arches on the Ahilyabai temple and if so what was their number. I do not remember as to how far was the temple of Ahilyabai from the Swargdwar. The temple of Ahilyabai was near the river, but I do not remember if it was very close, I cannot tell in which direction Vigneshwar mandir falls from Sargatdwar ghat, i.e. I cannot tell about its direction or about its distance. Vigneshwar mandir is not located in densely populated area, rather it is at some open place. At this point of time, I do not remember the design of Vighneshwar mandir. I also do not remember whether his idol or 'ling' is there or not. I also do not know if the 'ling' is in the form of a symbol. I do

not know as to who had established Vighneshwar mandir and when. I have not come across any legend related to this temple. I do not remember if I had ever heard any legend about the temple. I have not read in Valmiki's Ramayana that when he married the 'Nag Kanya' (snake-girl), then Lord Shankar came there in the form of a Nageshwar and that is why Nageshwar mandir was established there. I have not studied mythology and as such cannot tell whether such facts are mentioned in Ramayana of Tulsi or not. There is no mountain in Ayodhya but there is a place, which is addressed as a mountain, but I do not remember its name. 'Mani Parvat' is the name of a place not of any mountain. At this point of time, I do not remember if I had visited Mani Parvat alongwith Professor Sharma and Mishra Ji. Since Puranas have not been my source of study, I cannot tell whether there is a mention of Mani Parvat in any Purana or not.

With the purpose of starting investigation, our team had assembled at one place and drew a plan. Later on, he added that they had evolved a work distribution amongst themselves. The work relating to the study of ancient books was allocated to Professor Sharma. I do not remember if Professor Sharma had asked us to visit Mani Parvat during our Ayodhya visit or not. It was on the basis of his study that Professor Sharma had prompted us to visit Vighneshwar mandir. Since there is a mention of birth place and its location has been shown in Ayodhya Mahatmya, we had visited Vighneshwar mandir to ascertain its position. I do not remember if Professor Sharma had told me that there was a detailed description of Mani Parvat in Ayodhya Mahatmya on the basis of which Janam Bhoomi Mandir could be located. Lomush had been an ascetic and his ashram is there in Ayodhya which is identified as Lomush Ashram or Tirth. I and Profesora Sharma and Mishra also

had visited Lomush Ashram. Lomush Ashram is located on one of the ghats, but I do not remember if its shape is like that of a temple or not. I had seen the Ashram and as far as I remember, I had gone inside also, but I do not recollect the details at the moment. I do not remember if I had seen an idol of any God there or not. At this point of time, I cannot tell about the length and breadth of the Ashram. I do not remember in which direction the main gate of the Ashram opened, but it opened towards the river. The river was in the north of the Ashram.

I enquired from the people and came to the know that Lomush Ashram was located at Rin Mochan Ghat. Professor Sharma might have studied the subject. There is some habitation near the ashram, but there is vacant land in the south-west. I cannot tell how long the vacant land stretched in the south-west, but after some distance some habitation started. There is dense population in the south-east of Lomush Ashram. I do not remember in which direction did Sargat dwar ghat fall to Lomush Ashram. I do not remember if I had visited Sargat Mohalla alongwith all the three persons mentioned above. The statement in my report to the effect that Lomush Ashram is itself Rinmochan ghat is based on the study undertaken by Professor Sharma. In my report, I have mentioned that as per Hindu belief, Lomush Ghat is in fact Rinmochan Ghat and by Hindu belief, I mean the faith and belief of the local people of Ayodhya. I have given importance to the local belief in my report and have relied upon it reason being there is no counter-belief. I visited Ayodhya twice and during these visits only I could ascertain this belief. I am not aware whether any information with regard to any local belief relating to Ram Janam Bhoomi, Mani Parvat and Nageshwar mandir was obtained or not. I had contacted many mandirs, maths, aged Pandas and priests to ascertain the local belief, but I

cannot tell the names of all of them (Later on, he added that possibly Sharma Ji had made a note of it). He added, "Professor Sharma must have prepared a note on the subject because he alone was working on a study in this regard. This is correct that during the course of this investigation, Shri Sharma collected detailed information from various people. Shri Sharma prepared a note and then wrote an article in this regard, which I read and heard also. The article prepared by Sharma Ji did not contain names of temples, maths, mahants, priests etc. It was during discussion that the names of temples, maths, priests were mentioned and the discussion and the names were based on his notes. There is a river and not a ghat of sand near Lomush Ashram which I call as Rinmochan Ghat. Concrete stairs have been built at this ghat. Kanchan Bhawan is located in Ayodhya, but I cannot say whether it is at Rinmochan ghat or nearby. I do not know whether there is a large temple at Mochan Ghat or not, of course, there is a big building there. During my visit, I had gone to the disputed site through the road leading to east, in the north of which Janam Sthan Sita Ki Rasoi and mandir are located and Babri Masjid is there on the right side of the road. Professor Mishra, a draughtsman and a photographer had accompanied me but Sharma Ji was not with us at the time of taking measurement. On my visit to Ayodhya, Sharma Ji was with me, but he was not with us when I visited the disputed site. Janam Sthan and Sita Rasoi were written on that mandir and it was also corroborated by people that it was the Janam Sthan mandir.

I do not remember whether Shri Ram Janam Bhoomi was superscribed on the slab on the right of the eastern gate of the disputed site or not. The photographer accompanying us took the photo of that main gate. I had seen the photo later on. This is correct that we have not enclosed those photographs in our report". (At this point,

the advocate drew the attention of the witness to the colour photographs prepared by the State Department of Archaeology which were numbered as photo Nos.44, 45 and 46.) On looking at photograph No.44, the witness stated, "Since it is not a complete photograph and has been taken from an angle, I cannot tell whether it is a photograph of that site or not." On looking at photo No.45, the witness said, "It would be the photo of the main gate." On looking at photo No.46, the witness said, "Since the photo has been taken from another angle, so I cannot tell whether it is the photo of the main gate (disputed site) or not. A slab is visible in photo No 44, 45 and 46, but I cannot read what is written on the slab" (Attention of the witness was drawn to the black and white album prepared by the Department of Archaeology) On looking at photo No 7, the witness said, "It is difficult for me to identify whether it is the photo of the main gate of the disputed site or not because stone pillars are not clearly visible in this photograph" On looking at photo No 36, the witness stated, "It appears to be the photograph of the main gate" On looking at photo No 42, the witness said, "This and photo No 36 appear to be the same Ram Janam Bhoomi is indicated on both the photographs The words are written in colour Since primary sources relating to the disputed site were available, I did not give any weightage to the secondary source and also that secondary source could not be relied upon if it is in contradiction of primary source It was in this background that I took the disputed building as Babri Masjid despite the words Ram Janam Bhoomi written over it. When I entered the disputed site, I saw a platform and also a mark besides a few slabs on which something was written. I had also seen a 'Havan Kund' there, but I may not be able to tell its location precisely. I do not remember if a temple-like structure or Bhagwan Virajman was there on that platform or not. I do not remember now whether a cave like structure

was built on both sides of the platform when idol of Rama was established. (The learned advocate drew the attention of the witness to photo No.57 of the colour album prepared by the Department of Archaeology). On looking at photo No.57, the witness said, "I cannot tell whether it is a photograph of that platform or not because the photograph has been taken from a very close angle and is not clear." On looking at photo No.56 of the same album, the witness stated, "It is difficult to tell whether it is the photograph of the same platform that was available at the disputed site or not." On looking at photo Nos. 70, 71 and 72, the witness said, "It is probably the photo of Sita Rasoi which was located in the courtyard of the mosque. The purpose of our investigation in this matter was to assess the record of Vishwa Hindu Parishad and Babri Masjid Action Committee and the writings of Professor B.B. Lal and also that of Dr. S.P. Gupta and arrive at a considered decision. Based on my investigation, my findings were that the entire disputed site was the area of the mosque and that Sita Rasoi, Havan Kund (platform) Chabootra had been raised subsequently. My findings were based on the fact that all these structures would have been constructed in 20 century. A case had been filed about this Chabootra (Mandir) in 1885 and relevant records are very well available. The present Chabootra is not the Chabootra of 19 century. I have not attempted any carbon dating or archaeological analysis of this Chabootra. My findings were based on my observation, the material and writings over the Chabootra. A wooden shed had been built over Ram Chabootra (At this point, the learned advocate drew the attention of the witness to photo No.30 of the black and white album prepared by the Department of Archaeology, U.P.). On looking at photo No.30, the witness said, "I cannot tell whether this shed was there on the Chabootra or not. The wooden shed over the Chabootra was a thatched roof of straw which was

supported by wooden pillars. I had arrived at my findings after observing this thatched roof, wooden pillars and the Chabootra that it was constructed in 20<sup>th</sup> century. My subject of investigation was not to find out the time of construction of this Chabootra and, therefore, I did not find it necessary to study the matter deeply. It could not be possible that the Chabootra had been built in 16<sup>th</sup> or 18<sup>th</sup> century. I cannot say if there is anything inside the Chabootra, but I have not seen it. Records also do not indicate any such thing.

I had taken the report of the tourist Tittin Theller as the basis for arriving at a decision about this Chabootra. It was not there in his report. It is not correct to say that if there is no mention of a particular thing in the accounts of the tourist, I would not recognize that. I have not studied any gazetteer. This is incorrect to say that my findings to the effect that this Chabootra is a creation of 20<sup>th</sup> century are based only on my observation and that I have not applied my mind about it. This is incorrect to say that only by observing the thatched roof I arrived at a conclusion about the time of its construction. Only 'Shlokas' were written on the Chabootra. Devotees had fixed a number of marble slabs at that point on which all the Shlokas were written. I did not examine the Chabootra by removing the slabs because it was not the subject of my investigation. Carbon dating of marble slabs and kasauti slabs is not possible.

(At this point, the witness was shown photo No.62 of the colour album prepared by the Department of Archaeology of the Government of Uttar Pradesh) On looking at photo No.62, the witness said, "It is a 'Kund', it cannot be called a 'Havan Kund'. I had seen this 'Havan Kund' inside the courtyard of the disputed building, but it

was in the south of the main gate. The courtyard was in the east of the disputed structure i.e. the mosque with domes and then there was a boundary wall after the courtyard." Later on, he stated, "There were two boundary walls. I do not remember whether the first boundary wall was around 2 ½ feet high and iron-bars were fitted in the upper portion of the boundary wall. A gate was fitted in the boundary wall of the courtyard in the east of the structure. There was only one gate in the east. There was yet another gate in the north of the interior wall of the courtyard. There was no gate in the interior wall in the south of the courtyard. As far as I remember, I had gone inside the disputed building through the eastern gate and had come out from the same gate. The northern gate was probably closed at the time when we had gone there. The northern gate was an iron gate, later on he stated that there was no gate, only fencing had been there. Later on, he added that, "The fencing mentioned by me was outside the outer wall. Even I do not remember the material of which the northern gate was built, i.e. I do not remember if the gate in the inner wall in the north was made of iron or wood or some other material. I had seen a northern door in the wall of the inner courtyard of the disputed building, but I cannot say whether it was latched or locked at that time or not. I do not remember the material of which the eastern gate, through which I had gone inside and came out, was built of. Of course, I remember that there was a gate, which was open. On entering from the eastern gate, one finds a Chabootra in the south of the eastern courtyard. The Chabootra is called Ram Janam Bhoomi. There could be a store-cum-godown in the north of this courtyard. There was outer courtyard in the north of the inner courtyard. I cannot tell whether there was any Sita Rasoi in the north of the outer courtyard, but of course Sita Rasoi was there in the north of the mosque with domes. There is outer boundary wall in the north of Sita

Rasoi. This is correct that for entering the inner courtyard, i.e. for entering the inner courtyard from the outer courtyard, if the northern gate is not there or it is closed, then entry could be only through the eastern gate. There were two gates to enter into the outer boundary wall, one in the east and the other in the north. The northern door was quite close to the place of Sita Rasoi. This is correct to say that for entering the main building, which I regard as a mosque one has to pass through the above Hindu religious structures.

(At this point, the witness was shown photo No.61 of the coloured album prepared by the Department of Archaeology of Government of Uttar Pradesh). On looking at photo No.61, the witness said, "I had seen some of the idols shown in this photograph in the outer courtyard. I do not remember if the idols were on the eastern or southern corner of the Chabootra. There was vacant land in the west of the building and the land was in the form of a slope. I had gone to the rear side also. I had gone to the rear side in the west after coming out of the building. On my reaching the western area, the disputed site would be around 30-40 feet high from the point where I was standing. There was certainly some space in between the outer side in the west of the premises and barricading, but I cannot say whether it was a passage or not. I had been to the east and also to the south of the premises. Sitakooop well is there in the east of the premises, which I have seen. There was a mound in the south of the premises. The height of the mound which was adjacent to the premises was equal to that of the premises and it was called as 'Laxman Tila'. I know that the disputed site and the surrounding area was called as Ramkot. The road leading to the east lead to Hanumangarhi. I had gone upto Hanumangarhi. I had come across a number of palatial buildings on my way from the disputed

site to; Hanumangarhi. I am not aware whether there were temples inside those buildings or not. The buildings were very big but I do not remember whether the word 'Mandir' was written on them or not. I am not aware whether there is any Amawa Raj Mandir on the road in the east. I did not go through notes of Hozez i.e. the notes written by J.W. Hozez, the then Deputy Commissioner of Faizabad which were published in the year 1905 in Faizabad or during my Faizabad visit or prior to that. I have not seen any temple by the name of Ram Gulela Mandir in the east of Amawa Mandir nor I am aware whether there has been any such temple or not. I did not try to find out from Ramkot — Mohalla - whether any slab of Lomush Ashram or Lomush Rishi was there or not. This is incorrect to suggest that I had deliberately tried to conceal the fact that a slab or rock inscription of Lomush Rishi had been installed near Ram Gulela Mandir. No measurement of bow is mentioned in Ayodhya Mahatmya. The measurement of the bow which I have mentioned in my report should be around 5-6 feet as per Sharma Ji. Sharma Ji is a great scholar and I had taken the length of the bow as around 5-6 feet on his behest. I have mentioned about the bow on page 2 of my report according to which the length comes to a few centimeters short of 2 metres. The measurement of the disputed site was done or got done not with the help of any tape, but with the steps. The work of measuring by steps was undertaken by Sharma Ji. This is incorrect to say that Lomush Ashram or Lomush mandir is not located at Rinmochan ghat. Kanchan Bhawan Mandir is also not located there, it is located nearby. Saryu river does not flow in the west or south from Rin Mochan ghat, it has headed to east only At this point, Saryu river was coming from north-west. This is correct that Saryu river has touched Rin Mochan ghat from the north-west corner and has headed towards the east. Later on, he added that earlier it took a

curve here and diverted. The disputed site would be in the south from Rin Mochan Ghat. I am not aware whether the slab of Lomush Ashram was in the east from the disputed site. A very big slab measuring 2 feet X 2 feet was fixed above the disputed mosque, i.e. building and something in Persian was written thereon. The slab was fixed on the arch below the dome of the disputed building. The slab was not long enough to cover the entire length of the disputed site, but would be around 4 feet long. I did not come across any other written material at the premises except the material superscribed on this slab. The slab was fitted inside the wall.

(The witness was shown photo Nos. 92 and 93 of the coloured album prepared by the Department of Archaeology of the Government of Uttar Pradesh). On looking at the photo, the witness said, "The slab visible in photo No.92-93 would probably be the same slab".

Babar was a ruler but could not be that orthodox. Babar had waged a religious battle in Pampat and Khanwa. Later on, he added that there were political reasons also behind these battles". He added, "I am not aware whether at the call of this religious battle, the Muslims of India had divorced their wives and plunged into the battle. Babar used to drink and was cruel at certain times, but not so always. Sometimes, Babar regarded Hindus as Kafirs (non-believers) and sometimes not. Sometimes, he regarded them as friends but later on, he added that it was because of political reasons. Babarnama had been written by himself in which he did not mention anything about the disputed mosque. I pondered over it as to why did he not mention about it but possibly the reason could have been that Babar was the ruler and the mosque in question had been built by his Governor and that is why he did not mention about it.

Tulsidas was a devotee, I regard him as a saint also. This is incorrect to say that a sadhu, saint, fakir is always more revered than a ruler.

Tulsidas did not write his Ramayana only for his self-satisfaction rather he was eager to pass on a message to the society. There were a number of temples at the time when Tulsidas wrote his Ramayana. Tulsidas has given expression to all his philosophy, intelligence and values by making the Ram Katha (tale) as the base. I have not read Ramcharitmanas and, therefore, cannot talk much about it. I submitted the report in May. I would have gone to Ayodhya in Feb-March. I am not aware whether Government had invited other and independent archaeologists and historians also besides the four of us. I am not aware whether Babri Masjid Action Committee had suggested my name and the name of the Professor Sharma to the Government and Vishwa Hindu Parishad had recommended the names of B.B. Lal and Shri Gupta. I had sent an article, available at C-10 for publication on 26.12.90. In this article, I had submitted my findings that the disputed building was a mosque and not a temple. Later on, he added that the findings of B.B. Lal and Shri Gupta etc. to the effect that it was earlier a temple and that a mosque had been built by demolishing the temple were not supported by facts. I had prepared this article as a rejoinder to the article of Shri Gupta published in December 1990 and sent it for publication.

At the time I had written this article I was not aware of the name of the Convener of Babri Masjid Action Committee. Even today I am not aware as to who was or is the Convener of Babri Masjid Action Committee. I am not aware whether in Islam, there could be photographs of women

wearing a bodice and a short saree, but there is an opinion that there cannot be such photographs at religions places, later on he corrected himself by saying that such photographs cannot generally be there. In case, there is some figure of a woman at some place, namaz can be offered even there.

This is incorrect to say that my inner being had been completely swayed away before preparing this report. This is incorrect to say that I have prepared this report against monetary consideration, which does not contain even my signatures.

(Cross-examination by Shri R.L. Verma, Advocate on behalf of Nirmohi Akhara concluded).

Verified the statement after hearing

Sd/-

Suraj Bhan

08.03.2000

Typed by the Stenographer in the open court as dictated by me. For further cross -examination in this case on 9.03.2000 . Witness be present.

Sd/-

8.03.2000

17.07.2000

(Cross-examination of P.W.16 Suraj Bhan by Shri Ved Prakash Advocate on behalf of Dharam Das defendant No. 13 in continuation of 08.03.2000 on oath.)

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Swami Dayanand was the founder of Arya Samaj. He had formulated ten rules of Arya Samaj and I do not feel that idol-worshipping could be even remotely connected with the ten rules of Arya Samaj. I believe the rules have no relation with worshipping, i.e. I am not aware whether they have any relationship with worshipping. Vedas are not the only basis of the views of Swami Dayanand, but he also had knowledge of the modern world. It is correct that Swami Dayanand believes that idol-worshipping is not in consonance with Vedas, but this opinion of Swamiji was based on rational thinking of the modern world. It was not on the basis of Vedas only that he had kept all the human beings in one class but it was the outcome of the values of his knowledge of the modern world. I do not remember if there is a mention in Rig-Veda that all the human beings fall in one class or not. My knowledge about Islam is limited but Swami Dayanand did not regard idol worshipping as rational at all. Swami Dayanand sought to make the man and the society better.

I had gone to the disputed site in 1991 for the first time. I do not remember whether I was in service or had retired at the time of my first visit to the disputed site. I had retired in June 1991.

Possibly I may have mentioned in my earlier statement that I had visited the disputed site for the first time prior to June 1991. If I had gone to the disputed site while in service, I would have apprised my seniors in the normal routine. If it was during holidays, there was no need to inform the superiors. The provocation behind my visiting the disputed site had been that the meeting of Ram Janam

Bhoomi and Babri Masjid Committee had already taken place and I had been provided with some papers. I believe that the above meeting might have been held in the beginning of 1991. This is correct that my first publication about Ayodhya had been out on 26.12.1990. Papers on behalf of both the Rain Janam Bhoomi and Babri Masjid Committee had been furnished in the above meeting. Both the parties had presented their arguments and evidences. This is incorrect to say that no papers on behalf of Babri Masjid Committee were presented in this meeting. I do not remember as to which papers were presented in the meeting on behalf of the Babri Masjid Committee. On behalf of Babri Masjid, articles written by R.A. Sharma, D.N. Jha, Athar Ali and other evidences were furnished in the meeting by Babri Masjid on 13.5.91. Later on, he added that probably the report prepared by us people was not furnished on behalf of the Babri Masjid Committee and our views were quoted in the arguments. He continued, "Our article was published in May 1991 and the publishers were: office of the Peoples Publishing House. I cannot say whether it is the press of Communist Party of India or not. The responsibility of publishing the article laid with Dr. R.S. Sharma and he only had got it published.

I had passed on the rights of publication to him only. This is incorrect to suggest that I and my three colleagues who had prepared the above report belonged to Communist Party of India. This is also incorrect to suggest that it is because of this reason that we got the article published from them. It is also incorrect to say that later on Babri Masjid Committee had also made this article as their base. Later on, he added that many had made this article as their base and anybody could do it. I do not remember if any organization had adopted the article. I do not know whether Naresh Chandra. Senior Advisor to Prime Minister was

present at the time when proceedings of the Committee were going on or not. I also do not know if Naresh Chandra had written any letter to Vishwa Hindu Parishad or not. This is incorrect to say that all the four of us had come in the meeting as representatives of Babri Masjid Committee.

As far as I remember, I had charged the expenses for my journey to Ayodhya in the form of a project of some Academic Institution. The name of the institution was Indian Council of Historical Research. We had ourselves requested the Institute who agreed and released grants to us. As far as I remember, the grant was for Rs. 10,000/-. This is incorrect to say that the above Institute did not give me any grant. This is also incorrect to say that we had gone on behalf of Babri Masjid Committee who only had provided funds to us. A draughtsman had accompanied us who had gone with all his equipments. We had carried our diary etc. with us. As far as I remember, I had stayed for two days once and had gone once again thereafter. At this point of time, I do not remember as to how many photographs had the photographer taken.

We had taken photographs of such places of the disputed site as were considered important by us. This is incorrect to say that we did not take the photographers of such places as were of no importance in our view. We were there to verify the reports which we had received and accordingly had taken the photographers of only such places as were important for our purpose. The draughtsman had drawn the map. I do not know the whereabouts as on today of the map prepared by 'the draughtsman, the photographs taken by the photographer and our diaries. I had prepared my report on the basis of all those photographs, maps along with my own observations as well as my study of the documents. All these photographs, maps

and our diaries had been rendered infructuous after the demolition of Babri Masjid. Babri Masjid was demolished in December 1992. All these things were available until the Babri Masjid had not been demolished. We have not destroyed the above documents after the demolition of the mosque, but they are no more traceable. It is correct to say that the photographs, maps of the draughtsman and our diaries remained with us. We had not got the photographs published.

(The witness was shown photo Nos.9 and 10 of the black and white album prepared by the Archaeological Organisation of Uttar Pradesh) On looking at the photographs, he said, it is incorrect to say that image of Varah deity is made in these photographs. The photograph depicts only some raised portion of the wall, no image of Varah is made on it. Similarly, no face or eye is made in photo No 9 of the same album, but it is only some damaged portion which had taken this shape. I have the same comments with regard to photo No 10, it is not an image of any Varah, nor it is a face or an eye, only some damaged portions have taken this shape. This is correct to say that lumps visible in photo Nos 9 and 10 were available there. I had seen the lumps at the disputed site but do not remember their locations. (The witness was shown photo Nos. 11 and 12 of the same album). The witness said, "These are the photographs of the outer wall of the disputed building. Until I have a look at the complete photograph, I cannot tell of which direction the outer wall is. Similarly, I cannot tell the direction of the wall visible in photograph Nos. 9 and 10 until I look at the complete photograph. There is a wall in the rear in photo Nos.9 and 10". (Photo No.20 of the same album was shown). On looking at the photo, the witness said, "It is a photo of the northern gate of the disputed building. This is the gate of

the boundary wall. Images of two lions are visible on the gate. I have not made any special study of any mosque other than the disputed building to ascertain whether it is a mosque or not because it has not been my subject. I do not remember having seen any photograph of a mosque amongst all the mosques which I have come across which had images of two lions, these are basically the local features. I do not remember to have seen any mosque with images of two lions made on it." Later on, he added that he had seen a mosque in Ahmedabad which carried Hindu carvings.

I do not remember the name of that mosque at the moment. (The witness was shown photo No.55 of the same album). On looking at the photograph, the witness said, "The pillar made in the photograph was visible at the disputed site and I must have taken the photograph of this pillar. We had tried to assess as to how old the pillar would have been. The pillar would have belonged to the period between ninth to 11<sup>th</sup> -12<sup>th</sup> century. Notes also must have been prepared on whatever was made on the pillar. Whatever was written on the pillar had been included in our notes. The images made on the pillar were also taken note of. In photo No 55, a (pitcher-bud), a ghat-pallav is made in the lower portion of the pillar above which a man-like image is visible above which there are photos of garlands, The pillar visible in photo No 56 was also available at the disputed site. Photograph of the lower half portion of the pillar is not available at all. There are garlands in the upper portion. Photos of garlands are, there". On looking at photo No.57, the witness said, "This pillar is again a pillar of the inner portion of the mosque. In this photo 'ghat pallav' is being carried by Yaksha people, i.e. the pitcher is on the shoulders of Yaksha people and they are human images. There is a photo of lotus in the upper portion and the image

above it is not clear, it is faded." On looking at photo No.58, the witness said, "This is again a pillar of the disputed building and a 'ghat pallav' s made in the lower portion above which there are garlands. There are some images above the 'ghat pallav' but the same are not clear. On looking they appear human images." The witness was shown photo No.55 and 58 on which he said, "There is no difference in the style of both these photos. Photo No.55 is clear, but photo No.58 is not and hence, no special comments can be offered, i.e. no special difference could be indicated." The witness was shown photo No.59, on which he said, "This photo of the pillar is of the upper portion and of the disputed site. In this photo also garlands are visible. The photographs above the garlands is not clearly visible". I do not see any human forms made in these photographs. The witness was shown photo No.60 on which he said, "This is a pillar of the disputed building under which 'Ghatpallav' is made and above which human images are visible. They would have been Yaksha but they are not clearly visible. The witness was shown photo No.61, on which he said, "This is again a pillar of the disputed building over which 'ghatpallav' Yaksha and human images are visible." The witness was shown photo No.62 on which he said, "This is again a pillar of the disputed building, but only the upper portion is visible." The witness was shown photo Nos.63, 64, 65 on which he said, "All these are the photographs of this disputed building. Some of the pillars are of the upper floor and some are of the ground floor but the style of these pillars, yaksha, ghatpallav are of human images," The witness was shown photo No.71 to 76 on which he said, "All these pillars are of the disputed building." An image of a necklace is there m photo Nos.71-72, photo No.73 represents the lower portion. 'Ghatpallav' is made therein with an image above it which is not clear. There is 'ghatpallav' in photo No.74 with a garland above it.

A branch-like thing is visible in a photo where flowers are budding. It is different from the earlier pillars.

The upper portion is made in photograph No.75 which contains necklace which is of a different style. There is another 'ghat pallav' in photo No.76 and a flower-like structure is protruding upwards. I cannot tell whether the flower like thing is an elephant or its trunk because the photo is not clear." Witness was shown photo Nos.89-90-91 on which he said, "These are the pillars of the disputed building. Their style is also similar to the subsequent pillars. There is a 'ghat pallav' in photo No.89, over which yakshas would be there, but they are not clearly visible. There is a flower like thing or a human image in the upper portion but is not clearly visible. A pillar below the Babri Masjid is visible in photo No.91. There is a 'ghat pallav' in the lower portion, there would have been 'yakshas' below it. There would be a flower-like thing on the upper portion which is similar to the later style." The witness also said, "This art is not my subject." The witness was shown photo No.95, 96, 97, 98 on which he said, "All these are the photographs of Babri Masjid and the old design is there in these photos and 'ghat-pallav' and human images are built on it." The witness was shown photo No.99 to 106 on which he said, "All these are the pillars of Babri Masjid. 'Ghat pallav', yaksha, human images are visible in some photographs and not in others. Flower or other images are also visible." The witness was shown photo No.24 of the same album on which he said, "All these are the photographs of the disputed building. There is a window visible in this photograph below which the words 'Janam Bhoomi' are engraved on a slab. How old is the slab — is not important to us, for us the importance lies in — how old are the words written on the slab. We have studied this aspect and we believe that the writing is recent. The fact that the writing

on the slab is recent is something I have verified from the record and the script is also new. The script engraved on the slab pertains to 19<sup>th</sup> and 20<sup>th</sup> century. Script has not been my specific subject of study. In matters relating to script, we seek help from others who are specialists of the subject. I am not aware whether my other three colleagues have any special knowledge of script or not. The script engraved on the slab is Devnagari." Later on, he, "It is modern Devnagari script. At this point of time, I do not remember whether we had taken the photo of the slab or not. Munish Chandra Joshi can be regarded as a specialist of the study of script and Devendra Handa could also be regarded likewise. This is incorrect to say that I am not known to these persons or that we did not seek any help from them. I did not mention about these pillars in my report because I did not find them important." The witness was shown photo No.50 on which he said, "It is the photograph of Babri Masjid. This is the photograph of the main elevation of Babri Masjid, i.e. inscription of Mir Baki. It was a photo fixed on the wall above the main arch of Babri Masjid. The photo of the wall is that of the supporting wall. As far as photo No.50 is concerned, it is of the same portion of Babri Masjid, which I do not remember. (The witness was shown photo Nos. 13, 14, 15, 16 of the colour album prepared by the Department of Archaeology, Government of Uttar Pradesh). The witness said, "All these are the photographs of Babri Masjid, i.e. of the outer boundary wall of Babri Masjid. It does not appear that image of Varah deity is made in them. Photo No.13 is of the outer wall, but I cannot say whether it is a photo of the right side of the outer wall.

In this photograph, there is not sufficient gap in between the wall and the photo of the projection. As I had seen it appears to be just attached with the wall." On

looking at photo No.14, the witness said, "A wall has been built in the back side which should be around eight feet high. The wall is looking in a dilapidated condition in the photo itself. On looking at photo No.14, it appears as if some face or eye has been built and same is the position of photo Nos.15 and 16." On looking at photo Nos.48, 50, 51, 52 and 54 the witness said, "All the pillars visible in these photographs are of the disputed mosque. As I stated earlier, all these photographs are of the same style. The pillars visible in photo Nos.104 to 108 are of the inner portion of the disputed building. As I have stated above, all these pillars are of the same type and style. The pillars shown in photo Nos. 109 to 114 are of the inner portion of Babri Masjid. These pillars also bear the same images and styles mentioned by me earlier in respect of black and white photos." On looking at photo Nos.115 to 127 of the same album, the witness said, "All the pillars shown in the photos are of Babari Masjid as stated by me earlier, they also carry the same images and style." On looking at photo Nos.136 to 147, the witness said, "All these photos showing pillars are the pillars of Babri Masjid and as stated by me earlier, they carry the same images and style." On looking at photo Nos. 158 to 167 of the same album, the witness said, "All these are the photos of pillars of Babri Masjid and as stated by me above, they also carry the similar images and style." On looking at photo Nos.175 to 200 of the same album, the witness said, "All these photos are of Babri Masjid and as stated by me above, they carry the same images and style."

I cannot tell about any mosque in India or in any foreign country, whose pillars carry human images because this has not been a subject of my study. I do not have any specific knowledge and I cannot tell whether such images have been built or are available in any mosque. What

should be the form of a mosque as per archaeology, is a subject on which I have read some literature. New history of architecture is an independent subject in study of archaeology, earlier it used to be a part of it. It became an independent subject in 20<sup>th</sup> century. Wherever there was advancement, it became a subject and where there was no advancement, it remained a subject of archaeology and it is the situation even today. In our country, Architecture history has become an independent subject under Archaeology. Before going to Ayodhya, I had studied History of Art and Architecture It was a subject of my M.A. We have got Dhaki Sahib and Devangna Desai of Banaras as our experts of History of Art and Architecture My study of Art and Architecture at M.A. level was sufficient for the study of my research On this subject I have gone through books on History of Hindu, Buddhist and Muslim Art and Architecture. I have already mentioned the names of the books and their authors, but I cannot recollect them right now. I have read about the features of a mosque. In these books, I did not study as to which things should not be there in a mosque." The witness later on stated, "No scholar can write such a thing. What could be there in a masjid is written. I do not remember in which book I had read the name of Babri Masjid for the first time. I had used the name of Babri -Masjid in my first article of 1990. Before writing my article, I had studied books about this Babri Masjid, i.e. the books in which the name of the disputed site was mentioned as Babri Masjid. After 1985-86, a number of books have been brought out in which the name of the disputed site had been used as Babri Masjid. I believe, it is incorrect to suggest that when Babri Masjid Committee was constructed in 1986 then only the disputed site was called as Babri Masjid. I cannot tell about the book in which there was a mention of the disputed site as Babri Masjid prior to 1986 because it has not been my subject. I

had read about the dispute relating to the disputed site in newspapers but do not remember as to when did I read about it for the first time. This is incorrect to suggest that after going through the newspaper, I had considered the disputed site as Babri Masjid. I studied and only after studying and a careful thought, I arrived at the conclusion that the structure was only of Babri Masjid. I did not get the photographs of the disputed site (which I had taken) published because it was a known fact that the disputed site was Babri Masjid and it was not a finding of my original investigation. Professor Gopal of J.N.U. and another Professor had written the books on the basis of which I can say that the disputed site was Babri Masjid. I do not remember as to who was the publisher of the book of Prof. Gopal. I do not remember the name of the book which starts with the word 'Anatomy'. The book was published in 1991. I do not remember the book written by Shri Srivastava which was published in eighties. I do not remember in which year during eighties, the book was published. Name of Dr. Srivastava about whom you have mentioned is Sushil Srivastava only. It is to my knowledge that Dr. Srivastava had presented himself as a witness in this case. I do not remember the name of the book of Sushil Srivastava. I do not remember, if the name of that book was 'Disputed Mosque'. Possibly the book was published in 1989. I had read the name of Babri Masjid in the book of Srivastava. I had not read in any book, published prior to 1986 that the disputed site was known as Babri Masjid. Even after reaching Ayodhya, I did not feel it proper to call it a disputed site though a section of the people held this opinion. The section, which called it a disputed site, included Dr. S.P. Gupta and a few writers etc. of Ayodhya.

Prior to Dr. S.P. Gupta matters relating to the disputed site had appeared in the newspapers which I had

read. I have not read the literature of the pre-S.P. Gupta period. I did not find it necessary at that time to go through the articles of other than S.P. Gupta or those prior to S.P. Gupta. I have not read as to who was the owner of the land prior to the disputed site, i.e. Babri Masjid. I have not read as to what was its area before the construction of Babri Masjid, but I studied this aspect on my visit to the disputed site and started my investigation work. I do not remember as to what was the area of Babri Masjid when I visited the site. Of course, I had mentioned it somewhere. I do not remember as to what has been built in the disputed premises.

Verified the statement after hearing

Sd/-

Suraj Bhan

17.07.2000

Typed by the Stenographer in the open court on being dictated by me. Present yourself on 18.07.2000 for further examination in this case.

Sd/-

17.7.2000

18.07.2000

( In continuation of 17.7.2000 statement of P.W.16 Shri Suraj Bhan on oath :)

Since it was written on the rock-inscription of Babri Masjid that the mosque had been built with the permission of the king, so I did not feel it necessary to investigate whether the land was Government land or otherwise. During my investigation, I was ascertaining whether there was a temple at this site prior to the mosque and whether the mosque had been built by demolishing the temple. Therefore, I did not feel it necessary to find out whether a religious mosque could be constructed on someone's land without his permission. Since I do not have any knowledge of Islamic religion, I may not be in a position to tell whether it is necessary to obtain the permission of the landlord before constructing a mosque. It is incorrect to say that I do not have knowledge about the structure of the mosque. I do not have any knowledge as to what should be structure of a mosque as per Islamic religion, but there is no code in Islamic religion about the structure of a mosque. I did not come across any book in Islamic religion dwelling upon the structure of a mosque, so I did not read such a book. I have read a portion of Quran, but found no mention of any mosque therein.

I have gone through articles prior to the article of Dr. S.P. Gupta about the disputed site. I have also read the book of Hansbaker on the subject and also some extracts of the survey by Alexander Cunningham. I have also gone through the report of B.B. Lal published in Indian Archaeological Review. This is incorrect to suggest that the books of Cunningham and Hansbaker are not related to Archaeology.

This is correct to say that Devnagari script has been in vogue even prior to 11<sup>th</sup> – 12<sup>th</sup> century, but it has been evolving from time to time. This is doubtful to say that two rock-inscriptions had emerged after the demolition of the disputed structure that is, it was not certain whether the rock inscriptions belonged to the site or not. I was not present when the structure was demolished, I did not visit the site even after demolition. I did not feel necessary to go there as the same had no connection with my investigation. I do not remember if any friends of mine had visited the site 2-3 days after the demolition. I do not remember if curfew had been imposed after the demolition of the disputed structure. After the demolition of the structure, Central Government acquired the site and kept it under its possession and the position has not undergone any change till this day. It is obvious that after the site has been taken up by the Central Government, no one can enter it without permission.

This is a fact that Shri Narsimha Rao was the Prime Minister of India at that time. I do not have any precise knowledge of the fact whether the officers of the Central Government had prepared any list of the items alleged to have been found there after the demolition of the structure or not. I have not seen the so-called rock-inscription found there. I am aware that matter on rock inscription is written in Sanskrit language. Possibly, I have seen the photo of those rock-inscriptions somewhere. I did not make efforts to read the matter inscribed on it because it was not my field. This is incorrect to say that I never visited the site nor studied any book and that I have prepared my report on the basis of documents and facts provided by Babri Masjid Action Committee. This is again incorrect to suggest that I did not get the photo (taken by me) published because on

seeing the photo even a layman would not have taken it as a mosque and would have regarded it a temple.

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

(Cross-examination by Shri Vereshwar Dwivedi on behalf of defendant No.22 initiated).

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I was an M.A. Sanskrit, when I joined service. I was appointed as a Technical Assistant in the year 56 or 57. I had undertaken excavation work in Lothal from 56-57 to 59-60. At that time, I was working as Technical Assistant in the office and was engaged in the excavation work in the same capacity. Shri S.R. Rao was the then Director of the scheme and was office Superintendent. This is correct that the above excavation work was going on under his supervision and I was working under him. Besides Lothal, I have undertaken excavation work elsewhere also like Bhagat Rao in Punjab, Chittorgarh in Rajasthan, Mitathal, Daultapur, Karna's Fort in Haryana, Balu in Mirzapur and a few sites in Punjab. For these excavations, the entire team used to go including Director and Excavation in-charge. Various Directors headed the various excavation teams. In certain cases, I used to be a member of a team and at times, I used to work as Director/ In-charge also. This is correct that Shri S.R. Rao later on, worked as Archaeological Adviser with National institute of Oceanography, Marine Archaeology Centre. He was a seasoned Archaeologist but he is not a famous Archaeologist. I have worked under him for 5-6 years,-but I have been critical of his archaeological research. I have

heard the name of Professor K.V. Raman who has been a great scholar of his field, i.e. Archaeology.

I have heard the name of Ajay Mitra Shastri, who has not been an Archaeologist but a great scholar of inscriptions and numismatics. I am not a specialist of Epigraphy, Numismatics. Of course, I have studied the subjects implying that I possess sufficient knowledge relating to certain aspects and not so good at others. I do not know as to what is the difference in between the one rupee coin of the Queen Victoria period and the modern one rupee coin. I am not aware of the difference except metal and inscription. I do not remember the name of Govind Chand of Gupta period.

Question: Should I take it that it is on the basis of your above knowledge that you are stating that Ajay Mitra Shastri is a great scholar of Epigraphy, Numismatics.

Answer: My statement to the effect that he is a great scholar of Epigraphy and Numismatics is based on my knowledge and experience.

(The learned Advocate drew the attention of the witness to the document No.190C-2 filed in connection with this case). On seeing the document, the witness said, "this is the letter wherein we had mentioned about the meeting held on 24 January 1991. All the four of us whose names are mentioned in this letter had attended the meeting. Since I had been invited by the Government of India, I had participated in the above meeting. I am not in possession of the letter of the Government of India through which I had been invited to attend the said meeting, but we did receive such a letter and it was in my possession earlier. This is

correct to say that the above letter has been written on behalf of four persons. This is also correct to suggest that the letter does not bear our signatures, but Professor Sharma had signed on our behalf I have read whatever is written in this letter and the same is true. It is correctly written in this letter that "we however went to Ayodhya."

Question: Is it correct that only two out of four of you had gone to Ayodhya"

Answer: This is correct to suggest that only two concerned persons out of four of us had gone to Ayodhya.

This will be incorrect to say that the remaining two persons were unconcerned.

I had stayed at Banaras for a night in connection with this investigation. In other words, I had gone there one day, did investigation work on the second day and returned. This is correct to say that all the material relating to their excavation which I wanted to see had been made available at Banaras Hindu University. The material had been placed in the Ancient History and Cultural Archaeological Department of Banaras Hindu University. I had obtained the permission to examine the material from Professor Purushottam Singh, the then Head of the Department. I have heard the name of Dr. Maheshwari Chäube working in the same University. I do not remember whether he was working as a Reader of the Department at that time. For this work also only two persons and not all the four members of the team had gone to Banaras. The two persons were Prof. R.S. Sharma and myself.

With a view to study the above subject, I tried to gather facts from other sources also besides visiting Banaras and Ayodhya. Later on, he added that he studied

whatever related sources were available to him. (The learned cross-examining advocate drew the attention of the witness to document No.190 C/2 and on looking at 13<sup>th</sup> May 1991, the witness stated, "It is correctly written here — we have also looked into all the relevant sources.")

(Later on, he added that they had already indicated their limitations in the first part of this letter.) He added, "It is correct that the limitations mentioned in the above letter related to the non-availability of Government documents relating to the evidence based on excavation. By documents, I mean Archaeological data. I do not have precise knowledge about the year in which Vishwa Hindu Parishad was founded, but I believe that it would have been sometime in the early eighties. I do not precisely remember whether Babri Action Committee had been set up in 1986. By the words 'furious agitation' I mean enraged movement. The movement had started in the early eighties and thereafter went on aggravating. I do not remember if any riots had taken place about the above dispute anywhere before 1.2.1986.

Riots had been witnessed at different places during Rath Yatra in this connection after 1.2.86. "I do not know if Babri Action Committee or Mohammedans had participated in any of the above riots." Later on, he added that Mohammedans had also reacted in this regard. He added, "I am not an eyewitness to any such riots. My statement relating to riots above is based on articles published in newspapers and broadcasted through Radio. I have mentioned about communal riots in my report which themselves reflect communal reactions. I did not find it necessary to mention about the reaction of a particular community, i.e. Muslims because of some special reasons:' Later on, he added of himself, "That is why I did not

mention of Hindus as a reaction in my report. This is correct that at the behest of Central Government, peaceful negotiation have been under way in between the two parties ever since 1990. Both the parties were expected to present their viewpoint along with complete evidence. It was to my knowledge that suit relating to the dispute had been going on between both the parties in the High Court. This is incorrect to say that we did not cherish the idea that the issue may be decided without the help of historians. This is correct that it is not possible that the issue could be sorted out without the involvement of historians. This is incorrect to say that we the four historians desired that the issue might not be sorted out peacefully without our advice.

This is incorrect to suggest that in the opinion of us four historians, a peaceful settlement of the issue was something disagreeable. It is correctly written in our report on page 1, para 3 of document No.190C/2 that it would be a disagreeable proposition if the Government of India sorts out this matter with the litigants without the involvement of historians. "Thus, the disputes over the fact of history were now to be decided by the litigants with the Government of India as an umpire, and not by an independent form of historians: a very unhappy procedure."

Volunteer :, "It is written correctly and the reason is that Babri Masjid was a protected historical monument of national importance under Ancient Monument Act 1904 and 1958. Secondly, the historians invited by the Government of India on behalf of Vishwa Hindu Parishad were distorting the history which was an attack on discipline of the entire history and Archaeology and thirdly that only the two institutions did not represent India. In the background of the three reasons given above including the apprehension of an attack on the discipline of history and also being seized of its implications all the four of us requested the

Government to involve us also in the dialogue. This is correct that we the four historians regarded ourselves as independent historians and hold as such even today.

We had studied the evidence and documents as well as arguments forwarded by the Babri Masjid Action Committee but did not mention them in our report. Volunteer, "We did not feel it necessary to do so because they were not essential for our report. There is a difference in between forum of independent historian and independent forum of Historians. On looking at my report, I can tell that we four historians had written to the Government to take a decision as per the opinion of the independent forum of Historians. I have neither read not heard the words 'petitio principii'.

We the four historians had offered our independent assistance to the Central Government in writing. This is incorrect to say that Government did not respond to it, rather all the four of us were invited. Central Government had asked us to furnish all that material, documents and other evidence which had been made available to the Government by both the parties. Government had provided us some documents and material and since the Central Government had not provided basic data to us, I mentioned the fact in para 3 of the introduction of my report condemning such an attitude of the Government. It is correct that Government had provided documents furnished by both the parties. This is correct that despite all these constraints, we submitted our report in the national interest.

The report was published so that the entire nation could know the true situation as well as the historical facts and that was the reason that we captioned our report as 'Historians report to the nation'. The letter was sent to

Surya Kant Sahai, Minister of State in the Government. Besides this letter, I had addressed a letter to Shri Sahai Sahib personally also. I was not known to him, but I had addressed him because he was the Minister. Since I had not signed the first letter, I affixed my signatures on the second letter.

We were four independent historians out of whom two had not accompanied us from Ayodhya and Banaras. I am not aware whether they visited Ayodhya or Banaras independently or not.

I do not know how many people regard us four historians as the independent historians.

By Art historians, I mean the historians who study the history of Art which means Art and Architectural mains or movements. With regard to Art History, we had consulted Shri Munish Chandra Joshi, R.N. Mehta — Baroda University besides Ms. Devangna Desai, Shri M.L. Dhaki, Shri Krishnadev, Shri M.P. Joshi and Shri R.C. Sharma. Shri R.N. Mehta was a Professor in Gujarat Vidyapeeth, Ahmedabad. In India, we do not have a recognized Art historian by the name of Dr. Sudha Mallayya. Even Dr. Giriraj Kishore of Agra does not fall in the category of recognized Art Historians. Dr. Yagna Datt Sharma is recognized as a Art Historian but he is basically a scholar of Archaeology. Dr. Yagna Datt Sharma works for both Archaeology as well as Art History. This is correct that both Archaeology and Art History have since bifurcated in independent branches. Dr. Yagna Datt Sharma was posted as Deputy Director in the office of Archaeological Survey of India. I had been recruited as a Technical Assistant initially in this Department only. I have had no talk about this

subject with Dr. Yagna Datt Sharma. Both Munish Chandra Joshi and R.N. Mehta endorsed our viewpoint.

There could be variations in stones fixed in temples of Jain Buddhists, Shaiva, Vaishnavas as per place and time. In case different traditions are prevailing, there could be variations even in temples built at one place and at one time. Archaeological fallacy implies showing a non-existent thing. I have heard the name of Dr. Swaraj Prakash Gupta who is generally known as S.P. Gupta. He has written a lot on the subject. He has not only written false but also distorted the facts. Similarly, Shri K.S. Lall and the existing Chairman of I.C.H.R. have placed this fact in a distorted manner. Shri B.B. Lal has also placed the facts by distorting them to some extent. Professor Shastri of Nagpur has also similarly distorted the facts. There are yet others who fall in this category like Sudha Mallayya, K.S. Ramchandra etc.

When we requested I.C.H.R. to release grants to us on this subject, Prof. Irfan Habib was the Chairman. I do not remember if he had been the Chairman since 1987 or how long he held the position. I also do not know whether his chairmanship has been renewed from a retrospective date. I do not know whether Dr. R.S. Sharma is a member of this council as on this day or not. It is not correct to suggest that I, Dr. Irfan Habib, R.S. Sharma, Athar Ali and D.N. Jha have been presented as witnesses in this case on behalf of Babri mosque. I am not aware of any such thing. I had already worked for the project mooted by I.C.H.R. before I started working for this report. The project on which I worked was entitled as 'Trends in Indian Archaeology'. I do not precisely remember the date when I had undertaken this project, but the work on the project is still continuing and is not yet over. I had been assigned this

project before the existent investigation, but cannot tell precisely about the actual timing." Later on, he said, "I do not remember exactly whether this project has been assigned to me before this report or later on. This is correct to suggest that I had been assigned this project when Irfan Habib was the Chairman of the Council. I had probably got a monthly grant of Rs.3000- for this project for a period of two years. The term of the grant was not extended thereafter."

We had probably received a grant of Rs.10,000/- for investigation work relating to Ayodhya. It is incorrect to suggest that the grant was released to us for influencing us. I am not aware whether Shri R.S. Sharma had been assigned any such project in 1980 in respect of which the report was not submitted till date and the grant had been availed of. It is incorrect to say that since I have not furnished report of the first project till this day, the Chairman has not given me any other project." Volunteer : "I have never requested the existing Chairman to assign me any project, whatever Shri A.K. Narayan has written about excavation of Ayodhya is all true, he has not at all distorted the facts.

Verified the statement after hearing

Sd/-  
Suraj Bhan  
18.07.2000

Typed by the Stenographer in the open court as dictated by me. For further cross -examination in this case on 19.07.2000 . Witness be present.

Sd/-  
18.07.2000

19.07.2000

(In continuation of 18.7.2000 statement of P.W.16 Shri Suraj Bhan on oath :)

As far as I remember, we had obtained permission to visit the site. Sharma Ji was the in-charge of our team and he was looking after all the connected matters. We have had no talk with Sharma Ji in connection with obtaining permission nor he made any mention about the same. I was aware that keeping in view the nature of work, we were going to undertake, it was necessary to obtain permission from Government officials. Our team comprised four persons in all who had entered Babri Masjid premises. As far as I recollect we were searched before entering the permission. I do not remember if our signatures were obtained or not on the register kept there. Cameraman who was a member of our team had a camera, binoculars with him whereas the Draughtsman had a small table, drawing sheets and instruments like scale, pair of compasses, pencil etc. with the help of which he was making drawing. I do not remember as to how many times we had entered the premises during our stay/ visit of the site for two days. All the above material was with us in the premises every time we entered the premises. At this point, I do not remember as to what other material, besides the above we had carried with us. We had not carried with us a stick-rod, hatchet, and spade. Excavator knife was with us whose blade would be 3-4 inches long. At this point of time, I do not remember if we had carried anything else with us besides the items enumerated above or not.

We did not undertake any excavation work in the premises of Babri Masjid. We had not done any area excavation in Babri Masjid. Volunteer: "We did not undertake any excavation. I am not aware of any special

system of worshipping (Pooja Path). I am conversant with the general system of worshipping under which incense is lighted, Aarti is performed and at some places, sweets are offered. At some places, the devotees are required to take bath and adorn the deity with clothes. Kirtan and recitation of Shloka is done in general system of worshipping. During my visit to Babri Masjid, I have seen devotees offering flowers, doing Pranam to Ram Lalla. I had seen a man playing a conch-shell. He was wearing the clothes of Hanuman Ji.

I had seen the idol of Ram Lalla kept on an artificial stage in the extreme end below the middle dome in Babri Masjid premises. The artificial stage was covered with a cloth. This is correct that I did not look at the stage after removing the cloth — but it was appearing to be an artificial stage. We had entered the Babri Masjid premises from the east. When we entered the premises, we did not see anyone worshipping in the right or left hand side of the premises. On our entry, we found a Chabootra on the left side over which some idols had been kept and a thatched like roof had been made -over it. It appeared to be a place of worship, but I found no one worshipping at the time when I entered the premises. Whenever we went there, we never found anyone worshipping.

It is incorrect to suggest that I am making false statement on this count. I do not remember as to how many times I visited the premises. As far as I recollect, it was always 11.00 A.M. or 12.00 noon when I entered the premises and it would have taken us around four hours to take round inside the premises. I was observing the structure inside the premises, also observing other construction in the premises and studying their relationship. I was assisting in measurement, giving directions for

photography and also directing the draughtsman about the sketch to be drawn. Professor R.S. Sharma had not accompanied us in Babri Masjid. This is incorrect to suggest that Professor Sharma would have left without informing us. This is correct that no one obstructed us while we were taking measurement inside the premises. On the basis of measurements, we prepared a record and noted down the same in our diary. Draughtsman prepared the drawings. Draughtsman also took the measurement himself and prepared drawing by keeping his table there itself. All these documents, i.e. diary and records were with us till the demolition of the structure. Negatives of photos were also in our possession. After the demolition of the structure, all this lost its importance and got misplaced. During our visit, we noted whether the pillars, i.e. the black pillars inside the premises were above the wall of the foundation or were built independently and for this purpose, we had scratched the floor with the knife. The knife would have been three-four inches long. This is correct that no one forbade us when we were scratching the floor.” Volunteer, “We were not destroying anything rather studying a relationship. It will be incorrect to say that we were undertaking any construction work. With the four inch long knife, we simply scratched the floor, did not go deep. Floor was ‘pucca’ and I believe it would have been made of lime Designs were also made on the floor and they were geometric designs like a triangle, four cornered square, circle etc. This is correct that circle also falls under geometry As far as I remember, the four-cornered or square had a striped design and there were designs similar to those of triangles inside them.” Nothing has been written, i.e. nothing has been written about your methods, about scratching, measurement or photographs, of course something has been written about the record. The witness said, “This is totally incorrect to say that we are making

false statement at this point. This will also be incorrect to suggest that we did not go there at all. We did not undertake any digging even near the Masjid. This is correct to say that there is a type of stone known as cist viols or cist. It is not black, but grey stone. It is called black stone in common parley. It is correct that there is also a type of stone called basalt. Black stones are also there under basalt. There is a difference in the composition of a basalt and a cist, but I may not be able to identify the difference because I am not Geologist. Based on my knowledge, I cannot tell whether the pillars of stone built there were made of basalt or cist stone." The witness added, "We had sought the opinion of an expert on this issue.

At this point of time, I cannot tell the name of the man from whom we had sought the expert opinion. However, he was a retired Director of the Department of Geology and had come at the instance of Sharma Ji. We had met him in Ayodhya or Faizabad. At this point of time, I do not remember precisely whether I had met him in Ayodhya or Faizabad. As far as I remember, we had met him before our visit to the disputed site. As on this day, I cannot tell whether the Director of Geology is alive or not. I have possibly mentioned in my report that Geologist expert had been consulted with regard to stones. I do not remember if I had mentioned his name also in my report or not. This will be incorrect to suggest that I am making any false statement in this regard. Cist stone is found at various places in India like in some parts of Himalayas, i.e. in the western parts. Basalt stone is found in south India, i.e. from Vindhya to South." Later on, he added, "Basalt stone is found in south India." Subsequently, he said, "we call it Vindhya range. Besides it is also found in Tamilnadu, Andhra Pradesh, Karnataka. Black basalt stone is found in regions of Mirzapur, Bhagalpur also. I did not scratch and

examine the black pillars available in the premises. it is correct that pillars of brick could be raised on brick foundation and pillars of stone can be placed thereon. I had scratched the pillar from the side, but there was no brick under it. No brick was found under the pillar. Normally, there is lime mortar in between two bricks. It is not necessary that the layer of mortar should be very thick for constructing a high rise building. This will be totally incorrect to suggest that I am making another false statement to prove my false statement.

I do not have faith in the doctrine that we should do every work as per edicts of religion, i.e. keeping in view true and untrue because it is not necessary that the concept of true and untrue is in consonance with the scientific truth. As per Upanishads, there is a lot of difference in between knowledge and ignorance and they carry a meaning but in today's world, the words denote different meanings. As a professor I did not bestow knowledge on my students, rather conversed knowledge. To teach through conversation is an important method of teaching. I used to teach my students through this system of conversation only. This way I did not bestow Knowledge on them, rather indulged in intellectual discourse with them and iii this way helped the students in enriching their knowledge. I did not cause any enhancement of their knowledge, they did it of themselves. I worked as a Professor for around 10-12 years, prior to which I had been a reader and a lecturer even before that. It is correct to suggest that I taught my students by gradually promoting this system of teaching, i.e. I used to teach through traditional method at the time when I was lecturer but I had started my system and went on developing it gradually. Even as a Reader, I used to teach my students by way of this system of teaching along with traditional system.

During my Professorship traditional system of teaching had slashed and the new system of teaching took a leap.

Question: Do you believe in God as an Arya Samaj?

Answer: As an Arya Samaj, I have been believing in God.

Question: Do you still believe in God?

Answer: My view of God has transformed and as per that transformation, I have faith in God even today.

Question: Has God also undergone any change with your transformed view?

Answer: With the development of my view, the definition of God has also undergone a change.

This is correct that I am deposing in this court of god as per my definition of God. In my view, the definition of God is as hereunder:

Humanity of the man only is God.

Question: Should we take it that you are giving your statement by taking oath of humanity?

Answer: I am deposing here by taking oath of God in the form of humanity?

Question: Could you define the form of humanity?

Answer: I define humanity which comprises values of humanity, mercy, Justice, equality and freedom.

Question: Could you tell us the reasons of your not stating while taking oath, that you were going to depose by taking oath of humanity?

Answer: Because I do not differentiate in between humanity equipped with these values and God and that is why I have taken oath in the name of God.

Besides the disputed premises, we undertook two more activities in our survey — firstly we surveyed from Rinmochan Ghat to Brahm Kund and Vighneshwar and secondly we undertook a general survey also. There is a temple at Vighneshwar but I do not remember the name of the temple. It is not that for purpose of measurement from Vighneshwar to Rinmochan I had taken the temple of Vighneshwar as the base. The measurement had been taken by Professor Sharma by way of steps and not with the help of any instruments. The same process of measuring through steps had been adopted till Brahm Kund. We did have measuring tapes with us but they were not suitable for such large measurements. The height of Sharma Ji would be around 5 feet 9 inches. I am not aware if his feet were in proportion of his height and this was not my field also. That is why I was performing a secondary role and by secondary role, I mean I was simply accompanying Sharma Ji and helped him wherever he needed such help in locating the direction etc. As already stated by me, we also had one Mishra Ji of Delhi College with us in this activity of taking measurement. All this work i.e. noting of this measurement was handled by Shri Sharma himself. Besides the disputed premises, I had undertaken other work also, i.e. work of archaeological observation.

I had undertaken archaeological observation at Hanumangarhi, Mandir, Sita ki Rasoi, Janamsthan temple and graveyard and also at some of the places where B.B. Lal had excavated. I had also undertaken archaeological observation at all the places where the people of Banaras

had made investigation. By graveyard, I do not mean the graveyard located in the south of Babri Masjid. This graveyard was  $\frac{3}{4}$  km. in the south-west direction of Babri Masjid but I do not remember the mohalla in which the graveyard was located. At this point of time, I do not remember if at that time, I had taken a note of the mohalla in which the graveyard was located. I do not even remember the name of the graveyard. I also do not remember whether I had noted down the name of the graveyard at some place at that time or not. At that time, there would have been around 50-100 graves in the said graveyard I did not scratch the graves with the knife to find out as to how old the graves were. As per my archaeological observation, the graveyard appeared to be belonging to late medieval period and my assessment about the timing of the graveyard was based on the shape of the bricks used in the graves and the design of the graves. By observing these bricks, I had inferred that they belonged to late medieval period because features of such bricks were known to me. This is incorrect to suggest that I did not touch the bricks because of the apprehension that in case I touched the bricks, Muslims of locality would thrash me. We had gone to Hanumangarhi to assess its timing. Hanumangarhi was not included in my project but I had gone there under a reference. My project was Babri Masjid but I had visited Hanumangarhi under a reference for two reasons. Firstly, to find out if there were any remains of a temple at Hanumangarhi in the face of a claim to the effect that there existed a temple before Babri Masjid and I had gone to Hanumangarhi for the second time in connection with the dispute of 1855 involving Hanumangarhi and Babri Masjid. With regard to the above dispute, it was on record that as per the claim of one section, earlier there was a mosque under Hanumangarhi. At Hanumangarhi, I neither scratched with the knife nor undertook any excavation. On just

looking at it, we came to know that it was not as old as Babri Masjid and as per observation, we did not find any remains of a mosque under it. After observing Hanumangarhi, we concluded that there were no remains of any temple or mosque under it. This is incorrect to suggest that I had visited the temple of Hanumangarhi with the sole purpose of having a 'darshan'. I did not record even my observation of Hanumangarhi because there was no need to do so.

Besides Hanumangarhi and graveyard I had also visited Kuber Tila where the Banaras people had undertaken excavation work. I had undertaken surface observation as a part of my archaeological work at Kuber Tila. After surface observation, I left the place. As far as I remember Sharma Ji was not with me during my visit to Kuber Tila, others like photographer, draughtsman and Mishra Ji of Delhi were of course with me. Besides the above, I also visited Janamsthan, studied the slab placed there and observed that the slab was like black basalt only.

A black slab, similar to the slabs in the pillars of Babri Masjid was placed here and it was around 5 feet long. The slab neither fell in the category of a square nor a circle, it was with slight curving and it was a slab of 'doorjam'. The slab was in the shape of a rough triangle which cannot be termed as semi-circular or circular. Human images were made on the slab. Images of men and probably of women were there. The images were in angular posture appearing to be in dancing pose. Angular posture could possibly be a style of dance but it is an art in which the body is shown having three bends.

I tried to find out from Janamsthan temple, where the above slab was kept about the source of the slab. I

enquired from the people. It is correct that I take such an enquiry as a part of archaeological survey. A few of these people were old while others were middle-aged. I do not remember at this point of time whether I had enquired their names.

Question: Did you apply any process to ascertain the age of the piece of 'doorjam' available at Janamsthan mandir?

Answer: Yes, I studied its style.

By studying I mean I observed as to what carvings were there on the slab? What motifs were there? What was the shape of the human images made in the slab. I had taken a photograph of the 'doorjam' also. I had recorded all these things at the site but all the records got misplaced after the demolition of Babri Masjid. I doubt if the records could be retrieved. This is correct that I did not mention details of the process adopted by me and records kept by me in my report, but I did mention about 'doorjam' in my report. In the course of my archaeological investigation besides the above site, I also visited Rinmochan Ghat near which B.B. Lal had excavated. I also saw the place near the masjid which had been excavated. Excavation by Professor B.B. Lal had been done in between 1975 and 80. It is correct that I had visited the site after ten years i.e. after the excavation. The places which had been excavated had been filled with earth. I did not undertake any excavation there, I simply did surface reading. It is correct that observing to that extent was sufficient for our investigation because its records were available with Archaeological survey of India and we were eager to look at that record. This is correct that the records had not been made available to us despite our request before we commenced writing our report. This is incorrect to suggest that we were

in a hurry to submit the report to the nation and that is what we did. Volunteer, "We were given only 6 weeks time for this entire study. We were under constant pressure and that is why we submitted the report without looking into the record of the excavation work undertaken by B.B. Lal."

Question: Did you take it as your moral duty to submit your report without studying the records of the excavation work undertaken by Professor B B Lal and also criticizing his report

Answer: This is correct that we submitted our report without having been shown the records and on the basis of whatever other material was available reason being that no assurance had been given to us that the records would be made available to us.

This is correct that without looking at the records and only on the basis of the published material of B.B. Lal, we had criticised the findings contained in his report because we felt that the methodology of investigation adopted by him was improper

Question: And did you feel that the methodology adopted by you in the course of archaeological investigation was proper?

Answer: Yes, we did not find the published data or evidence and arguments as rational and we had submitted the more rational arguments. I have seen a number of temples of Vaishnavas with an archaeological eye.

Question: Will you not like to tell the approximate number of temples seen by you?

Answer: This is not correct to suggest that I would not like to tell it, but I did not maintain any record and

hence, I may not be able to give such information Still I guess I would have seen around 10 temples of Vaishnavas.

Both archaeologically and architecturally Vaishnava temples and other temples have their respective features based on the idols or images of deities. This is correct that temple of Lord Ram is called a Vaishnav mandir also.

I have seen temples in which the idol of Lord Ram has a bow and arrow but these are new temples. I had seen such a temple in Ayodhya for the first time in which Ram was lying in a cradle. I cannot tell the number of temples in which Ram is adorned with a bow and arrow.

Question: Did you notice a conch-shell, a chakra, a club and symbol of lotus in the temples where the idol of Ramchandra Ji was with a bow and arrow?

Answer: Yes, but I do not remember whether I had noticed all these things in the new temple but he said himself, "All these items are common in temples.

In my view, presence of all these symbols in temples of Lord Ram is a must. All these symbols were available in all the temples I have seen so far including Laxmi Narain Mandir of Delhi. I might have seen other temples also, but I do not remember. Laxmi Narain Mandir of Delhi is a new temple in which idol of Ram is in a standing position adorned with bow and arrow. I have heard of 'Ram Darbar' which means Darbar of Raja Ram, There is an idol of Ram Chandra Ji along with an idol of Sita Ji and possibly of Hanuman Ji also in that temple. Symbols of all — lotus, conch shell, chakra and club are made in the idol and it has been shown as if the idol is holding all these symbols in its hands. I am telling no lie in this regard. In my view,

according to religious practice, a lotus can be shown in the hand of Ram. In the temple, Lord Ram is shown as having four hands and as far as I remember, all the four symbols have been shown to be held in the four hands. Laxmi Narain mandir is located at Birla Mandir Road, but I am not aware of the name of the mohalla. I have been to Birla Mandir also. This temple is located at one side in the premises of Birla Mandir. I had casually gone to see this temple. This is incorrect to suggest that I am telling a lie. I do not remember if there could be yet another form of Ram Mandir.

This is correct that idol is the creation of an idea which is again based on religious faith. The religious faith is called 'Astha'. This is correct that English translation of 'Astha' will be faith. Faith is a matter of philosophy and the same is carried amongst people through 'Paramparas'. This is correct that English translation of 'Parampara' is tradition. This is correct that there are many places where we do not find any idols but still people worship there. Such a place of worship is not necessarily linked with any religious figure or incarnation. This is correct that Mohammad Sahib had gone to Madina from Mecca. I do not know if the followers of Islam regard this passage as a holy passage or not, possibly they might be doing it. According to Hindu mythology, Ramchandra Ji had stayed at many places on his way from Ayodhya to Lanka. It is believed that he had stayed at places like Prayag. Chitrakoot and Panchvati. This faith is going on traditionally. This is correct that followers of Hindu religion treat these places as holy and pure places and this is equally correct that Hindus particularly Vaishnavas regard it as their religious duty to have darshan of all these places. Shaivas are the followers of Shiva. Shaktas are the followers of Shakti Durga is the symbol of shakti and so are many more goddesses. I

cannot say whether a single 'Devi' is the embodiment of all the virtues because it is not my subject nor a subject of mythology I did not try to ascertain the facts about it. Amongst Hindu and particularly in Sanatan Dharma, there is a holy festival of 'Navratras' I do not recollect if a number of 'Devis' are worshipped during Navratras. I am not aware whether various virtues of Devis are worshipped during Navratras I have read the literature regarding lord Rama like Valmiki Ramayana, Uttar Ramcharit, I have read a part of Ramayana, i e Valmiki Ramayana also I do not remember if it is mentioned anywhere in Valmiki Ramayana that Shiv Ji had tried to have a 'drashan' of Rama. I have read some portion of Ramcharitmanas written by Tulsidas I do not remember if I have read any other literature relating to Rama. I am not aware whether Shakyas and persons belonging to Shaivya community also worship Rama. I have not read any literature relating to Rama in mythology. 'Dharam Shastra' (mythology), sacred books (Dharam granth) and 'Dharam Sutra' are different things. Some people treat 'Dharam Shastra' as 'Dharamgrantha' but I can differentiate in between the two. 'Dharamgranthas' are related with three subjects of religion which are: philosophy, Karniakand (part of the Veda which relates to ceremonial acts and sacrificial rites) and values whereas Dharamshastra is a complete system of society which includes politics, caste system, vama vyavastha (an arrangement of society in classes) etc. 'Dharam Shastra' and 'Dharam grantha' besides having some similarities are two different things. 'Dharamsutras' are broadly regarded as 'Dharamgrantha'. In Brahmanical tradition 'Dharamsutras' were regarded as 'Dharamgrantha'. Vedanta does not fall either under 'Dharamgrantha' or 'Dharamshastra' or 'Dharamsutra'. This is incorrect to say that since all these are sacred books of Hindus, I have any reservations with regard to them. I have faith in all rational

facts contained in 'Vedanta', 'vedas', mythological books, 'smritiyans', 'shrutiyans'. It is incorrect to suggest that by rational I mean whatever meets my purpose is rational.

Question: Who is the person or agency whose arguments are regarded as rational by you?

Answer: Since I am an open-minded person, any person or agency offering better arguments than mine are acceptable to me.

I decide it of my own judgement as to who is offering a good argument to me. Such persons or agencies include Mahatma Buddha, Holy Christ, Prophet Mohammad Sahib, Holy Moses, Swami Vivekanand Ji and Swami Dayanand Ji. I accept all these arguments which fit in my process of thinking. I like many preachings of Mohammad Sahib like neither taking nor giving money on interest, integration of society. Similarly, the preachings of Holy Christ to the effect of having love for the entire humanity, selfless life, sense of tolerance etc. This cannot be any gentleman's argument that work should not be done after taking money. This is incorrect to say if I have placed any argument to the effect that work should not be done after taking money.

Verified the statement after hearing

Sd/-

Suraj Bhan

19.07.2000

Typed by the Stenographer in the open court as dictated by me. For further cross -examination in this case on 20.07.2000 . Witness be present.

Sd/-

19.07.2000

20.07.2000

(In continuation of 19.7.2000 statement of P.W.16 Shri Suraj Bhan on oath: )

I agree with many arguments of Vivekanand Ji. At the moment, I do not remember his views about 'Atman' and 'Parmatman'. I also do not have a full knowledge of the views expressed on the subject by Swami Davanand Ji. This is correct that Swami Dayanand Ji was the founder of Arva Sarnaj. It is possible that I would have been brought up in prevalent concepts (Sanskars) of Arya Samaj. This is correct that I did not go very deep into the concepts of Arya Samaj. Broadly I can say that I remained upto the surface level of Arya Samaj. I also regard 'Parmatman' as God and I have already expressed my views above about God.

This is correct that Cist and basalt are types of stones which are different in quality. A cist stone cannot be termed as sedimentary rocks. Basalt stone is also called Igneous rocks which is called a firearm (Agneyastra) in Hindi. The particles of cist stone are very fine and can have a fine finish. This is correct that unlike basalt stone, there are layers in cist stone. Granite rocks also fall in the category of Basalt stones but later on, he said, "Granite rocks fall under igneous rocks". This is correct that basalt stone is the culmination of the volcanic process. Initially, they are in a molten form which become firm later on. Cist stones are the products of a chemicals process in a sea and elsewhere also like big lakes. I do not remember the name of any lake in India in which cist stones were formed. Cist stones are of black and other colours also and have different shades in black colour. Marble is akin to cist stone. Cist is also a sedimentary rock but chemical processes of both differ. I cannot give a detailed account of this difference because I am not a student of geology. I also do not remember as to

what is the difference in between the two chemical processes or whether I have heard of it from somewhere or not. This is correct that I have not studied the subject of Palaeology nor I possess any knowledge of the same. During my visit to Ayodhya, I did not scratch the pillars available at the disputed site with a knife or some instrument to find out if it was granite or cist or basalt stone. Then he said of himself, "I did not do it because I am not an expert of this subject. This is correct that it was my own opinion that the pillars should be of basalt stone." Later on, he, added, "My own finding mentioned above was based on the opinion of an expert in Geology. However, at this point of time, I do not remember the name and address of that expert of Geology.

This is correct that the frame of the door is called 'doorjam'. At some places, it is in four and sometimes in three parts. This is correct that its two parts are vertical which are called horizontal. Verticle is one which comes down from up.

The slab which I saw at the Janamsthan temple was the vertical portion of the 'doorjam'. This is correct that on that 'doorjam' a garland was made on one figure which was a human image. it was a male and a motif had been built on his head. It was a headgear which is called a crown. During my study of Archaeology, I have heard the name of 'Karand' crown. The crown held by the image has been identified as 'karand' crown. There is a concept of Brahma, Vishnu, Mahesh in Hindu religion. As per Hindu mythology, Brahma has been identified as the creator, Vishnu as preserver and Mahesh as the destroyer. This is correct that as per Hindu mythology, Vishnu has been shown as a ruler and it is also correct that Vishnu and his incarnations have been shown as adorned with a kirit (decorated with a

diadem) crown. This is correct that the human image which I saw in the 'doorjam' was built in the lower portion. This is correct that one can have an idea of the deity installed in a temple from the (watchman) Dwarpal built at the main gate. A 'dwarpal' stood at the lowest level and possibly a 'dwarpal' was standing in the pillar also. My finding to the effect that the 'doorjam' belonged to the temple of Vishnu i.e. a Vaishnav temple was not based on my study and investigation. The basis of our finding was that the human image had a Trishul (a trident) in one of his hands and symbols of Vishnu were missing. This is correct that in a temple, 'Dwarpal' is not a symbol of the deity installed in the temple, he is only his attendant. I did not feel it necessary to mention about the crown and the trident in my report although I have mentioned about this slab in my report. I did not mention about the crown and trident of the 'dwarpal' in my report because I took it to be irrelevant to the theme of my research. This is incorrect to suggest that the theme of my research was to prove that it is Babri Masjid. In India, use of cist stone for construction, i.e. art purposes started in Christian era whereas the use of basalt stone had started in India from stone age which had started in India around 5 lakh years ago. This is correct that both cist and ballast stones are not found near Ayodhya. For purposes of construction, they were brought from outside and also the stones already lying at the site were made use of. Basalt and cist stones were lying in the open in Ayodhya during the 14<sup>th</sup>, 15<sup>th</sup> century but I do not remember in which other places such stones were available in India. Later on, he added, "Such stones were lying in places of U.P. and Bihar but I do not remember the precise places where they were lying. I do not know at which places were such stones lying in Ayodhya. This is correct that during the construction work in 15<sup>th</sup>, 16<sup>th</sup> century, the stones lying at the site were made use of".

Question: As per your opinion stones were already lying in Ayodhya. Please tell whether during the construction work in 15 16 century motifs were built on the stones and then used or motifs had already been built on them”

Answer: Motifs were already built on some of the stones which were used and some new stones were shaped during construction work.

I do not know whether during the entire construction work carried out in Ayodhya in the 16<sup>th</sup> century, the stones lying here were used or stones were brought from outside. There were motifs on the pillars made of stone in the disputed premises. I have already described above about the motifs built on those pillars. To my knowledge, there is not even a single mosque in which such pillars have been used by getting them engraved or by getting such motifs built on them. He added of his own, “Including Babri Masjid, I have not seen use of such decorative pillars in any mosque. This is correct that I have not seen such stones in construction or decoration of any mosque. This is correct that despite all this, it was my finding that such pillars were used for construction i.e. decoration of Babri Masjid. I have not read anywhere that Babar or Mir Baqi were very fond of dance or dancing girls. I have not read about any such practice according to which stones were used in mosques for decorative purposes during the period 1520 to 1535. Despite this, it was my finding that these stones were used in Babri Masjid constructed in the year 1528 for decorative purposes. Later on, he added, “My finding was a judicious one.”

Question: Is it correct or incorrect to say that with the passage of time variations crop up in the exhibits of the same motif or style of carvings?

Answer: Yes it is correct.

The motifs on the pillars of Babri Masjid and motif built on stones lying at Janamsthan mandir were of the style prevailing in between 9<sup>th</sup> and 12<sup>th</sup> century. I have heard the name of king Govind Chandra of Gahardwal dynasty. King Govind Chandra ruled in 12<sup>th</sup> century. I do not remember whether Govind Chandra had got Ram Janam Bhoomi reconstructed in Ayodhya but he had done something." Later on, he added, "no reconstruction of Ram Janam Bhoomi was undertaken. I do not remember the places in Ayodhya where King Govind Chandra had undertaken some construction work. When I say that I do not remember' I mean that I have read about it somewhere but it is not striking me at the moment because it has never been a subject of mine.

Question: Since it was not your subject, did you not find it necessary to equip yourself on this aspect in your investigation?

Answer: I did not acquire knowledge on this aspect but we had other members in our team who were well versed in this subject.

Only Professor Athar Ali of our team has expired, all other members are very well alive. My report entitled 'Report to Nation' is archaeological research and my findings are my contribution to it. Based on my investigation, I have mentioned in my 'Report to Nation' about the timing of the slabs made of stone. (At this point, attention of the witness was drawn to page No.9 of the document No.190C/2 filed in connection with the suit) on seeing which he said, "The following is written on it: The general consensus is that some motif suggest a date around 9<sup>th</sup> and 10<sup>th</sup> centuries while others a date around

10<sup>th</sup> and 11<sup>th</sup> centuries". Besides the above, I have not mentioned about the timings of the pillars anywhere in my above report. It is correct that in this report, the timing of the pillars has not been mentioned as 12<sup>th</sup> century.

This is incorrect to suggest that being prejudiced in favour of Babri Masjid. I have not related the pillars with 12 century. I have not mentioned in my report that Govind Chandra ruled in 12<sup>th</sup> century. This is incorrect to suggest that our opinion mentioned in the report relating to the timing is not based on our research, rather on general consensus only. Mention about my report with regard to timing has not been particularly made because our report was not essentially an archaeological report, rather it was a historical report. This is incorrect to suggest that I have not reflected my archaeological knowledge while preparing my report and have prepared the report on the historical basis only. In fact, the above report was based on Archaeological knowledge also. It is correct that the general consensus was also derived on the basis of archaeological knowledge because the general consensus was based on the opinion of the scholars like Archaeologists, art historians and historians. That is why we have mentioned the names of the scholars before reproducing the above general consensus. I have mentioned the names of Ms. Devangna Desai and other scholars in my report. The above scholars were not present with me when I was engaged in the study of the stones. I had shown the photographs of the disputed site to the above scholars who had expressed their opinion after looking at the photographs and having studied them. As I have already mentioned the above photographs are not available at the moment because they have been misplaced. I am not aware whether the photographer who had taken the above photographs alongwith me is alive today or not, I do not remember his name and address today though I

remembered it earlier, he was a resident of Faizabad. I do not remember the name and address of the Draughtsman who had accompanied us and I am not also aware whether he is alive today or not. The scholars who had expressed their opinions after looking at the photographs and whose names have been mentioned by us in the report had not given their opinion in writing. This is incorrect to suggest that the fact of general consensus relating to the timing of the pillars has been mentioned in our report falsely.

Question: Did any structure lean against the above pillars of black stone?

Answer: The end portions of the arches of Babri Masjid were leaning against the pillars of black stone.

The above arches were not circular in shape but were tapering on the upper side. I cannot offer a proper name for the figure, but they were certainly Mughal arches. There was a wall joined on both sides of the pillars and there was a gate in the middle. Both the ends of the arches were leaning against the pillars. I am not aware whether the scholars whose names have been mentioned by us in our report undertook any research or investigation with regard to pillars made of stones of the disputed site. This is incorrect to suggest that the above pillars made of stones were carrying the weight of the upper structure under the arches. I am not aware whether any architecture was prevalent in between the period 1525 to 1530 according to which arches could be built without the support of the pillars." However, he stated of himself, "The structure of Babri Masjid was very massive sporting large domes and walls with 5-6 feet thickness and in view of this, these tiny pillars could not be load bearing for the above structures. This is correct to suggest that I am aware that as per architecture arches are built to divide load. This is correct

that the thickness of the walls against which the arches were leaning was 5-6 feet but the thickness of the arches was not visible and as such, it is difficult to mention their width. I had looked at the arches closely but could not assess their thickness or width because they were plastered." Later on, he added, "The thickness of the arches (with plaster) was the same as that of the walls i.e. 5-6 feet. The thickness of the plaster itself could also not be ascertained. Arches were not examined by scratching them with knife because historical monuments are not examined by scratching them and I did not have any other instrument for purposes of measurement nor it was necessary also I did not feel it necessary to mention the measurement of the height, thickness and width of the above pillars in my report All the pillars of stone in Babri Masjid were standing in a straight vertical position It will be incorrect to suggest that at some places, the pillars of stone were in their original position (in-situ), i.e. all the pillars were not in their original position, i.e. they had been installed again I mean to say that all the pillars had been brought from outside whether from the building itself or had been lying there and their installed.

This is not possible that these pillars were installed in any building existing earlier at the disputed premises itself and that they were removed from there and installed in the Masjid. During our study, it was not possible to find out as to from where these pillars of stone had been uprooted or had been installed by bringing them from some original place. During my study, I did not try to find out by way of excavation or otherwise whether there existed any other building earlier at the disputed site. The ground level of the disputed site was slightly higher, say one foot at some places or 1½ feet at other places as compared t the surrounding land. The land in the west of the disputed

building is a low lying. It could be around 20-25 feet even 30-40 feet below the level of the disputed site. The land was not in the form of a lake or a pond, but it was a vacant piece of land. A passage close to this western land only leads to the disputed premises and it was through this passage that we had gone to the disputed building". Later on, he added, "This passage comes like a road from that piece of land and it is through this road that a turn is taken and one enters the disputed building. The vacant land mentioned above is in the south. On my visit, grass had grown on that piece of land. I am not aware whether the land is cultivated or not. The land on the other side that is northern side of this road is again a vacant land and its level is equally low as has been mentioned above. The level of the land in the south of the disputed premises is also low and erosion of water is visible there. When I went to the disputed site, it was neither the rainy season nor it was raining. I had been there in February or March. The eroded land in the south would be around 2-4 feet lower than the ground of the disputed site. Water was not flowing on the ground during my visit. It was through my surface study that I came to know that there was erosion of water on that piece of land in the south. I had not enquired from anyone about it because it was a matter of general knowledge. This is a fact that the disputed site is located on a mound. I had an idea of the importance of a mound on the basis of my archaeological background which was again based on the excavation undertaken by Professor B.B. Lal and a report published on the basis of it. I had regarded the mound as important and it was proper as per my archaeological background. As per report of Prof. B.B. Lal, the existence of a mound was owing to continuous habitation, i.e. due to the habitation for a very long time. According to archaeological study, if the people are a civilized society, construction of pillars is undertaken.

Construction covers residential houses, mosques, temples, cow-sheds etc. In Ayodhya civilized people lived prior to 1528-29. There is possibility that there might have been some structure earlier in place of the masjid at the disputed building. It is possible that at some point of time, there might have been a temple or mosque or some other building under the disputed structure.

Report of Professor B.B. Lal had been published in 1975-76 and in 1989-90 This is correct that the said report was published in 1976-77 and 1979-80 This is also correct that yet another report had been published in 1969-70 but it was not the report of Professor B.B. Lal, rather it was of A.K. Narain Both the statements given above i.e. the level of land in the south was 1-2 feet lower and that of the land in the west was 30-40 feet lower are true I had read the published report of Professor B.B. Lal in 1990-91 also I had read this report in 1976-77 also when it was published after the excavation and again in 1979-80 and still again in 1990- 91 I have referred to the report of B.B. Lal in my report but have not specifically mentioned that I had read the reports of 1976-77 and 1979 at the same time (The attention of the witness was drawn to page 11 of the document No. 190 C-2 on looking at which) the witness stated, "It is correctly written here that "Though he excavated the ground over eleven years ago and thereafter published several papers on Ayodhya diggings, he first mentioned this discovery only towards the end of 1990 (Manthan, October 1990)". Whatever has been written above is true. The reference of the above extracts written by me is also true. This is correct that after going through the report of B.B. Lal only, I had visited in 1990-91. It was not possible to verify the facts mentioned in the above extracts and that is why I could not verify it at the site itself that the pillars of stone could be raised on pillars of bricks

only. The extracts of B.B. Lal which I have mentioned in my report were published in a magazine called 'Manthan'. The magazine entitled 'Manthan' is brought out by an organization named Rashtriya Swayamsevak Sangh; it is not a magazine of Archaeology. This is incorrect to suggest that since Manthan magazine is brought out by R.S.S., I took it as of no importance. I am not aware whether Babri Masjid Action Committee or any other Muslim organization published any Archaeological magazine or not except the documents supplied by Babri Masjid Action Committee to the Central Government who had in turn supplied them to me. We did not find it necessary to refer to these documents in our report. This is incorrect to suggest that as the magazine was brought out by the organization named R.S.S. I was apprehensive in respect of the articles published therein.

Verified the statement after hearing

Sd/-

Suraj Bhan

20.07.2000

Typed by the Stenographer in the open court as dictated by me. For further cross -examination in this case on 21.07.2000 . Witness be present.

Sd/-

20.07.2000

21.07.2000

(In continuation of 20.7.2000 statement of P.W.16 Shri Suraj Bhan on oath :)

During my Ayodhya visit, besides the disputed site, I had gone to the graveyard also where I found two pillars of black stone. Both these were not similar to those installed in the disputed building but they were similar in style. Both the pillars at the graveyard were broken, their lengths were unequal and, therefore, it was not possible to compare their length and breadth with those of the pillars located in the disputed site. In other words, the pillars located at the graveyard were smaller in size as compared to the pillars of the disputed site. This is incorrect to suggest that I had not carried out measurement of pillars located in the disputed building. I had not mentioned about the height, length and width of the pillars of the disputed site in my report. I did not write anything in my report about their style also. Similarly, I did not mention in my report about the measurements and style of both the pillars of the graveyard.

I also did not mention in my report that both the pillars in the graveyard were in broken position. There was a female figure in an angular posture on the pillars of graveyard. It was appearing as if the figure was in a dancing pose. Both the pillars were stuck into the ground but in a haphazard manner. Both the pillars were stuck upside down. No posture of 'Dwarpal' was visible on these pillars. I had not examined the two pillars by scratching but it could be inferred from the broken edges that both the pillars were made of basalt stone. I did not dig to find out how deep they were stuck in the ground. The broken portions of both the pillars were stuck in the ground. I did not think it necessary to mention this fact also in my report. I have not seen any other graveyard where one could find

images in dancing posture made on the pillars. I do not agree with the view that both the pillars have been stuck into the graveyard to defy Hindu faith. I believe that these pillars were taken there to be placed on the grave of some saint and by the word 'saint' I mean grave of a Muslim saint. I believe that both the pillars had been brought to adorn the grave of the Muslim saint. I have not seen any other graveyard where pillars carrying images of dancing girl were available at the graveyard of the Muslim saint. The basis of my thinking was that similar pillars had been installed in Babri Masjid to enhance its splendour. The pillars fixed in Babri Masjid were straight whereas the pillars in the graveyard were in upside down position. No one told me that there had been a grave after demolition of which the pillars had turned upside down. It is only my logical inference that after the demolition of the grave the pillars had turned upside down I did not see any other thing in the graveyard which had turned upside down This is entirely incorrect to suggest that at this point, I being biased in favour of Muslims am giving statements against Hindus.

We did not undertake archaeological study of any other place except the disputed site, graveyard, Kuber Tila, Ram Janam Bhoomi Sthan Mandir. I know Professor (Dr) S P Gupta I am not aware whether Magadh University has conferred the degree of D. Lit on Dr Gupta in Central Asian Archaeology Dr. S.P. Gupta was posted at Allahabad Museum and he retired from there itself. Dr. Gupta has been a scholar of the theoretical aspect of Museology and Archaeology but not a scholar of standing. This is correct that Dr Gupta has written a number of books on both the above subjects I am not aware if he has participated in any excavation in Central Asia and Mangolia. I am aware that he has studied a lot on Central Asia Archaeology.

I do not agree with the findings of Dr. S.P. Gupta relating to the disputed site. I also do not agree with the methodology on the basis of which he has derived his findings. Dr. Gupta has not made use of any instrument in his methodology. We also did not make use of any instrument in our study relating to the investigation and research of the disputed site because we had not undertaken any excavation work. In archaeological research, it is not that instruments are used only in digging. In our study, we did not use instruments other than knife etc.

I do not agree with the report of Professor B.B. Lal because he had identified the structure found in the trench without undertaking horizontal excavation and submitted his report without keeping in view the complete stratigraphy of the trench and without looking at the associated archaeological material found in the structure. He has given his findings without keeping in view brick-pillar basis and relationship of pillars and also without keeping in view stratigraphy and without looking at the construction and these are the drawbacks of the archaeological method. I have not undertaken any study-investigation by rectifying the above drawbacks, but have only reinterpreted the archaeological data available in his findings and come up with my findings. This is incorrect to say that the report prepared by us is just a critical assessment of Professor B.B. Lal and not our own research. In fact the report prepared by us is based on new research and reinterpretation of the data already available and this too is a doctrine of research in archaeology. Though data relating to the disputed site was available in Professor B.B. Lal's report, yet we thought it necessary to visit the site because black stones and other facts were available at the disputed

site only. it is not necessary that the material utilised in the construction of a building could be uniform, rather uniformity depends on the nature of construction and social economic status of one undertaking construction work. It is correct that the circumstances prevailing at the time of construction do have an impact on construction. As a historian, I had seen a mosque in Banaras half of which had been constructed by demolishing a temple. I do not remember whether there is any mosque in the region of Kurukshetra which has been built by demolishing a temple. I have not seen any such mosque in Gujarat, U.P., Maharashtra or any other state. As a historian, I have had no interest in a study or investigation of a mosque which had been associated with a temple. In the capacity of a historian, I can say that there is no special importance of the temple built in Somnath in the history. I know that earlier there was a temple at Somnath and a mosque was built after demolishing it. Later on, a temple was constructed there after independence. I am not aware whether any mosque was built by demolishing a temple in Sambhal of district Moradabad, but it is not an important event in history, rather it is an ordinary event. There have been umpteen instances in the history of that period when temples were demolished and mosques were built in their places or other religious buildings were demolished to construct new ones. The period referred by me above means medieval period which includes the first half of the 16<sup>th</sup> century and it was during this first half that Babar had invaded India.

I am not aware of any such incident when Babar had constructed any mosque in India by demolishing a temple. I have not heard of instances of constructing mosque by demolishing temples at places other than Banaras and Mathura. I have heard that during the Mughal period,

mosques were built by demolishing temples in Banaras and Mathura. Since constructing a mosque by demolishing a temple is not a subject of my research, I did not try to study the above places and otherwise also I am not a historian of medieval age. This is correct that the suit relating to the disputed site is of the medieval age." Later on, he stated of himself, "The suit relates to the archaeological methodology of the medieval age. The temples, mosques located in Banaras, Mathura and Sonmath are subjects of medieval archaeological methodology but since there had been no dispute with regard to them, I did not undertake any study or investigation of the same."

It is incorrect to say that until there is some dispute at a place, no investigation is carried out. Volunteer, "I have my own limitations and also limitation of religion and period. Since, there had been a dispute with regard to Babri Masjid and also because a lot of misleading facts about the above mosque were being published and also since Babri Masjid was a protected monument, I thought it necessary to investigate the matter to sort out the problem".

What should be the height, length, thickness and width of a pillar to bear the load of any construction is something based on a theory, but I am not aware of it because I am not an expert of this subject. This is incorrect to suggest that without having knowledge of this theory, I had mentioned in my report that the height of the pillar must be 7 feet to bear the load of the disputed structure — I had sought an expert opinion in this regard. I have mentioned the names of such scholars in my report whose opinion was sought while preparing the said report. This is correct that while expressing my opinion about the above matter, I did not think it proper to specifically mention the names of the scholars in my report. This is correct that

wherever our findings in our report are based on Art History, general consensus relating to them had been arrived at on the basis of the opinion of some scholars, names of some of whom have been mentioned by me in my report. It is not to my knowledge whether any other report relating to this matter and this suit by those scholars has been published anywhere. With a view to have consultations with these scholars, we had been to their residence or University, Banaras University and American Institute. If the scholars were residents of Banaras, we went to Banaras to meet them and similarly to other cities to meet other scholars. I had met Devangna Desai, Shri Dhaki in Banaras. I do not remember the names of others. He then said, "I had met Krishna Devi in Banaras. I do not remember if I had gone to any city other than Banaras to meet the scholars. Many of the scholars whom I had met in Banaras are mentioned in our report.

I had met Shri Munish Chandra Sharma, Director General, Archaeological Survey of India in Delhi. I did not visit any place other than Delhi and Banaras to meet scholars in connection with the research work relating to the disputed site. When we went to Banaras and Delhi for meeting the scholars, we had with us all the material that we had collected from the disputed site. Professor R.S. Sharma had accompanied me in these meetings. I had visited Banaras and Delhi under the grant of Rs.10,000/- released to me by I.C.H.R. I am not aware whether my colleague Professor R.S. Sharma was also engaged in this research work under any grant. I do not remember if the expenses of Professor Sharma were born by me. Our two colleagues namely Shri D.N. Jha and Shri Athar Ali had not accompanied us to Ayodhya, Banaras and they were looking after the work relating to history allotted to them. I can vouchsafe that besides archaeological history,

whatever facts have been mentioned are rational and, therefore, true. All the facts mentioned in the report are based on Epigraphy, besides literary source and recorded history. This is correct that though I was not an expert of all the three subjects mentioned above, yet I could make out that facts mentioned in the report are rational and, therefore, true. This is correct that despite being ignorant of Epigraphic Science languages, I took the matter written at the disputed site to be true in my report as per the opinion of my colleagues." He added, "This alone is not true."

The fact is that Z.A.Desai had published the matter written at the disputed site in 1965 and based on that the written material was taken as true. That is whatever had been written about the said matter and the opinion furnished were taken as true. I am not aware of the full name of Shri Z.A.Desai, Shri Z.A. Desai was the Epigraphic of Arabic and Persian in Archaeological Survey of India I cannot tell whether the full name of Shri Desai was Ziauddin Ahmed Desai. With regard to epigraphic research relating to the material written on the slabs of the disputed site, I had studied of course partly the available literature alongwith my other colleagues of the team The literature which I studied in this case was available in the report of Z.A.Desai and Babarnama authored by Ms. Beverage I do not remember if the name of Beverage was A.S. Beverage or not I had gone through the translation of the matter which both the above persons had written about the material written on Babri Masjid Both the translations were in English but they differed After going through both the translations, I found that the translation made by Shri Desai was correct and complete. It was from this translation that I came to know that the original text was in Persian. The above matter was written in Persian script. Since Persian

script or language has not been my subject, I cannot tell about the style of Persian language. Since Beverage had translated only 6-7 couplets of Babarnama, I do not regard her translation as complete.

By couplets I mean 'doha'. Despite, being ignorant of the Persian script, language and style, whatever I read in the translation of Beverage or Desai and whatever was told to me by my colleagues, I took all this as correct and rational. Besides the aspects of archaeological history, all the other aspects studied by my colleagues and told to me were all correct and rational and were made the basis of my report. I have read only a few portions of Valmiki Ramayana, Tulsi Ramayana and Raghuvansh of Kalidas and it is correct that only after going through some portions of the three books I inferred that the disputed site was not the birth place of Rama, i.e. there was no mention of the disputed site as the Janamsthan of Rama. The portions which I had read had been referred to in the report of Vishwa Hindu Parishad. This is incorrect to suggest that since I had to refute the arguments and evidences forwarded by Vishwa Hindu Parishad so I read only those very portions and did not feel it necessary to go through other portions as well. No one had stopped me from reading the above cited three compositions in verses, but I had not read the other portions because they were not relevant. This is incorrect to suggest that I did not regard these portions as relevant even without going through them. In this context, I had gone through another literary source entitled 'Ayodhya Mahatmya'. I do not know the name of the author of the book but as told by my colleagues the said book was written in 17<sup>th</sup>, 18<sup>th</sup> century.

R.A. Sharma and D.N. Jha had provided me the above information. I had not studied the book named Ayodhya

Mahatmya, i.e. they had not shown me the book but had shown me whatever was written therein. They had shown me only the extracts of the book Ayodhya Mahatmya. I was not present when my colleagues were taking down the extracts from Ayodhya Mahatmya. I had approved of the method of taking down the extracts from the book proposed by my colleagues. Shri D.N. Jha is a historian of Ancient Indian history while Professor Sharma has a wide knowledge and an expert of socio-economic history. All the facts mentioned in 'Ayodhya Mahatmya' were subsequently added in 'Skand Puran'. 'Ayodhya Mahatmya' would have been added in 'Skand Puran' in 17<sup>th</sup>, 18<sup>th</sup> century. As per my knowledge, 'Skand Puran' would have been written in the beginning of medieval age and some portions were added in it in 16<sup>th</sup> century too. 17<sup>th</sup>, 18<sup>th</sup> century are also a part of the medieval age. I do not have precise information as to when the original text of 'Skand Puran' was written but they all belong to the medieval age. Besides 'Ayodhya Mahatmya' there have been other interpolations also in 'Skand Puran'. Texts have been added in 'Skand Puran' during the period starting from 11<sup>th</sup>, 12<sup>th</sup> century till 16<sup>th</sup> century. However, I do not remember how many times and how many texts have been added during the above period. I am not aware whether any texts were added after 17<sup>th</sup>, 18<sup>th</sup> century or not. I have not read 'Skand Puran'. My colleagues told me that, as indicated by me above, texts went on being added in 'Skand Puran'. Since my colleagues had provided me the information in a rational manner, I took it to be completely true. I do not accept the methodology to form an opinion about some book without reading it but such an opinion is formed about a particular book in accordance with the opinion and research undertaken by other scholars relating to that book. Shri R.S. Sharma and D.N. Jha had apprised me of this simple fact that texts have been added from time to time in Skand

Puran. This is incorrect to suggest that since addition of texts in 'Skand Puran' was a simple fact, I would have taken the opinion forwarded by any ordinary man as correct. However, since the above opinion was forwarded by scholars, I took it as rational and true. 'Skand Puran' is written in Sanskrit language in Devnagari script. I did not find it necessary to read other 'Puranas' also because it was not my subject. I do not remember the chapters of 'Skand Puran' in which texts have been added. This is correct that there is a mention of Ram Janam Bhoomi and 'Ram Janam Sthan' in 'Ayodhya Mahatmya' and I have also gone through relevant portions". Later on, he stated, "I have not read these portions in the original book but have read in the translation quoted by my colleagues. This is correct that there is a description of Ram Janam Bhoomi and Ram Janam Sthan and other related places in the above portions.

From the above descriptions, situation of Ram Janam Bhoomi and Ram Janam Sthan become clear. 'Ram Janam Bhoomi' and 'Ram Janam Sthan' are being used in the same reference. According to reference, I regard 'Janamsthan' and 'Janam Bhoomi' of any one as the same thing. This is correct to suggest that with a view to verifying Ram Janam Bhoomi and taking the information provided by people as the base I got the disputed site measured. This will also be incorrect to suggest that considering this matter as unimportant, I got the measurement done at the instance of my colleagues. Measurement of 'bow' was not a part of my investigation and I found out about it from the research carried out by Prof. R.S. Sharma 'Raghuvansh' by Kalidas was written in the 5<sup>th</sup> century. I am not aware whether there have been any interpolations with regard to the book Raghuvansh. I do not remember if I read the portions of 'Raghuvansh' in which birth of Rama has been described. I

do not remember the subject of the portions of 'Raghuvansh' which I had studied. I have read 'Shanti Parva' (chapter) of Valmiki Ramayana. I do not remember about the other portions of Valmiki Rainayana which I have read and also their subject matter. 'Shanti Parva' is neither the first nor the last, it is somewhere in the middle. I do not remember the subject matter of 'Shanti Parva'. I had studied 'Shanti Parva' during the course of investigation of the disputed site.

I have not gone through any recorded history about the disputed site because that was a subject of my colleagues and my statement in this regard is based on the opinion of my colleagues. I have not gone through any book of recorded history relating to this subject. I have gone through a book according to which Lanka of Valmiki Ramayana is located in Madhya Pradesh. This is something which I read in the book entitled 'Ramayana a myth or reality' written by Professor Sankaliya. I had read the complete book. This is incorrect to suggest that I took the location of Lanka of Valmiki Ramayana as imaginary. This is incorrect to suggest that I so much liked the finding of Sankaliya given in his book to the effect that the entire Ramayana is sheer imagination. Since Ramayana was not my subject, after reading Sankaliya's book I did not go through any other book with the intention of reaching the truth, i.e. I did not try to find out whether the story of Rama is true or imaginary. I believe that the story of Ramayana as described in Ramayana is partly based on reality and partly an imagination. Taking birth by Rama, being hidden or his passing away - such incidents do not appear to be true to me historically. Some portions of Ramayana appear to be true to me. This also does not appear true that Rarna had gone to Lanka with the army of 'Vanars' (monkeys). Description of a few castes, of a few places and of the

conditions of social life appear to be true to me. Story of Rama has been associated with the human society of Aryas.

I do not remember the names of the son or father of Ikshwaku. I do not remember the name of his grandson. I do not remember the genealogy of Ikshwaku. Portions of the story of Ikshwaku are there and according to them, they are kept in Kaushal Raj Ikshwaku is regarded as a legendry figure. There is no correct history of Ikshwaku. (Later on, he stated that history has not been provided). History of Vedas is proven one. This has not been proved that Vedas had descended This has also not been proved that noble Quran descended on Mohammad Sahib i e historically it has not been proved This is correct that noble Quran, Vedas and Puranas are real This is incorrect to suggest that as per my convenience, I do not regard such facts of Puranas as true which are not of my liking.

Verified the statement after hearing

Sd /-

Suraj Bhan

21.07.2000

Typed by the Stenographer in the open court as dictated by me. For further cross -examination in this case on 7.08.2000 . Witness be present.

Sd/-

21.07.2000

07.08.2000

(In continuation of 21.7.2000 statement of P.W.16 Shri Suraj Bhan on oath :).

We had seen 'Lakhauri' bricks belonging to 17<sup>th</sup>, 18<sup>th</sup> century in the graveyard located near the disputed land. As per Indian Archaeology, it is believed that 'Lakhauri' bricks were not used prior to the 17<sup>th</sup> century. The two slabs found in the above graveyard could belong to 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup> century. During my investigation with regard to the two pillars, I had inferred that both the slabs had been brought from somewhere and planted here. This is incorrect to suggest that they were planted upside down in the graveyard to degrade the material written or symbols made on them. Planting the slabs upside down was not in vogue. However, at the time they were planted, they would have been planted straight to enhance the beauty of the graveyard. I am not aware if planting such slabs near the graves was in vogue during those days or not. I have not gone through all the 'Puranas' but have gone through the portions which were a part of the VHP document. Similarly, I have not read all the Vedas also, but have read some portions thereof. I have also not read complete Ramcharitmanas of Tulsidas and Valmiki Ramayana. I have read some portions of the books of Kalidas, not the entire book. I did not undertake any excavation at the site nor was it a part of my investigation. I am not thorough at Epigraphy and Neosymatic nor I am expert of the subjects. I do not have knowledge of Geology. Recorded history has also not being my subject nor I am an expert of it. I am not an expert of art history, but I have a fair knowledge of it. (The witness was shown document No.190C-2 submitted in this suit) On looking at it, he said, "It is correct that all the facts relating to Archaeology mentioned herein are my contribution and the remaining facts are based on the

contribution of my colleagues but all these facts had been discussed by me with my colleagues. The facts mentioned in the report about Babarnama are not my personal contribution but the matter was very well discussed. I do not remember whether I had expressed any opinion about Babarnama during that discussion. I have not read Babarnama. It is incorrect to suggest that contribution of my investigation in the above report was only superficial. We did not think it necessary to quote the document given by Babri Masjid Action Committee and that is why no mention of the document was made in the report. It was also not thought necessary to mention as to which evidences given by Babri Masjid Action Committee were in favour of our report. This will be totally incorrect to suggest that I being biased in favour of Babri Masjid Action Committee and Muslims had submitted my 'A Report to the Nation'. We did not keep 'A report to the Government' as the title of our report because Government had not provided us record relating to the investigation done by Prof. B.B. Lal and kept the title 'A report to the Nation' because the matter was of prime importance.

This is completely incorrect to suggest that we had submitted the report with the intention of propagating the view-point of Muslims. This is incorrect to say that all the four historians of us had regarded ourselves as independent historians and submitted our report without any basis. It is also incorrect to say that all the four of us regarded ourselves Independent Forum of Historians without any basis. However, this is correct that we had regarded ourselves as independent historians. Many more scholars would have recognized all the four independent historians of us as independent historians. This is incorrect to suggest that in the beginning of our investigation, we had assumed the existence of a mosque at the disputed

site and had prepared the report accordingly (Volunteer: that they were not influenced by any biased thinking).

(Cross-examination by Shri Vereshwar Dwivedi on behalf of defendant No.22 Shri Umesh Chandra Pandey concluded.)

(Cross-examination of defendant No.2 on behalf of Param Has Ram Chandra Das by Shri Madan Mohan Pandey advocate begins)

xxx            xxx            xxx            xxx

Medieval history has neither been a subject of my study nor of teaching. My research was at certain points connected with medieval history but it has never been a subject of my research. The period starting from the year 600 to 1750 falls under medieval age.

This is correct that the period from 600 to 1100 is recognized as early-medieval age while some others believe early-medieval age covers the period from 7<sup>th</sup> to 11<sup>th</sup> century The period prior to the year 600 is called early-history The subject of my archaeological investigation is not connected with medieval history but archaeology is a method which can include remains of any age, even related to the history of modern times. The history of medieval times has been of use in connection with my research work only otherwise the medieval history has neither been a subject of my study nor of teaching Archaeology is a means to know history and it is through it that the development of the society is studied This is correct that the period in respect of which historical facts are not available, archaeology makes its contribution. Archaeology is the main method to know about Harappa Culture. Besides archaeology, there are other means to know history which

include established contacts and recorded facts in various countries of the world but all this is available in a very limited way. To my knowledge, no script is available to know about the Culture of Harappa age. However, the script of Indus Civilisation is not legible. To know about the culture of King Ashoka, there are other methods besides Archaeology, but they are not concerned with my report. My report is also not associated with King Ashoka.

This is correct that besides archaeology, it is through Vedas, Puranas and epics that one can know about history. Similarly script, epigraphy and telegraphy are the other means to know history, Script and the shape of the letters are also helpful in understanding a period. Later on, he added "The shape of the letters and script of the written text also helps in understanding the date. This is correct that knowledge of script would be helpful in understanding the text only when one is conversant with it. This is incorrect to suggest that Brahmi script is the mother of all scripts This is also incorrect to say that Brahmi script is the oldest script Brahmi script has been in vogue in India since 4<sup>th</sup> ,5<sup>th</sup> century B.C. Brahmi Kharoshthi script has been used on the rock-inscriptions found of the Ashoka period but this is something, which is not associated with my report Coins have a limited importance in connection with any investigation. This is correct that some coins may carry the photo or writing of a king and some may carry only symbols. Besides these two methods, coins are made by use of other techniques including use of a die or moulding or by cutting the pieces. Ancient literature can be helpful in archaeological investigation. This is correct that the ancient literature could be available both in written and verbal forms. Vedas, Puranas, Shruti and Smriti are helpful in an archaeological investigation to a limited extent particularly when they are based on questions. This is correct that

Vedas and Puranas are a part of the ancient literature. All the four Vedas and eighteen Puranas are a part of the literature.

Historians do not believe that Valmiki Ramayana belongs to pre Ashoka period. In my opinion, Valmiki Ramayana was written in between 200 B.C. and 200 A.D. Archaeology also determines the time of the development of the society. The first part is called the Stone Age. This is incorrect to suggest that the age following Stone Age is called Harappa age. In fact earlier, it was known as chalcolithic age, which was followed by the age of Harappa Civilisation. As per archaeology, the period from the Stone Age to Ashoka period can be divided in seven parts. I do not have a thorough knowledge of Harappa Civilisation because I have not worked in that area. Later on, he added, "I do not have knowledge of the area wherein I have not worked at all. I do have knowledge about the excavations relating to Harappa Civilisation, but it is not associated with my report. No coins were found during excavation of Harappa. Instead many things of everyday usage were found. This will be incorrect to suggest that coins were also found during the excavation of Harappa.

The disputed subject matter is related to the medieval age. This is correct that the knowledge I acquired about the disputed subject matter is reflected in my 'Report to the Nation'. While preparing my report, I had gone through the research work done by Professor B.B. Lal, the article written by Prof S P Gupta and also the material data and reports relating to the excavation by Banaras Hindu University. I had also gone through the documents furnished by Vishwa Hindu Parishad besides going through the books written by Sushil Srivastava and S. Gopal. Dr. Sushil Srivastava is not an expert of archaeology, he is in fact a

historian. I am not aware if the pen-name of Sushil Srivastava is Sajid but it is correct that Sushil Srivastava is the same man who is a Reader at Allahabad. The above Dr. Sushil Srivastava has deposed in this suit earlier. Earlier, Dr. Sushil Srivastava was a Professor in Baroda University. I do not know as to why did he relinquish his Professorship at Baroda and joined as Reader in Allahabad University. The name of the book written by Sushil Srivastava is 'The disputed mask- A historical enquiry'. The book was published in 1989-90.

At this point of time, I do not remember about the various certificates furnished to us by Vishwa Hindu Parishad, but I have mentioned about them in my records. Amongst the articles furnished by Vishwa Hindu Parishad, I had gone through the articles written by the above Prof S P Gupta and Prof B P Sinha I had gone through other articles also At this point of time, I do not remember as to which of the certificates furnished by Babri Masjid Action Committee were examined by me I have not mentioned in my report about the certificates furnished by Babri Masjid Action Committee because they were not relevant I had prepared my report on the basis of all the certificates mentioned by me above I had also investigated the matter by visiting Ayodhya besides going through some other books and articles I have done M A in Sanskrit but cannot converse in Sanskrit because I have not made use of it for a long time and that is why I face difficulties in reading and comprehending the same.

I am not aware whether any one amongst my three colleagues knows Sanskrit or not. I have gone through Ayodhya Mahatmya in Skand Puran which has been quoted by Vishwa Hindu Parishad in their report and extracts of which were furnished by my other colleagues i.e. given to

us. There were variations in the extracts taken from Skand Puran by my colleagues and details of Skand Puran submitted by Vishwa Hindu Parishad. The variation relates to the location of Janam Sthan (Place of birth). Ayodhya Mahatmya has been written in Sanskrit language comprising a number of Shlokas, i.e. in Skand Puran Ayodhya Mahatmya has been written in the form of Shlokas. At this point of time, I do not remember the edition and publication which contained the documents of Vishwa Hindu Parishad but they were certainly in a published form. I also do not remember the name of the publisher of the edition of Ayodhya Mahatmya furnished by my other colleagues. My colleagues Shri R.S. Sharma had made details of Ayodhya Mahatmya available to me. I do not remember the points of variation in between the details of Skand Puran furnished by Vishwa Hindu Parishad and the articles of Skand Purana made available by Shn R S Sharma However, the Sanskrit details furnished by Vishwa Hindu Parishad were scant whereas the articles furnished by Shri Sharma were quite detailed I do not remember if the article furnished by Shri Sharma contained the complete details of Ayodhya Mahatmya as mentioned in Skand Puran.

I also do not remember whether a mention of the details of Ayodhya Mahatmya furnished by Vishwa Hindu Parishad was made in the article of Shri R.S. Sharma or not. I have not completely studied the book written by Hains Baker, I have gone through it cursorily. This is correct to say that Ayodhya Mahatmya holds an important position in the arguments forwarded by Vishwa Hindu Parishad. This will be incorrect to suggest that I had submitted my report by accepting the location of Ram Janam Bhoomi as mentioned in Ayodhya Mahatmya, as correct. Despite the fact that complete details of location of Ram Janam Bhoomi as mentioned in Ayodhya Mahatmya are given in the book

written by Hains Baker, I did not study the book thoroughly because this was not his own research work relating to the birth place of Rama. I do not remember if I and my colleagues had visited the place named Mattgajendra mentioned in Skand Puran in connection with the investigation. I do not remember if the name of the place Mattgajendra is mentioned in Skand Puran for surveying the location of Ram Janam Bhoomi Sthan. We did not come across Lomush Ashram or Vighneshwar Mandir during our investigation but people told us that Lomush Ashram or Vighneshwar Mandir were existing here at some time. We had seen a number of temples on our way from the disputed site to Hanumangarhi. The temples belonged to some Hindu saints. I had seen no mosque from Hanumangarhi upto the disputed site. I had taken a round upto the river located in the north of the disputed site.

There were a number of temples in the north upto Saryu river and the above distance would not be three-four kilometers but only one kilometer. Janam Sthan Mandir and Sita Rasoi were located near the road in the north of the disputed site. I had visited Janam Sthan Mandir and Sita Rasoi. I had gone to Hanumangarhi Mandir and other temples also, but do not remember their names. There had been a temple close to the disputed site in the east which had been demolished in 1991. I did not see any other temple in the east of the disputed site. I have heard the name of Rain Gulela Mandir which was located in the east-north of the disputed site. I did not go there but had seen it while passing through that. At this point of time, I do not remember if I had seen any other temple also besides Ram Gulela Mandir. I had seen Ram Gulela Mandir from outside only. This is incorrect to suggest that the above temple is hundreds of years old. The temple should have been built within 200 years. I did not see any rock inscription placed

in front of Ram Gulela Mandir. Later on, he added, "I do not remember if I had seen any rock inscription there or not". This is correct that when I visited Ayodhya during my investigation, the entire disputed premises were under strict security because Para-military was guarding the temple on all the four sides and one was allowed to go in only after an extensive search. This is also probably correct that every visitor had to go through metal detector. I am not aware whether photography was prohibited at the site or not but we had been allowed to take photographs. I am not aware as to who had allowed us to take photographs. Prof. Sharma knew all about it. I do not remember whether police escort had been provided to me or my team for getting into the disputed site but I remember that when we reached the disputed site, some officers were waiting for us there. As far as I remember, no officer objected to our carrying the kit with us. The kit contained a knife also but still no one objected. Security personnel knew about our kit and its contents. Obviously, they would have seen the knife too. We had entered the disputed site through the passage, which was used by general visitors. This is correct that the passage used by visitors for going and coming was covered with iron barricades or barbed wiring. We had also gone by the same passage. The officers and police personnel present at the disputed site allowed me and our team to enter the premises through the passage covered by barricading.

I had seen the idol of Ram Lalla during my inspection of the disputed site. To my view to have 'darshan' and 'see' is one and the same thing. I had seen the idol of Ram Lalla which was installed under the middle tomb. During my inspection, I had gone to the north of all the three domes of the disputed premises. I had seen foot-prints. chauka', 'belan' there known as Sita Rasoi. I had seen flowers lying

on the idol of Ram Lalla and Sita Rasoi. During our inspection, Hindu visitors were also coming and going. This is correct that Sita Rasoi was inside the outer boundary wall. There was a gate to come in and go out and also gates in the north, in front and in the corner in north-east of Sita Rasoi. Stairs on the road had been constructed for going down from the gate. On entering through the eastern gate, a Chabootra was available on the left side. The Chabootra was in the south-east corner, i.e. portion. A shelter-like structure had been raised above the Chabootra but it did not look like a temple. Tiny idols of Gods and Goddesses were placed there. I had visited this site also. I do not remember if idols of Rain, Laxman, Sita were placed there or not. However, I had seen idols of Hanumanji and Nandi. It is correct that on entering from the eastern side, a temporary structure with thatched roof had been constructed on the right hand side of the disputed site. This construction was towards the north in between both the boundary walls, i.e. the inner wall and the outer wall. The construction would be around ten feet wide and twenty feet long.

The outer wall of the disputed site would be around eight feet high. I do not remember whether the wall was uniform on all the four sides but it was not there in the west, there was only a mosque there. In the west of the disputed site, there was the wall of Sita Rasoi and a part of the southern stairs, which is an open place. Outer wall was there. Barring the portion covered by tombs, outer wall was there on all the four sides but I do not remember whether the outer wall was completely uniform or not. This is correct that outer wall was on all the four sides in the west of the disputed site, except the structure of tombs. It is not that the outer wall was only in the east, north and south but also towards south except the structure of tombs. The height of

the wall of the disputed site in the west would be around 15 feet. This is incorrect to suggest that the height of the western wall of the mosque and that of the outer wall was the same. The western wall of the disputed site was not uniform, i.e. the wall on the side of temples was higher whereas the wall of Sita Rasoi and western portion of the stairs was lower. At this point of time, I do not remember the difference in between the heights of the two walls and, therefore, cannot indicate any estimate about it. It is not correct to suggest that I did not go in the west of the disputed site. This is correct that the disputed site was located on a mound.

The mound on which the disputed structure was located appeared to be more than thirty feet high when viewed from the west, whereas not much difference was observed on looking it from the east, the difference would have been only one-two feet. There was a road in the north leading upward. The height of the road was uneven. The mound on which the disputed site was located was of ground level in the east. Its height in the north would be around 10-12 feet and lesser at some points. There was a road in the north of the disputed site which had been constructed by cutting the disputed mound. There was a mound in the north of the road whereon Janam Sthan Mandir was built. The level of mound of Janam Sthan Mandir is slightly higher than that of the road. This mound would also be fairly high. The height of the mound of Janam Sthan was lesser than that of the disputed site but I may not be able to tell the difference between the two. At this point of time, I cannot even give an estimate of the difference of the two heights.

Question : Did you take any measurement at the disputed site to find out about the location of Shri Ram Janam Bhoomi?

Answer: We tried to look at the proof of Ram Janam Bhoomi at the disputed site and on not finding any such proof there, we tried to look at the other site as mentioned in Ayodhya Mahatmya.

This is correct that I did not take any measurement at the disputed site to lay my hands on Ram Janam Bhoomi because I did not find any importance of it. No measurement was taken at the disputed site keeping in view the location of Ram Janam Bhoomi as given in Ayodhya Mahatmya of Skand Puran. I, i.e. we people had carried out measurement as per location of Ram Janam Bhoomi mentioned in Ayodhya Mahatmya. The base of measurement as mentioned in Ayodhya Mahatmya is given by the length of the bow. I do not remember whether any base of the length of the bow is mentioned in Ayodhya Mahatmya or not. The base of modern meter, kilometer, mile is not given in Ayodhya Mahatmya. In my view, measuring the distance only on the basis of the length of the bow is given. I do not remember whether the basis of the length of bow is mentioned in Skand Puran or elsewhere or not. Later on, be added, "The basis of the length of the bow is certainly given, but I do not remember as to where has it been mentioned." (Attention of the witness was drawn to paper No.107C-1/75 filed in original suit No.5/89). On looking at it, the witness said, "It does contain details of Janam Bhoomi but its measurement has not been given on the basis of the bow. In Ayodhya Mahatmya, the distance of the bow has been made the basis and that is available there which I have also read." On looking at the Ayodhya Mahatmya of Skand Puran given by the cross- examining advocate, the witness said, "This is

not the text which was given to us by Shri Sharma Ji and which we had read.”

(The four Shlokas from 21 to 24 indicated in paper No.107C-1/75 given below are the Shlokas of Ayodhya Mahatmya. He added himself, “These are the extracts of a special edition of Ayodhya Mahatmya.”)

A pious man gets liberated from the bonds of birth by way of bath and charity on the day of Navmi.

One who gives in charity thousands of brownish coins daily gets at the same moment by exhibition of Janam Bhoomi Yagna performing ascetic gets the reward of thousands of ‘Rajsuya Yajna’ by living in Ashram. The pious persons meet salvation by way of devotion of parents and Guru by looking at the law abiding man particularly at the Janamsthan.

There are varied versions of Ayodhya Mahatmya and a number of recensions and have been written by sitting at different places. The portion quoted above is a part of Ayodhya Mahatmya. I do not know about the number of recensions of Ayodhya Mahatmya, but I am aware of three. I do not remember whether Shlokas from 21 to 24 which I have quoted in my report are different in the three Ayodhya Mahatmya or not. I have not read any book other than Ayodhya Mahatmya in which measurement has been given on the basis of the bow.

Verified the statement after hearing

Sd/-

Suraj Bhan

07.08.2000

Typed by the Stenographer in the open court as dictated by me. For further cross -examination in this case on 8.08.2000 . Witness be present.

Sd/-

7.08.2000

08.08.2000 (In continuation of 7.8.2002 statement of P.W.16 Shri Suraj Bhan on oath:).

I had been to Brahma Kund and in my view, Brahma Kund is also known as Vashisht Kund. I do not remember if there is yet any other Vashisht Kund. I have not been to any other Vashisht Kund. I do not remember how many more Kunds I had visited at that time. I do not know whether we had got information relating to Vashisht Kund there or not. The Kund which I visited was located at the bank of the river in the west of the disputed site. I do not remember whether Vashisht Kund is located on the south of the disputed site. This is incorrect to suggest that there is a mention of Vashisht Kund and not of Brahma Kund in Ayodhya Mahatmya of Skand Puran to identify the location of Ram Janamsthan. Volunteer that, "There is a mention of pilgrimages like Lomush, Vighnesh and Brahma Kund in the Skand Puran published by Kshemraj in 1910 and the manuscript found in Vrindavan Institute and also the manuscript found in the Bodlian Library, Oxford out of which I have quoted in my report. There is a mention of Brahmakund in the Skand Puran published in 1810 which I have quoted in my report. However, I do not remember if there is a mention of Vashishta Kund there or not. (On reminding the witness he told that the publication of Kshemraj was of 1910 and not of 1810. At this point, attention of the witness was drawn to paper No.107C-1/5 filed in original suit No.5/89) about which he said, "The Shloka 19 quoted is the one published by Kshemraj. I have not read the original book of Skand Puran but have read its translation only. I do not remember the name of the translator. Shri Sharma Ji had copied this translation and I had read it. I had read the Sanskrit Shlokas copied by him but I did not go through the original translation. I also do not remember from which original book Sharma Ji had

copied the translation. I have quoted Shlokas from 18 to 25 of Ayodhya Mahatmya in my report for the purpose of finding out the location of Ram Janam Bhoomi i.e. I have made the Shlokas as the base." On looking at paper No.107C-1/75 and also at Shlokas 18-25, the witness said, "I cannot say whether they are the same Shlokas as had been provided by Sharma Ji." Later on, Volunteer that, "Direction and distance is not mentioned in these Shlokas and hence they are different from Shlokas made available to me by Sharma Ji. Distance and direction are indicated in Shlokas 18 to 25 of Ayodhya Mahatmya provided to me by Sharma Ji. Direction to find out the location of Ram Janam Sthan is indicated in Shlokas written in this paper. It is correct that according to these Shlokas, the location of Ram Janam Bhoomi is in the north of Vashisht Sthan and in the east of Vighneshwar and in the west of Lomush. According to the Ayodhya Mahatmya of Skand Puran, which I have read, the location of Ram Janam Bhoomi is 500 bows in the west of Lomush, 1009 bows in the north-east of Vighneshwar. Lomush is 700 bows in the north east of Brahmkund.

In this way, Janam Sthan from Brahma Kund and Janam Sthan from north will fall in the south. In my above investigation, the location of Ram Janam Sthan falls on the bank of the river, but I found no remains of any temples etc. there. This bank of the river falls in the north of Brahm Kund. According to all the books we have gone through in this regard Ram Janam Bhoomi or Janamsthan has been proved to be located in Ayodhya. (Later on, he added, "In the form of a pilgrimage.") The witness added, "According to our investigation, Ram Janam Bhoomi Sthan should perhaps be 3-4 furlongs away from the disputed site. However, I have not mentioned anything about the distance in my report, but have provided an indication to the

possible location of Janam Sthan. Since I have not been able to locate Ram Janam Sthan in my investigation, I did not mention about it in my report. We proceeded with our investigation by accepting the version of the local people with regard to the location of Vighneshwar Mandir Lomush and Brahma Kund. Brahrna Kund was shown to us by the Granthi of the Gurudwara located there itself. We prepared our report by accepting the version of local people with regard to location of Brahm Kund and other places and it was because there was no other reliable basis for it. At this point of time, I do not remember the names of the persons who had told me about those places, but I remember that all of them were Hindus and a Sikh Granthi. No one amongst them was a Muslim. I did not myself try to seek information from any 'Mathadhish' or local 'Dharmacharya' (religious scholar) about the location of Lomush Ashram or Vighnesh Mandir. (Volunteer that it was the work of Sharma Ji). He added, "Taking measurement was also the work of Sharma Ji. I was with Sharma Ji when he took the measurement of the above places but measurement and its recording was done by him only. Rinmochan ghat is located at a distance of 600-700 metres in north-east of Brahma Kund. It is located at the bank of the river. The local people told me that Lumush Ashram was located at Rinmochan ghat itself. When I went to Rinmochan Ghat, I did not find anyone taking bath there. The level of water in the river was low. This is correct that there is a mention of Rinmochan ghat in Ayodhya Mahatmya. I do not remember whether it is written in Ayodhya Mahatmya of Skand Puran that one gets rid of loan by taking bath at Rinmochan Ghat. This is correct that there is a mention of Mattgajendra place in Ayodhya Mahatmya but I do not remember whether one should start with Mattgajendra for finding out the location of Ram Janam Bhoomi in accordance with Ayodhya Mahatmya. I do not remember whether it is mentioned in this Ayodhya

Mahatmya that by starting from Mattgajendra and passing through various temples one can reach the Janamsthan. I had gone through the translation provided to me by Sharma Ji and also the original Sanskrit text before proceeding to Ayodhya. On reaching Ayodhya, I do not remember if I gathered information relating to Mattgajendra place. I do not remember whether Mattgajendra located in the east-north from the disputed site which is presently known by the name of 'Matgainsthan' is existing or not. I do not remember whether Ram Gulela in Ayodhya is known as Lomush Ashram or not. I do not remember if I had seen any rock inscription with the words 'Lomush Ashram' written thereon in front of Ram Gulela Mandir.

This is not correct to say the people who told us about Lomush Ashram, the same people told us that the disputed site was Babri Masjid and I accepted their version." (Volunteer that he himself went to Babri Masjid, examined, studied it and took its measurements). The witness stated, "I did not find any epigraphical evidence except the rock inscriptions installed by Meer Baki at the disputed site on the basis of which it could be inferred that the name of the disputed structure was Babri Masjid. The rock inscription was as old as the mosque itself. This is correct that Dr Sushil Srivastava had stated that the above rock-inscription is of 19<sup>th</sup> century but I do not agree with his opinion. This is also not necessary that I agree to all his opinions given in the book. I agree with this opinion of Dr. Sushil Kumar Srivastava that Ram Janam Bhoomi Mandir was not there at the disputed site nor that Babri Masjid was built by demolishing the Mandir. At this point, I do not remember his other views with which I do not agree but I can identify them by looking at the book. Traditions are also helpful in archaeology. The entire Hindu Society does not believe that Lord Rama was born in Ayodhya, but the Brahmi tradition

believes it. This is correct that I have mentioned in my report about the excavation carried out by B.B. Lal. This is not correct that I had read of the report of B.B. Lal published in India Archaeology. I have read a number of articles written by Prof. B.B. Lal on the subject besides the press reports covering his speeches.

I had gone through the article of Prof. B.B. Lal published in the Archaeological Review. The relevant report was published in 1976-77." (At this point, attention of the witness was drawn to paper No.107C-1/62 filed in connection with the original suit No.5/89) On looking at it, he said, "Dr. B.B. Lal has mentioned in his report published in 76-77 about excavations carried out at three places. I have read other reports of Dr. Lal also according to which he has undertaken excavation work at 14 places. Since Dr. Lal has not mentioned in his report whether the 14 places where he undertook excavation included the earlier three places or not, it is generally accepted that in all Dr. Lal had undertaken excavation work at 14 places including Bharat Kund (Nandigram). Out of the 14 places where Dr. Lal had undertaken excavation work, two places were near the disputed site. We are aware of the excavation work being carried out by him surrounding the disputed structure. With regard to the excavation carried out by him in the south of the disputed site, he has mentioned in his report that there has been habitation there since 7<sup>th</sup> century B.C. which continued till 3<sup>rd</sup> century A.D. He has described the remains of Gupta age as of no importance and then indicated a gap in habitation which again started in the 11<sup>th</sup> century. He has also mentioned that two floors belonging to later medieval period have been found there and nothing noteworthy belonging to the later period has been found there. I do not completely agree to his report relating to his excavation in the south.

Shri Krishan Dev and Dikshit Ji were the two main colleagues of Shri Lal during his excavation work. There could have been others also but they would have been as ordinary assistants. I have a faint memory that Shri R.N. Kaw had been working with him as an ordinary Assistant. Reports of Prof. Lal relating to Ayodhya excavation had been published in Indian Archaeological Review in 1976-77 and 1979-80. The excavation work had been undertaken by the team of Shri Lal Sahib under his leadership. His team included others besides the field Archaeologist. I do not know as to who amongst his colleagues were field archaeologists besides Dr. Lal. Dr. Lal had undertaken excavation work in the west and not in the east of the disputed structure. Dr. Lal has mentioned in his report that he had undertaken excavation work in Sita Rasoi also but Sita Rasoi was outside the disputed site." Later on, he stated, "Sita Rasoi is inside the disputed premises but Shri Lal has undertaken excavation work outside the disputed site and in the west." Then he added, "One Sita Rasoi is inside the disputed site and the other one is inside the Janamsthan Mandir in the north of the disputed site." Volunteer that, "I am not aware whether he did any excavation work in the second Rasoi or not. I cannot tell about the place, except the above two places, where he had undertaken excavation work. I tried to find out the places (except the two) where B.B. Lal Sahib had undertaken excavation work. I could not locate the excavation work done by Dr. Lal in the western part of Hanumangarhi." He added himself, "It was because the trenches had been filled after excavation. Hanumangarhi is located at a distance of one furlong and not half furlong from the disputed site in the eastern side. The excavation work done by Prof. Lal in the eastern side of the disputed site has been described by him in his report as having been

done at a small distance from the disputed structure. This place could be somewhere in between the disputed structure and Hanumangarhi; it could be near Hanumangarhi. He has mentioned in his report also that this place is near Hanumangarhi. This is correct that I could not locate that trench at the site. This is correct that Dr. Lal had undertaken excavation work at the bank of Saryu river itself. I could locate some places amongst them in that area near Rinmochan Ghat and around Vighneshwar. I had been to Laxman- Tila also but could not locate the trench dug by B.B. Lal. I did have information about the trench dug by Shri Lal, but I failed to locate it. I did not go to Bharat Kund (Nandigram) though Prof. Lal had undertaken excavation work there.

I have mentioned in my report about the excavation work undertaken by Banaras Hindu University under the leadership of Prof. A.K. Narayanan. The excavation work was done at three places, namely Laxman Ghat, Laxman Tila and Nal Tila. Laxman Ghat is located by the side of the bank of the river at a distance of more than one kilometer in the north-east of the disputed site. Laxman Tila is in the south of the disputed site and at a distance of around one furlong. Nal Tila is located in the south-east direction but at a greater distance from the disputed site. The sequence made -of the excavation work by B.H.U. matches with the sequence mentioned by Dr. Lal. The excavation by B.H.U. was done in 1969-70. B.H.U. had not carried out any excavation work at the disputed site or the surrounding area. However, it is correct that sequences of both the excavations are broadly the same. However, I do not fully agree with the report of the excavation carried out by B.H.U. There is no excavation report available about Ayodhya except the two excavation reports mentioned above. I did not think it necessary to undertake excavation neither it

was a part of my project. It is incorrect to suggest that my report has been prepared by ignoring the archaeological evidences. This is again incorrect to say that I have prepared my report on the basis of Dr. S.P. Gupta's report only. The fact is that I had submitted my report on the basis of the material and documents provided by Dr. S.P. Gupta and also my own study, use of other sources and site. This is correct that I had submitted a rejoinder to the article of Dr S P Gupta in the year 1990 which was also published in newspapers, but it had been submitted before my furnishing the report. By report, I mean our report entitled 'Report to the nation'. By the word 'nation' I mean people of India.

This is correct that I had submitted my report in connection with the dispute in between Vishwa Hindu Parishad and Babri Masjid Action Committee.

I am aware that at the behest of Government of India, talks regarding this dispute were going on in between Babri Masjid Action Committee and Vishwa Hindu Parishad. After receiving the summons from the court, we came to know of the parties involved in this dispute/ suit. To my knowledge, it is neither Hindus versus Muslims nor it is in between Vishwa Hindu Parishad versus Babri Masjid Action Committee. I am not aware of any dispute which might be pending in between Vishwa Hindu Parishad and Babri Masjid Action Committee or any other dispute. Neither Babri Masjid Action Committee nor Vishwa Hindu Parishad is a party to the suit in connection with which I have come here to depose. There was a dispute in between Babri Masjid Action Committee and Vishwa Hindu Parishad at the time when I submitted my report. The dispute was before the Government as well as the public too. We knew about it through the newspapers. Babri Masjid Action Committee was formed in 1986 while Vishwa Hindu Parishad had been

in existence even prior to that, but I am not aware of the precise time of its formation. This is correct that talks in between the two had started in 1990. I had also joined that talk subsequently. Dr. S.P. Gupta, Prof. B. Sinha and a few other scholars were participating in the above talks on behalf of Vishwa Hindu Parishad whereas Jilani Sahib and others were representing Babri Masjid Action Committee. I do not remember the names of persons other than Jilani Sahib who were a part of the above talks. I had not participated in the above talks on behalf of Babri Masjid Action Committee or on behalf of Vishwa Hindu Parishad, rather I was taking part in the capacity of an independent historian.

Question: As per your information except Jilani Sahib, there was no other scholar on behalf of Babri Masjid Action Committee and that is why you and your three other colleagues had participated in the above talks claiming to be scholars of the subject matter?

Answer: It is not correct. (On this question, Shri Jilani, the advocate of the plaintiff objected saying that it was a compound question and it is inferred from the question that no other scholar except Shri Jilani had taken part in the discussion on behalf of Babri Masjid Action Committee whereas no such question has been raised above.)

Court: The point of objection will be decided at the time of arguments and judgement.

As far as I remember, I had participated twice in the talks held at the behest of Government in between the two parties. Possibly, I would have participated in the meetings

for more than two times. At the behest of the Government, the talks between the two parties were held at the residence of Prime Minister. Besides the Prime Minister and a few of his representatives, representatives of both the parties also took part in the above meetings. I do not remember the dates of the meetings in which I had participated. This is correct to say that the Prime Minister had asked both the parties to place their respective evidences and also directed that they should share the evidences within themselves. Possibly, it was also directed that both the parties may nominate their respective historians and archaeologists also so that they could be invited for the discussion on the disputed matter. As far as I remember, such a meeting was held earlier in November 1991. At this point of time, I do not remember about the evidences and certificates handed over to me on behalf of Babri Masjid Action Committee, but I had been provided with sufficient number of documents on behalf of Government, but I do not remember the details thereof. It is incorrect to suggest that Babri Masjid Action Committee had furnished no evidences and had adopted the report of the four historians of us namely 'Report to the Nation' and furnished it as their evidence. I am not aware whether Babri Masjid Action Committee had made me and my three colleagues as their nominees but we had ourselves offered to the Government to participate in the talks.

I do not remember if I have read Vaman Puran, Narad Puran, Padam Puran and Vishwadharmottar Puran. I have not read Ain-e-Akbari written by Abul Fazal. The reference of Ain-e-Akbari as contained in our report is based on the study of my colleagues. This is correct that in Ain-e-Akbari, Ayodhya has been mentioned as the work place and birth place of Lord Rama. I have only partial knowledge of the

book 'Hadiktul Shohda' written by Mirza Jan. Chahal Nasai has been referred in this very book.

It is partly correct to say that it is mentioned in this book that Ram Janam Bhoomi Mandir was demolished at the disputed site and a Masjid was constructed and that similarly, temples were demolished in Mathura and, Kashi and mosques were constructed thereon. By 'partly' it is meant that it is not written that mosque was constructed after demolishing the temple, but it is mentioned that mosque was constructed after demolishing Sita Ki Rasoi. It has been mentioned by Mrza Jan in his book that the daughter of Bahadur Shah Alamgir has written like this in her book Shahife-Chahal-na Nasai. This is not correct to suggest that Mirza Jan has mentioned in his book that the daughter of Bahadur Shah Alamgir had written her above book in 17<sup>th</sup> century. She has not mentioned any date of writing the above book. Mirza Jan has possibly referred to pilgrimages other than Ayodhya in his book. Mirza Jan has referred to Mathura Banaras besides Ayodhya in his book. I do not remember whether he has mentioned other pilgrimages also or not. I do not remember whether there is a mention of Kot Ram Chandra Mohalla of Banaras but mention of Kot Ram Chandra is found in many books. I do not remember whether it has been mentioned in Ain-e-Akbari that Sita Ki Rasoi is located in Kot Ram Chandra Mohalla in Ayodhya. Ain-e-Akbari was written in 1598.

It is correct that Sir Martimillar was a renowned archaeologist and was a resident of England. It is possible that Martimillar awards are given to Field Archaeologists. This is correct that in India, we have an organization by the name of Archaeological Society. It is incorrect to suggest that only archaeologists could be the members of the organization." Later on, he added, "It has not been like this

for the last few years. This is correct that initially only Archaeologists could be members of this organization. I have been a member of the organization right from the beginning. It is correct that currently Shri S.P. Gupta is the Chairman of the above organization but I do not remember since how long has he been holding this office. I cannot tell precise terms whether he has been the Chairman of the above organization for the last 15 years or not. At present, I am not a member of this organization. I do not remember since when I have ceased to be a member of the organization, but I have severed my relations with the organization ever since it has been involved in manipulations. This is incorrect to suggest that Dr. S.P. Gupta has undertaken any excavation work, he simply underwent training in excavation. I do not remember whether in 1962 there had been any excavation at international level in R.C. Sure Cure, France nor I have heard of any such place. -It is to my knowledge that Prof. B.B. Lal had undertaken excavation work at a place namely Giland in Rajasthan in 1959-60. Dr. S.P. Gupta had not participated in this excavation nor was he a member of any official team. This is correct that we have a organisation in Delhi by the name of Indian Institute of Archaeologists. This is incorrect to suggest that Dr. S.P. Gupta has been associated with the organisation, i.e. has been a member of it right since its inception. I do not remember whether Maulana Azad Gold Medal is awarded for notable contribution in the field of archaeology. It is incorrect to suggest that Dr. S.P. Gupta has been awarded Sir Martimillar award and Maulana Azad Gold Medal as an expert in Field Archaeology. I do not remember whether he has got both the above awards or not. I am aware of the institute by the name of ICHR. This is correct that Prof. B.R.Grover is the existing Chairman of the Institute. At the time when I undertook investigation of the disputed site,

Prof. Irfan Habib was the Chairman of the Institute. This is correct that we had received grant from this Institute for undertaking investigation of the disputed site. This is incorrect to suggest that we have submitted our report with the sole purpose of refuting the report, i.e. the article of Dr. S.P. Gupta. This is also incorrect to suggest that we have submitted our report without carrying any inspection and taking measurement of the disputed site. This is incorrect to suggest that I submitted the 'Report to the Nation' being a representative of Babri Masjid Action Committee or with the intention of supporting it or that I had based my 'Report to the Nation' on my article itself. This is again incorrect to suggest that it is because of the above reasons that I had not referred to any religious book, Ved-Puran etc. nor mentioned about them. This is also incorrect to say that I had not undertaken archaeological investigation in the capacity of an archaeological investigation nor I had carried out any inspection of the disputed site.

(Cross-examination of Param Hans Ram Chandra by Shri Madan Mohan Pandey concluded).

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

xxx            xxx            xxx            xxx

I had done my B.A. in 1953 with Sanskrit and Economics as my subjects of study. I had English literature also. I do not remember if there was any other subject besides the three subjects mentioned above. I had passed my B.A. from Delhi University. This is correct that I had not studied the subjects of History and Archaeology upto B.A. I passed my M.A. in Archaeology and Culture also besides

Sanskrit. I obtained degree in Sanskrit in 1955 and in Archaeology and Culture in 1960. I obtained M.A. degree in Archaeology and Culture from Baroda University. There were eight papers under M.A. in Art and Culture. It was a two years' course but the final examination was conducted at the end of the second year. I do not remember the period covered under the course of History. I only remember that ancient history and early medieval history but only relating to India were in my course.

I do not remember whether there was a topic in my course on the relationship between History and Archaeology, but it is correct that I had studied the relationship between the two subjects. I had studied about both the above subjects. This is incorrect to suggest that my knowledge of History is scant but it is correct that I am not an expert of History. This is not fully correct to say that knowledge of History is essential to have full command on Archaeology." Later on, he added, "Knowledge of History is not essential in every area. Knowledge of History is essential for an Archaeologist in historical period. By historical period, I mean the period from which recorded evidences of History started coming up. I am not aware whether I am deposing in this suit in the capacity of an Archaeologist. This is incorrect to suggest that I am not an expert of Archaeology. It is necessary to have knowledge of the methodology of Archaeology and practical knowledge of the practice of Archaeology. I have obtained my degree of Ph.D. in the field of Archaeology only. I had obtained the said degree perhaps in 1975 and that is why I address myself as Dr. Suraj Bhan.

It is incorrect to suggest that my research work under Ph.D. had no bearing on History rather it would be more appropriate to say that the above research work was helpful

in the evolution of History. It is incorrect to suggest that there was no contribution of History in my research work. It is incorrect to suggest that I had not undertaken any research work relating to ancient Indian civilisation. All my excavations and explorations are associated with ancient Indian civilisation. This is partly correct to say that excavation is undertaken at the time of investigation related to History.

Indus Civilisation was discovered in the year 1920-21. Harappa and Indus Civilisation is the name of the same civilisation and culture. I have not done any research work by undertaking excavation in Uttar Pradesh. I have not undertaken any excavation work in Bihar. Broadly Indian Archaeological Civilisation starts from 2500 B.C. Buddhist literature starts becoming available with effect from 5 century B.C. No idols were found in Vedic age. Archaeologically the idols have begun becoming available from Christian Era, which starts from 1<sup>st</sup> century A.D.

Verified the statement after hearing

Sd/-

Suraj Bhan

08.08.2000

Typed by the Stenographer in the open court as dictated by me . For further cross -examination in this case on 9.08.2000 . Witness be present.

Sd/-

8.8.2000

09.08.2000

(In continuation of 8.8.2000 statement of P.W.16 Shri Suraj Bhan on oath).

History and mythology are not the major sources of Archaeology, but they are made use of as material source. This is correct that archaeological research becomes the source of History but not of mythology. I have heard the name of Jeemut Vahan. I do not know, whether he has written a book on 'Day Bhag' (share of inheritance) or not. It is not possible to say that the period of Jeemut Vahan had been from 1100 to 1150 B.C. I do not precisely remember the period of his activity. I do not remember whether Jeemut Vahan has written 'Agast Samhita' or not. As per Hindu mythology, according to Jeemut Vahan, Ram Chandra Ji was born on the 'Navmi' (ninth day) of 'Shukia Paksha' (the light half of the month) of the month of 'Chaitra' of Hindu calendar. I do not know whether Shri Vahan has mentioned about the above date of birth in his book. 'Atharva Ved' is a work of later Vedic Age. I do not know whether there is any mention of the birth of Ram Chandra in Atharvaved, but there is a mention of Ayodhya in it. Raghuvansh is supposed to have been written in the 5 century. It is mentioned in Raghuvansh that Ayodhya was the capital of north Kaushal. There was a long list of rulers of Ikshwaku dynasty in the book. It is correct that the name of King Dashrath was included in the above list. King Dashrath is described as the father of Rama. This is correct that in Raghuvansh, Ayodhya has also been addressed as Saket.

Lord Rama is regarded as the incarnation of Vishnu but I do not know whether he is regarded as the seventh incarnation or not. I am not aware of the book named Himadri. I am not aware of Hitutat Granth also. I have

heard about the book 'Nirnay Sindhu' but I have no knowledge about it. I am not aware whether there is a mention of Shri Ram Ayodhya and Ramnavmi vrat (fast) in the book 'Nirnay Sindhu' and in 'Agast Samhita' written by Anand Van Yati disciple of Mukund Vand Tithi and in articles like Ramarchan Chandrika etc. This is incorrect to suggest that the time of 'Vedic Sainhitas' and 'Brahno' and 'Upnishads' is 4000 to 1000 B.C., but the fact is that the time of above books is in between the year 2000 B.C. and 500-600 B.C. There is a dispute on the point that the time of 'Manu Smriti' is in between the year 200 to 100 B.C. Some people stretch it up to 300 A.D. After research, I have concluded that the time of Manu Smriti is regarded till 300 AD. There is no evidence to the effect that Vrat of Ramanavmi has been continuing for thousands of years. In my opinion, vrat of Ram Navmi has been continuing since the period of Akbar. There is no evidence prior to it. I am not -aware whether Jeemut Vahan has mentioned in his 'Agast Samhita' that the vrat of Ramnavmi has been continuing since the year 100 A.D. in my opinion, there is no mention of Ayodhya in Rigveda. I am not aware whether the word 'Tirth' (pilgrimage) has been used in Rigveda or not. I am not aware whether there is a mention about Tirth in Richa No.1/1 of Rigveda. I have not read that Tirth Sthan has been described as a noble place in Richa No.10/21/3. I do not remember whether 'Tirth Sthan' has been mentioned as 'Taran Sthan' or noble place in Rig Veda. This is true that I had not studied Rigveda and Atharvaveda before submitting my 'Report to the Nation' because these books were not concerned with my research. The report submitted by us is an investigative article and it is incorrect to suggest that it is merely an article and not an investigation. This is incorrect to suggest that any archaeologist goes through all the religious books and history and all earlier reports before his archaeological investigation. However, if

the above books, history or articles are relevant, it becomes necessary to go through them. It is only at the time of actual reading that one comes to know whether it is necessary to go through such literature or not. I had gone through all the archaeological articles/reports relating to the dispute before submitting my report. I have read a number of articles of Prof. B.B. Lal but I do not remember if I have gone through his report articles namely 'Archaeology of Ramayana Sites Projects — its genesis and summary of the result New Delhi' presented by him on 27.6.89. I have read that there had been Hindu-Muslim riots in 1934. I have also read that some portion of the disputed site had been demolished during the above riots. This is incorrect to suggest that after the riots, a rock-inscription had been placed at the disputed site on which it was written that Mirbaki had constructed this mosque with the permission of Babar. Buvadkhair Baki has been written on the above rock-inscription in accordance with a study but the writing is not in accordance with that study. However, whatever Z.A. Desai has written about this writing is correct.

This is correct that a word 'kalandar' is written on the same rock inscription. Kalandar has a number of meanings and 'intelligent' is one of them. The other meaning is 'sturdy'. I do not remember the other meanings. This is also correct that Kalandar stands for 'sufi saint' and the word is used for vairagi (ascetic) also. It is correct that the Atala mosque of Jaunpur is similar to the so-called mosque at the disputed structure. I am not aware whether Atala mosque existed in the days of Babar. This is incorrect to suggest that the pillars installed in the disputed structure were available only in the 11<sup>th</sup>, 12<sup>th</sup> century. Based on the expert opinion of the Geologist, I believe that the 14 black pillars available at the disputed site were made of black basalt. Stone of 'kasauti' is one on which purity of gold is

examined. It is incorrect to suggest that during 11<sup>th</sup> and 12<sup>th</sup> century, mostly pillars of 'kasauti' were installed in the temples. I have not read in any authentic book of any pillar made of 'kasauti' stone being installed in any temple. It is incorrect to suggest that an archaeologist must possess the knowledge of pillars of kasauti. Plaster was broken at some places in the disputed structure and various types of bricks had been made use of along side of the stone. The bricks that we saw at the disputed site partly belonged to the period of Babar and partly of subsequent period. At this point of time, I do not remember whether I had seen the bricks in the disputed structure in the upper or the lower portion. I had seen those bricks but did not touch them, i.e. I had not felt them. By looking at the shape and size of the bricks, I had inferred that the bricks belonged to Babar age.

The size of those bricks was bigger than that of Lakhaury bricks which I regard as the bricks of Babar age. Lakhaury bricks were in use in 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup> century. (Volunteer that), "Such bricks were in use at certain places even in the later period. I cannot give an idea about the length, breadth of the lakhaury bricks because the bricks are available in different sizes. At this point of time, I cannot tell about the length, breadth of the bricks belonging to Babar's age, but I can recognise the bricks on seeing them. I do not remember since when or from which early period the bricks of Babar's age are in use. This is not correct that there has not been any change in the bricks in between the period 1100 to 1500. However, at this point of time, I cannot tell in detail as to when did the changes occur in the bricks in between 1100 to 1500. I cannot tell as to how many times changes had occurred in bricks in between 1100 to 1500, but it was a continuous process which went on. Since the bricks of the building were not extensively damaged and the walls standing there were not

uneven, I concluded that the bricks would be of Babar's age. Slabs were set in the walls alongwith the bricks from bottom to the top. It is correct that the sizes of slabs and bricks differed. Inscriptions were set at two places in the disputed structure. Both the inscriptions were engraved in the slab but the slabs of the outer inscription was fixed in the wall. Both the above inscriptions were written in Persian language. This is correct that I cannot read Persian language and hence could not read both the inscriptions at the site. I could not even see the inner inscription because idol of Lord Rain Lalla was installed there and that portion of the wall was covered with cloth.

My article which is available as paper No.110-C was written by me on 26.12.90 but at this point of time, I do not remember the places where it had been published. I do not remember the name of even one newspaper which carried the article. I had sent the article to a number of newspapers (At this point, the cross-examining advocate drew the attention of the witness to paper No.110-C-1/8 filed in original suit No.5/89). On looking at it, he said, "It is correct that it does not bear the name of the newspaper to which the article had been sent. This is correct that I had written this article myself under those circumstances. This is correct that we had submitted our report to the Government of India on 13.5.91. This is incorrect to suggest that we had made up our mind in favour of Babri Masjid even before submitting the report. This is also incorrect to suggest that the basic perception contained in my article of 26.12:90 had been expressed in the report. This is correct that we did not refer to the arguments of Babri Masjid Action Committee in our report because we did not feel it relevant to do so. This is not fully correct to suggest that we did not regard the arguments put forward by Babri Masjid Action Committee as relevant because they were baseless. This is

totally incorrect to suggest that I have been receiving money from the conveners of Babri Masjid Action Committee right since its inception. This is correct that I had not written any article on this subject, i.e. regarding the disputed site prior to 1990. This is totally false that I had asked for money from Vishwa Hindu Parishad and other Hindu organisations and on not getting the money, I submitted the report in favour of Babri Masjid.

This is incorrect to suggest that Athar Ali had a leading role in the preparation of this report. This is also incorrect to suggest that I had turned into a communist minded man in 1990. Even today, I owe no allegiance to the communist school of thought. Shri Athar Ali, R.S. Sharma and D.N.Jha also are not the persons belonging to the communist school of thought. This is incorrect to suggest that we have been getting hefty sums from Babri Masjid Action Committee for giving evidence here. This is also completely incorrect that I am deposing here under the pressure of Babri Masjid Action Committee.

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

(Cross-examination by Shri Puttu Lal Mishra on behalf of plaintiff Rajendra Singh S/o Late Gopal Singh Visharad case No.1/89).

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The subject of my Ph.D. was not limited upto only 'Lupta Saraswati' (vanished Saraswati), but had a bearing on the archaeology of the area also. I had undertaken research about these two old rivers covering the area from

Shivalik to Ganganagar. My research work was limited from Shivalik to Ganganagar. Many articles of mine on archaeological research have been published. My articles are being published from 1960 till date, but I do not remember the number of my articles that have been published.

None of my books on the subject has been published so far. I have sent the manuscripts of a research work to Indian Institute of Advance Studies, Simla. The word book is quite vague. Later on, he added, "I have definitely sent two reports which have been published also. The research papers sent to Simla are different from my thesis of Ph.D. I had sent papers relating to my research work to Simla around 1970, i.e. the later half of seventies. The papers of research work sent to Simla are on archaeology based on the portion in between Satluj-Yamuna. I had started my research work for preparing papers meant for Simla in 1973. A copy of the research paper is available at my house. I did not send any reminder after sending research papers to Simla, but I am in constant touch with them. I had taken the project of research papers from Simla Institute and submitted it to them only after completing the research. This is correct that I had got this fellowship from Simla Institute. This is correct that I had sent them this report under this fellowship, i.e. towards fulfillment of the work relating to the project. Besides the above, I have also undertaken research in Lothal and Bhagatrao at Gujarat. I had worked towards the project of excavation of Lothal at Lothal and had submitted a report on the work. I had done this work at Lothal while in service.

If Monument Archaeology is limited with monuments then I have not written any book on it. I have not done any

research work relating to the ancient archaeological buildings nor have written any book on this subject.

Shri R.S. Sharma is known to me for a long time, but I cannot tell as to since when he has been known to me. It should be more than 20 years old association. This will be incorrect to suggest that our association started in 1980. I had met Athar Ali in the decade 80-90. My association with Jha sahib should also be around 20 years old. All the four of us had collectively undertaken the first research work of the disputed site only prior to which we had not undertaken any research work collectively nor we undertook any research work collectively thereafter. The work of preparing this report and the research work had started in 1991. We had written to the Government in connection with this research work and had participated in the meeting at the instance of the Government and it was decided therein that we should submit a report on the matter. We had written to the Government with the consent of all four of us. Before writing the letter, I had done some work on the subject and had written an article also. The article was written exclusively by me. All the four of us had done no work collectively before my sending the letter to the newspaper in 1990. I do not remember at this point of time, whether the letter from the Government about the meeting was a joint letter addressed to all four of us or there were independent letters.

Besides all four of us, Shri S.P. Gutpa, Shri B.P. Sinha and Sh. B.R. Grover were also present in the meeting called by the Government. There were some more persons but I do not remember their names. It was decided in the meeting itself that all the four of us would undertake research collectively and submit the report. Leaving all four of us, all the remaining experts or archaeological experts

were participating in the meeting as scholars on behalf of the parties. Only the four of us were independent and hence, we were to submit this report after going through the documents furnished by both the parties. Shri S.P. Gupta was present as an expert on behalf of the mandir and so were Shri B.P. Sinha, Shri B.R. Grover, Shri Devendra Swarup. Ram Janam Sthan and Sita Rasoi mandir are located in the north of the disputed site. There is a road in between the disputed site and Sita Rasoi mandir. If one stands on the road in the north of the disputed site, height of the disputed site would appear different to him from all angles because the road is a slope. The height of the disputed site from the road would be around 10-12 feet. The height of Janam Sthan mandir would also be the same. The height of both the places, i.e. disputed site and Ram Janam Sthan mandir appear to be equal at the point where the road goes up. One has to cover a distance of more than 50 meters from the road to reach the disputed site. One reaches the eastern gate of the disputed site after walking for 50 meters. It was for the first time that I saw pillars of black stone in Babri Masjid.

I have already told that the black stones are of black basalt and belong to the period from 9<sup>th</sup> to 10<sup>th</sup> and 10<sup>th</sup> to 11<sup>th</sup> century. The number of pillars made of black stones was fourteen at the disputed site and were set at different places. Four pillars were set on the main gate below the main dome. Four pillars were set on each of the arches on the right and left of the main dome and two pillars were set on the eastern gate near the outer boundary wall. There were domes on the right and left of the main dome but there were no pillars on the eastern arches. There was no arch in the west, nor in the north, south.

Ram Lalla was there on a stage adjacent to the western wall under the main dome, which was in the middle of the disputed site building. People were visiting that place and offering flowers etc. also. Pillars of black stone were set in the arches of three sides of the main dome. There were five arches in the disputed building. There were three arches in the middle dome and they were in the east, north and south. There was no arch in the west. The black stones were set in these three arches only. The other two arches were on the eastern gate of the domes on both sides of the main dome. Black stones were not used in these two arches. There was no parallel arch in the west of both these arches. There was no arch, nor black stones in the west. This will be incorrect to suggest that there were arches on all the four sides of the main dome. This will also be incorrect to suggest that there were four arches in the main dome. This will also be incorrect to say that three pillars each of black stone are set in these domes.

This is also incorrect to suggest that those pillars of black stones were stones of 'kasauti'. This is incorrect to say that I did not see the inner portion and its arches and that is why I am making a false statement.

(Cross-examination by Sh. Puttu Lal Mishra, Advocate on behalf of plaintiff Rajendra Singh S/o Late Shri Gopal Visharad in case No.1/89 concluded).

(Cross-examination by Shri Devki Nandan Agarwal himself and other plaintiffs on behalf of plaintiff No.1 and 2 and plaintiff No.3).

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(The attention of the witness was drawn to paper Nos. 110C/8 to 110C/13 filed in connection with suit No.5/1989) on looking at it, the witness said. "It is incorrect to suggest that I have vomitted poison against Dr. S.P. Gupta in this article." The witness was read over the following text of the article, and after hearing and looking the same, he said, "This is incorrect to suggest that it is like vomitting poison, rather it has been correctly presented." The relevant text was as hereunder: "It is painful to see Dr. S.P. Gupta, the former Director of Allahabad Museum becoming part of a move to use history and archaeology to buttress unscientific thinking and strengthen irrational prejudices."

I have told that the basis of this inference of mine is the article of Sh. Gupta published on 2<sup>nd</sup> December in the Indian Express, Chandigarh. The article was published in the year 1990. I had not given this article to Jilani Sahib, Advocate prior to May 1992 and not even subsequently. This is also incorrect to suggest that I had given this article to Shri Abdul Mannan, Advocate. I do not know nor I could tell as to how this article reached him. Paper 110C-1 is not the photocopy of office copy. The signatures on the article are mine. I had signed the article which I had sent to the press and the office copy too would be carrying my signatures. I can say it in certain terms that it is not a photocopy of the office copy of my article. Paper 110C would be the copy of the photocopy of my original article. I must have written the name of the press on the original copy of my article, but I could have missed it at some places. I cannot say that it was due to carelessness on the part of m or my assistant that name of the press was left being I mentioned on any letter. I do not know whether my article was published in many newspapers or not. This is completely incorrect to suggest that I had prepared this article at the behest of Javed Habib Sahib and it was at his

instance that I got it distributed at various places. I believe that Chandra Shekhar Ji was the Prime Minister of India in December 1990.

I do not remember whether the first meeting of 4<sup>th</sup> December 1990 between Vishwa Hindu Parishad and Babri Masjid Action Committee took place in the presence of Shri Chandra Shekhar Ji. It would be in my knowledge, but I do not remember that a dialogue between the two parties would have started right from the time of Chandra Shekhar Ji. I do not know whether Jilani Sahib represented Babri Masjid Action Committee during the time of Chandra Shekhar Ji. This is incorrect to suggest that I had, prepared the article of December 1990 at the behest of Babri Masjid Action Committee. I do not remember whether you, i.e. Devki Nandan Ji were present in the meeting held on 24<sup>th</sup> January 1991. This is correct that the meeting of January 1991 was in continuation of the meeting held in December 1990 during the regime of Chandra Shekhar Ji. I had read it that it had been decided in the meeting held in December 1990 that both the parties would present their respective arguments and evidences. I had also read that the evidences of both the parties were examined during the meeting held in January 1991 and it was decided that both the parties would bring their experts in the next meeting. This is incorrect to suggest that in pursuance of that decision, Babri Masjid Action. Committee nominated all the four of us as experts. This is incorrect to suggest that it was because of this that letters were sent to us by the Government for attending the next meeting to be held on 24<sup>th</sup> January 1991. This is again incorrect to suggest that Javed Habib Sahib had taken us to the meeting held on 24<sup>th</sup> January 1991. I do not know whether during the meeting held on 24<sup>th</sup> January 1991, two groups were formed one of historians and the other was a legal group. I do not

remember whether I had gone to participate in the meeting held on 24<sup>th</sup> January 1991. As far as I remember, for the first time, I had gone to attend the December 1990 meeting. None had taken a decision in the meeting in which I had participated to form two groups one of historians and the other legal group. No group of historians was even formed. No such decision was taken in my presence in any meeting that the experts of Babri Masjid and Vishwa Hindu Panshad should present their opinions. No such group was formed in my presence in any meeting which comprised myself, Athar Ali, Shri S. Sharma, T.N. Jha and Javed Habib Sahib as representatives of Babri Masjid. Shri R.S. Sharma had of course written on behalf of all the four of us that we needed six weeks' time and that we should be allowed expenditure by the Government for coming and going to Ayodhya and undertaking research. The witness was shown his statement at page 82 (written on 18.7.2000) and he was asked to tell whether his statement given therein or his statement given today to the effect that he did not remember whether he had attended the meeting on 24.1.91 — which one of the two is true. On looking at his earlier statement, the witness said, "That day, I had been shown the .copy of my letter and that is why I had told that I had attended the meeting of the 24<sup>th</sup> and as such that statement only is true. I had gone to attend the meeting held on 24<sup>th</sup> January 1991. Besides the 24<sup>th</sup> January 1991 meeting, I have attended other meetings also. After this meeting, I had gone to attend the meeting convened by the Central Government at Vigyan Bhawan. Shri Narsimha Rao was the Prime Minister at that time and the meeting was held after we had submitted our 'Report to the Nation.' I believe that I had gone to attend two meetings during the period of Shri Narsimha Rao. I do not remember if any such decision had been taken in the meeting held on 24<sup>th</sup> January 1991 that I and Dr. S.P. Gupta should again meet and hold discussion

on next day, i.e. 25<sup>th</sup> January 1991. This was also not decided that thereafter we would go to Archaeological Survey of India and study the facts. I did not go to attend the meeting on 25<sup>th</sup> January 1991 wherever it was being held. After the meeting of 24 January 1991, I proceeded to Kurukshetra and the others went to their respective homes. I have had no talk with any member of Babri Masjid Action Committee after December 1990 till 24<sup>th</sup> January 1991.” (The witness was shown paper No.110C-1/9 filed in original suit No.5/89, on looking at which) he said, “The article of Dr. S.P. Gupta that I had read in Chandigarh Indian Express was different from the article placed at paper No.107C-1/186A”. The witness was shown the article of S.P. Gupta on paper No.107C-1/166, on which he said, “This also does not match with the article published in Chandigarh Indian Express and I do not remember -whether I have read any such article written by him. I do not remember whether the article of Shri S.P. Gupta published in Chandigarh Indian Express is in my possession or not. The word ‘painful’ in my letter available at 110C-1/91 refers to the archaeological conclusions. This is correct that the ethics of his article is not compatible with my ethical consciousness. I have stated so because archaeological ethics requires that the archaeologists should interpret the data on the basis of reason and social relevance which I did not find in this article, i.e. the article of Sh. Gupta. This is correct that by social relevance, I am referring to the society who lives in the country only and the knowledge acquired through archaeology should be helpful in the development of the society. What is reasonable and what is unreasonable in the society is a question decided by the intellectuals of each society. The intellectuals are a part of the past and present of the society and there is also imagination of the future. The right of the intellectual decision is the duty of every intellectual. It is the duty of

every intellectual to think and decide about the society. In his research, he is a part of the society. What is there in the interest of the society is something decided by the society itself and society includes intellectuals. Decisions in the interest of the society are taken at individual level and also by various organizations. The decisions vary, but it is not personal.

Verified the statement after hearing

Sd/-

Suraj Bhan

09.08.2000

Typed by the Stenographer in the open court as dictated by me. For further cross -examination in this case on 10.08.2000 . Witness be present.

Sd/-

9.8.2000

10.08.2000

(In continuation of 9.8.2000 statement of P.W.16 Shri Suraj Bhan on oath).

This is correct that opinions of various societies or individuals may vary and this is also correct that different people may have allegiance to different faiths. 'Sarva Dharm Sambhav' (equality amongst all religions) is a principle and personally I endorse it. 'Sarva Dharm Sambhav' is a principle which is relevant both politically as well as socially. Politically, I do not regard 'Sarva Dharm Sambhav' as equivalent to secularism but socially I take it to be a noble principle. I presently adhere to the principle in my social life and give still more regard to the principles of secularism. It is correct that in the constitution of India, the authentic translation of the word secularism is given as 'panth nirpeksha' and not 'dharm nirpeksha'. Later on, he added, "It is not mentioned that it would not be interpreted as I 'Dharm Nirpeksha. In my view, 'Panth Nirpeksha' and Nirpeksha' is one and the same thing. This is correct that generally the word 'Panth' has conveyed different meanings. I believe that in the present context, the word 'Panth' is synonymous to the word 'Dharm'. The word 'Dharm' has also conveyed different meanings at different times. The meaning of the word 'Dharm' as used in Bhagwad Gita is different from the modern connotation of the word. Similarly, the meaning of the word 'Dharm' during the days of Mahatma Buddha is again different from the current meaning of the word.

The word 'Mazhab' has all along been transforming in Islam. The meaning of 'Mazhab' in modern Islam is in accordance with the constitution. This is correct that Hindu religion is in vogue, i.e. recognized as a religion. Many religions are combined in this Hindu religion like 'Sanatan

Dharm'. 'Vaishnav Dharm' is also regarded as 'Hindu Dharm' and so is the 'Shaiv Dharm'. 'Veer Shaivya' was not a part of Hindu dharm and so was the 'lingayat dharm'. Broadly 'Veer Shaivya' and 'Lingayat Dharm' are regarded as parts of Hindu Dharna today, but 'Brahm Samaji' does not regard themselves as Hindus. In my view, Arya Samajis are also distinct from Hindu Dharma. This is correct that in the census, Arya Samaj is also regarded as Hindu Dharma today but earlier during the times of Britishers, Arya Samaj was treated as a different entity. I may not be able to tell whether in the census before 15<sup>th</sup> August 1947 or thereafter Arya Samajists were counted as Hindus or not. This is correct that in the Hindu marriage Act, Sikhs, Buddhists, Jains, Arya Samajis, Brahma Samaji — all fall under the definition of Hindu. This is correct that Hindu Marriage Act is applicable to them treating all of them as Hindus. In my opinion, the above cited religions cannot be termed as Hindu Dharma because each one of them has its own features and difference with regard to organizational and 'karmkand' besides their respective principle.

I had read the book namely 'Satyarth Prakash' long back. The book is divided in fourteen parts called 'Samullas'. At this point, a copy of the above book was submitted by plaintiff No.3 of suit No.5/89 in the court, which was taken on record and numbered as 287C-1. The cross-examining advocate drew the attention of the witness to the 14<sup>th</sup> Samullas and requested him to read the same. On reading it, the witness said, "In this Samullas, Swami Dayanand has reviewed the Islam faith, i.e. religion in the same way as he has done in respect of Hindu religion and Christianity or faith in 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> Samullas. In my opinion, the review done in this Samullas is not as compatible to the doctrine of secularism as it should be. This is correct that the Islam faith has been severely

criticised in the 14<sup>th</sup> Samullas. Swami Davanand was a great Sanskrit scholar of his times. In my opinion, the review of various religions done by Swami Dayanand in this book has a number of defects. I believe that the views offered by him in respect of the other faiths and religions are also faulty. In my opinion, it has not been proper on the part of Swami Dayanand to express such views in the current scenario. It was not proper even during the time when he expressed such views. This is incorrect to suggest that it is because of these reasons that I left Arya Samaj, which I had adopted initially. I have not left Arya Samaj and even today, I believe in a number of principles laid down by Arya Samaj. This is incorrect to say that I am a pseudo-arya Samajist. I regard myself a complete Arya Samajist.

I had visited the Ayodhya disputed site two times. I do not remember if I had visited the disputed site for the second time in October-November 1992 or earlier. However, it is certain that I had gone before the demolition of the disputed structure. When I went to the disputed site in Ayodhya for the first time, no levelling had been done after excavation. The work of levelling was done in 1992 in June-July 1992 or later on. I had visited the disputed site prior to it and not later on. I am aware that Dr. S.P. Gupta had convened a meeting regarding levelling in Ayodhya. I was not invited to attend the meeting. I had gone through his report. The witness was shown paper No.118 C-1/117 filed in connection with suit No.5/89. On looking at it, he said, "I have read this report entitled 'Ram Janam Bhoomi Ayodhya'. I do not remember when did I get the book (New Archaeological discoveries) Nai Puratatvik Khojen. This is correct that after the dialogue was brought to an end during the Prime Ministership of Chandra Shekhar ji, the dialogue had restarted during the time of Narsimharao, but I do not remember whether the above dialogue restarted in 1992 or

later on. I cannot tell even the approximate date of the meeting but such a meeting should have been held before December. The disputed structure was probably pulled down on 6<sup>th</sup> December. I do not remember if the said meeting had concluded one month seven days prior to the demolition of the disputed structure.

However, this is correct that the meeting had concluded before the demolition of the structure. I did go to attend the meeting held during the time of Narsimharao. I could have possibly gone twice to attend the meetings. As far as I recollect, I got the book entitled Ram Janam Bhoomi — Ayodhya in some meeting, which was held after July 1992. Excavation work done by Shri B.B. Lal was placed before the people in Red Fort where I was also present and it was during the period of Narsimha Rao Ji. I do not remember whether the material was shown during the meeting held at his place or earlier, but it is certain that it was not shown after the meeting. This is correct that the entire material would have been shown during the meeting or earlier. As far as I remember, after writing our 'Report to the Nation', we had received more material about Ayodhya which we studied, but did not send another 'Report to the Nation' but had definitely sent a note thereon.

The witness was shown the reverse portion of first page of paper No.118C-1/35. On looking at it, the witness said, "It is the photo, i.e. general view of the excavation work done by Shri B .B. Lal in the south. After the excavation by Shri B.B. Lal, the pits were filled up. I do not remember whether I have seen these photographs earlier or not. This is incorrect to suggest that these photographs were found on digging after levelling and that Shri S.F. Gupta took the photographs of such places and included them in his book. On looking at these photographs, it

cannot be said that they could be pillar bases. I do not remember if we had seen such photos before submitting our 'Report to the Nation'. After looking at these photos and the material, I did not find it necessary to file a supplementary report to my 'Report to the Nation'. Volunteer, "The reason was that these photographs did not contradict my report. On looking at these photographs, we only feel that our report was true. Dr. S.P. Gupta has been shown in a standing posture at page 3 of this very book, i.e. Ram Janam Bhoomi, Ayodhya. After looking at these photographs, I did not feel it necessary to go to Ayodhya again and investigate all these facts. Prof. B.R. Grover is visible in the standing posture at page 16 of this very book. Seated persons include Dr. K.M. Srivastava, Y.D. Sharma in the middle, the third gentleman is K.S. Lal." Paper No.108C-1/131 was shown to the witness on seeing which he said, "Except the following persons. I am known to every one: Dr. Sudha Mallayya, Prof. Ram Goyal, Dr. Prakash Chandra Prasad, Shri Vinod Kannoria, Dr. D.P. Dubey, Prof. U.P. Arora, Prof. Harsha Narain, Dr. Giriraj Kishore, Shri Hari Mohan Malviya, Dr. Shanidendu Mukherji, Shri B.B. Dutta, Prof. Vijay Kumar Pandey, Dr. A.K. Mishra, Dr. Banke Behari, Dr. A.P. Gaur, Dr. S.G. Tewari, Prof. K.N. Vaswani, D.P. Tewari, Prof. A.K. Verma, Dr. Govind Tewari, Shri Vinod Kumar, Dr. Alok Mani Tripathi, Prof. Y.R. Tripathi, Dr. R.K. Srivastava, Dr. Abhinaya Sat" Deva, Dr. Saran Behari Goswami." At this point, the witness was shown paper No.118C-1/129 filed in connection with suit No.5/89. On going through the same, the witness said, "I agree with a few of the resolutions of this workshop and not with the remaining ones. I agree with the resolution to the extent that the photograph shown on page 1 of Ram Janam Bhoomi Ayodhya have been declared to be belonging to the period in between 10 century to 12 century which is correct. I also agree that the stone remains belong to the temples of

the Nagar Style of Brabmical Mandirs of North India. I do not agree to the finding of the resolution wherein it is stated that Vaishnav Mandir existed at the disputed site earlier. I do not agree to the wordings in para 2 of the paper, i.e. 'The Side was..... From the places from the side' because correct finding cannot be arrived at from the method or the basis which they have adopted. I have not seen the material viz pits, roberd trenches, pottery etc. mentioned in the paper. I have also not seen all the material stated to be kept in Ram Katha Museum. This is correct that without looking at these items, I, in the capacity of an Archaeologist could decide that inference could not be arrived at on the basis of these items. The names of the Archaeologist mentioned by me also include a few Archaologists. I cannot answer the question whether the Archaeologist on this page are more competent than me or not." The witness was shown para 3 of resolution No.01 of paper No.118C-1/129 starting with the words, "On the examination.....12<sup>th</sup> century AD." On looking at it, the witness said, "I agree with some of the, points, but not with the point that pillars of 12<sup>th</sup> century have been shown herein and those of 9<sup>th</sup> century have not been shown. In my view, all these pillars belong to the period from 9<sup>th</sup> century to 11<sup>th</sup> century. In my opinion, the pillars could not be of 12<sup>th</sup> century." On reading the second sentence in the 3<sup>rd</sup> para of the same paper, i.e. 'This dating is further .....October 1992' the witness said, "It could be true if the experts endorse this opinion. I do not agree to the wordings in the same sentence, i.e. "The architectural member in the Sangrahalaya", it could be because that I had not seen the things in the museum, there could be other reasons too." Similarly, on going through the wordings of the last three lines of the same paragraph, i.e. "In this context - twelfth century A.D. The witness said, "I have not seen this place and, therefore, cannot say

whether it is true or false.” On reading the 1<sup>st</sup> paragraph of resolution No.2 of the same paper, i.e. ‘we also examined ..... have been found’ the witness said, “Since scientific excavation has not been done here, so I cannot agree with it. By ‘scientific’ I mean excavation by archaeological method. Since it is mentioned in this document that the excavation was done by PWD, so I hold that scientific method was not adopted.” On looking at this paper and on being asked as to where was it written that excavation work had been undertaken by PWD, the witness said, “It is possible that I would have read it in some other paper that excavation work had been undertaken by PWD. This is correct that I was not present at the time of excavation. This is also correct that these archaeologists have not mentioned in their paper that the excavation work was done by P.W.D. They have also not mentioned that excavation has not been done according to scientific method. A great archaeologist alone can reach at some findings on observing the remains found from the excavation carried out by adopting unscientific method.

On reading para 2 of resolution No.2 of the same paper, i.e. Taking into ..... sixteenth century AD,’ the witness said, “The ghat pallav and motifs mentioned here could belong to a period upto 12<sup>th</sup> century. I have not seen sculptures architectural member in original but I have seen their photographs in the book ‘Ram Janam Bhoomi Ayodhya’ and after looking at these photographs, I can say that they belong to the period from 10<sup>th</sup> to 12<sup>th</sup> century.

This is incorrect to suggest that the ‘Report to the Nation’ was compiled by Prof. R.S. Sharma. The facts except the architectural part mentioned in the ‘Report to the Nation’ were written by my other colleagues, but not in my presence. This is correct that we had written our

architectural portion of the report and handed over the same to Prof. R.S. Sharma. I do not remember whether Prof. R.S. Sharma was the first Chairman of Indian Council of Historical Research or not.

The witness saw his report at paper No.110 C-1/96 and said, "It is rightly written on page 12 of the report that Prof. R.S. Sharma was the first Chairman of 'Indian Council of Historical Research'. In this report, the words 'Social Science' against my name have been written mistakenly, the words should have been — Indics — studies." On looking at the 'Historian Report to the Nation' at paper No.110C-1/96, the witness said, "This is not the true copy of their report because here the photographs are with headings whereas it was not like this in our report. The wordings 'if then----- its passed' mentioned in the side on page 12 of this very paper does not belong to my report. Similarly, the footnote and the description given about us on page 12 of this printed book at page No.110C-1/96 is not the same as is given in the original report and the original report did not carry my signatures. In fact in the original report, Prof. Sharma had appended his signatures 'for' me. All these things are not available in this printed book. This is correct that the copy of the letter on first page of this book carries the name of Mr. Subodh Kant Sahai, Minister of State for Home, Government of India, New Delhi, whereas in our original report, the words 'Shri Subodh Kant' were written and that too in a typed form.

This is incorrect to suggest that the signatures against my name or the word 'for' is not clearly visible. It is clearly written on the reverse of the 1st page of the same book at paper No.110C-196 that it is third edition of 1991. Cross-examining plaintiff No.2 Shri Agarwal presented a copy of the book entitled 'Historians report to the Nation'. On

looking at it, the witness said, "It is not written on the book as to which edition it is, and, therefore, it could be the 1st edition." Paper No.228C-1 was written on this book. The book had been got published by All India Babri Masjid Action Committee. The third edition paper No.11OC-196 was got published by Shri Sitaram Dwivedi, Advocate, High Court. This is correct that again the words 'Mr.' Subodh Kant Sahai are mentioned in the letter attached with the copy of the report. The photograph given on the reverse of the cover page of paper No.11O C-1/196 is not available in the book paper No.288C-1. I presented today. Similarly, the photographs given on the upper and lower portion of the last page of paper No.11OC-1/196 are not available in book at paper No.288C-1. I do not know how my report reached Babri Masjid Action Committee and Sita Ram Dwivedi, Advocate. I was not present on 13<sup>th</sup> May 1991 when this report was sent. This is correct that the final copy of my report was not typed in my presence, i.e. the copy sent to the Government was not typed in my presence. This is incorrect to suggest that we had submitted our 'Report to the Nation' and letter and also my article of December 1990 on the direction of Babn Masjid Action Committee.

I do not remember whether Prof. R.S. Sharma was a member of 'Indian Council of Historical Research' when I was given a grant of Rs.10,000/- for visiting Ayodhya. This is correct that as far as I recollect when Prof. Sharma requested for a time of 6 weeks and also for expenditure for visiting Ayodhya during the meeting on 24.1.1991, Government refused to pay the money. However, Government did not pay me any money. This is correct that after the meeting of 24.1.91 and before our going to Ayodhya, Indian Council of Historical Research released a grant of Rs. 10,000/- to me. I had submitted my application for the release of grant after 24<sup>th</sup> June 1991. I do not know

whether R.S. Sharma recommended my case or Irfan Habib released the grant to me immediately. I am not aware whether any article in the name of Sarvapalli Gopal, Romila Thapar, Vipin Chand, Suvira Jaiswal, Harbans Mukhiya and K.N. Pamickerth had been published in October 1989. I do not know whether Prof. Irfan Habib also endorsed the stand of Babn Masjid Action Committee. This is incorrect to suggest that I have given my name in the so-called report prepared by R.S. Sharma in lieu of Rs.10,000/-. I have not deposed as an expert in any court. I am not aware whether people charge fee for deposing. This is also incorrect to suggest that money is charged for preparing a report etc. I came to know that I had to give evidence for the first time only when I received summons from the High Court. This is incorrect to suggest that Shri Jilani, Advocate had furnished my name in the list filed on 16.4.96 with my consent. If he has given my name in the list of witnesses, it is without my knowledge. No member of Babri Masjid Action Committee also had any talk with me in this regard. Having received summons, I had come to Lucknow at my own expenses and it was after my return that I had received the expenditure for to and fro journey from the High Court. It is incorrect to suggest that the expenditure towards my to and fro journey, my stay and meals was borne by the plaintiffs of Shri Jilani Sahib.

Verified the statement after hearing

Sd/-

Suraj Bhan

10.08.2000

Typed by the stenographer in the open court as dictated by me. Witness is discharge.

Sd/-

10.8.2000

**5257**

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

**OTHER ORIGINAL SUIT NO.4 OF 1989,  
(REGULAR SUIT NO. 12 OF 1961)**

The Sunni Central Board  
of Waqfs, U.P. and Others. - Plaintiffs

**VERSUS**

Gopal Singh Visharad and Others - Defendants

**STATEMENT OF P.W. 16  
PROF SURAJ BHAN  
VOLUME-II**

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

OTHER ORIGINAL SUIT NO.4 OF 1989,  
(REGULAR SUIT NO. 12 OF 1961)

The Sunni Central Board  
of Waqfs, U.P. and Others. - Plaintiffs

VERSUS

Gopal Singh Visharad and Others - Defendants

**Dated: 26.8.2002**

**P.W. 16, Shri Suraj Bhan**

In the presence of commissioner Shri Narendra Prasad,  
Additional District Judge / O.S.D., Hon.ble High Court;  
Lucknow Bench. Lucknow

(Appointed by the order dated 23.8.2002 passed by Special  
Full Bench of Lucknow Division Bench, Lucknow of the  
Honourable High Court of Judicature at Allahabad in other  
original suit No.5/89(Original Suit No.236/89, Bhagwan Shri  
Ram Virajman and Others VersiA Rajendra Singh and  
Others)

Other original suit no.4/89

The Sunni Central Board of  
Waqfs U.P. and Others .... Plaintiffs

Versus

Gopal Singh Visharad and Others.. Defendants

According to the orders of the Honourable Full Bench,  
P W — 16, Shri Suraj Bhan, Sb Shri Ratan Singh, aged 72  
years, resident of 1817, Housing Board Colony, Sector-1,

Rohtak, Haryana was recalled and an affidavit was filed by him in ei on behalf of the Plaintiffs, which was recorded.

(Cross-examination started by Shri Ranjit Lal Verma, Advocate on behalf of Nirmohi Akhara, Defendant No.3)

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The witness stated on oath that he has read the portions relating to Archaeology of the book 'Ayodhya Ka Itihas Evam Puratatva - Rigved Kal Se Ajtak', referred to by him in para 2 of his affidavit and there is a chapter on archaeology in that book. it depends upon the field in which an archaeologist is working whether knowledge of history is necessary or not but the knowledge about the methodology of making history is essential. Archaeology has become an independent field of research in the present age but the Archaeologist makes history. 'Rigved Kal Se Ajtak', the sub-heading of this book determines the tune limit, i.e. it tells us about the history and archaeology of Ayodhya right from the Rigvedic period to the present day and does not tell us any thing about pre-Rigvedic period. An archaeologist should know about the archaeological methods of excavation and his attitude should be modern and scientific and he should know the background of the work done in this field. There are two methods in archaeology, viz, exploration and excavation to collect data. In order to undertake excavation work, the archaeologist should find out whether survey has been conducted before and if not, it is necessary to conduct survey first of all so that he could choose the site in conformity with his historical problem and determine as to where he has to undertake excavation work on that site In excavation, importance is attached to the fact that the antiquities are dug out safely and are recorded scientifically and their

stratigraphic reference is determined so that they could be related to the antiquities found in the excavation conducted at another place or in the vicinity and to the stratigraphy of that site also. Antiquity includes three kinds of things - First: Artifacts, Second: Features and Third: Ecofax. Artifacts are those things which are not connected with the earth but are movable and can be taken out from the earth, such as Pottery, Tools, Weapons, Ornaments etc. which are man made things. Features are connected with earth whether it is a pit, a fireplace, a tandoor or a building, a river and a nala. Ecofax means the remains of plants and animals. It is true that sometimes literature may have its role in determining the chronology of antiquities. If some seal or document is found in excavation and it contains proper information about its date or period and if such remains are available with stratigraphical reference rather than disturbed reference, then they can be used in determining the date or period. If the name of such a dynasty is written on any document about which the historians know and the stratigraphical data are contemporaneous, then it can help in determining the period. It is not necessary for an archaeologist to know about epigraphy but if he knows it, it is good because epigraphy is a special field of study. In the present modern age, interdisciplinary and multidisciplinary approaches play their role for conducting research in any area but where means are not available; outside assistance can also be sought. There is no doubt that in archaeological research, cooperation of various scientists is required but the basic work is the responsibility of the archaeologist, who happens to be the pivotal scientist. The archaeologist can include the reports of scientific analysis in his report also or he can use the findings in the development of cultural history. If the scientific analysis is important and relevant for the archaeologist, then he would include those in his report and could also refer to those

findings. If the archaeologist includes any scientific analysis in his report and does not refer to it, then it is against the ethics of archaeology. But his report would not be considered incomplete on this ground only.

Dr. Thakur Prasad Varma was a teacher in Banaras University and I know about his interest in the field of epigraphy and art etc. Dr. T.P.Varma was in the Department of Ancient Indian History, Culture and Archaeology in Banaras University. I do not remember whether I met him in some seminar etc. or not. Dr.T.P.Varma is not considered as a great epigraphist. I know Dr. Swarajya Prakash Gupta. He is a man of Museum. He is not an archaeologist as he has neither conducted any research in the field of archaeology nor has he undertaken any excavation and survey work .Dr. Swarajya Prakash Gupta is not a historian but a journalist. His articles pertain to various fields. The article written by Dr. S. P. Gupta are related to history, archaeology, museum, culture, art and Saraswati. He is a good writer and writes enormously. I have read his articles in his book and in Newspapers also. The historians v4 have a traditional approach towards history do consider Dr. S.P.Gupta's articles as historic while some other historians criticize him.

I do not remember today in which direction Bharat Kund exists from Ayodhya. Sometimes an archaeologist embarks upon a chance discovery even without a particular project. The witness further stated that there could be a chance discovery at the instance of others also. The discovery of Khambat has been reported in Newspapers and experts' criticism in this regard has also been published. It is not an archaeological discovery but a myth. Irrespective of the fact that this discovery was propagated by Navy after taking photographs in the sea under water

but neither Navy nor the photographs can decide its period. They can neither identify as to what it was nor can they tell as to which culture it pertained to. I have read that the finds were tested in the Birbal Sahni Institute at Lucknow. But the Birbal Sahni Institute did not certify as to which culture or civilization that wooden thing belonged to and wherefrom it came. Archaeological research is developing like other scientific researches. Interpretations change after new knowledge or new theory or new material comes to light. Dating can also be changed but not always. If some old building crumbles or is demolished and if some stone inscription found during the process of leveling them, it would be called chance discovery only when it is observed and recorded by an archaeologist but if this has not happened, numerous interests may operate over there and can carve myths around it. Myths may take place even without controversy. People may accept it excepting those who are experts in that field and analyze those things. There may be controversy over stone inscription also if it is not certified by some impartial and learned epigraphist. Whether on the basis of the expertise of epigraphist in deciphering the document, understanding its language and identifying its historical reference, any stone inscription is accepted as a certified document or not, depends upon its acceptance by others as such. By others I mean historians, epigraphists and linguists. I know Dr. K.V.Ramesh. He is an epigraphist and is recognized as such. He is an officer in the Archaeological Survey of India. I have heard the name of Dr. Sudha Malaiya but I do not know whether she is an epigraphist. No document was found in the process of leveling. It is said that some document was found in the debris when the Masjid was demolished. I read this in newspapers. I do not remember how many days after 6 December 1992, I got the said information from newspapers. I have seen the said document in the book written by Dr. S.

P. Gupta and Dr. T.P.Vaima on paper No.289C-I. I am not capable of deciphering that document. I have read its free translation also. I have read its free translation in Devanagari script in Hindi. I have read its English translation in some other book namely, the book written by Shri Ajaymitra Shastri. The witness again said that he read it in an article written by Prof. Ajaymitra Shastri, which was published in Archaeological journal Shri Ajaymitra Shastri is a good epigraphist. At the time of leveling which was an authorized digging by the U.P. Government; the said stone sculptures were found on June 18. I do not remember the year. The witness again said that they were found on 18 June 1992. The unauthorized digging was being done by U.P. Government or by Kar Sewak I am not sure, but it was reported that 12 feet mound was dug up. I have not so far tried to find out who undertook this unauthorized excavation or at whose instance this was done. After having read the free translation of the stone inscription in paper No.289C- 1 of the said book in Hindi, I have not formed any opinion whether it is correct or not. This is the field of experts. Whether chance discovery can become the source of authentic archaeological evidence, depends upon the nature of the chance discovery and to what extent can an object provide information to the archaeologist, it depends upon that chance discovery and its reference. The material obtained from chance discovery does not form part of the plan archaeological project but even then some inference can be drawn there from. If it were really a chance discovery then it would be recorded as such. I have read that the said inscription is in the custody of the Government. Someone also reported that this inscription was found in the debris of Babn Masjid. I have read nowhere that those inscriptions were found in the debris of Babri Masjid in the presence of D.M., S.P. and Commissioner. Had they been present there, how could

Masjid be demolished? The artifacts found during the leveling of June-July 1992 included some sculptures reported to have been found in some pit in the south of the Masjid and some terracotta objects and the floor of pucca bricks were also reported to have been found. It was also reported that some walls of pucca bricks were also found in the eroded section in the east of the Masjid. Besides this, it was also reported that a stone statue of Uma-Maheshwar was found from the blue mound in the south of the Masjid. I have not seen the aforesaid artifacts. It has been reported that these artifacts are kept in Rain Katha Kunj. It is not certified whether the stone statues reported to have been dug up from the pits in the south of the Masjid or engraved stones were found there itself or were related to section. Besides this, the period of these stone statues and engraved statues from 9 Century to 12 Century, as determined by Shri Y.D.Sharma and others, is correct. I have seen the photographs of these stone statues. I do not remember the full form of in situ but it means that which is situated in its original context. If the stone statues and the engraved statues were destroyed then the place where they would be found would be called in situ in that context. If somebody displaces a thing from its place and keeps it in another place, then the photograph of that thing taken there does not indicate the context of that thing. If this context is indicated, even by a Class One Officer of the Government, it cannot be beyond doubt, because there is a system in Archaeology. I know Prof. B.B.Lal. He is a renowned Archaeologist. I have read 'Indian Archaeology — A Review' written by Prof. B. B. Lal and 'Archaeological Encyclopedia' edited by A. Ghosh, Director General of Archaeological Survey of India. They have not given details about Ram Janambhoomi temple. He had dug up a trench to the south and west of Babri Masjid. He had dug up this trench on the slope a little away in the west of the Masjid.

He had also dug up a trench at a little distance outside the boundary in the south of the Babri Masjid. He did not dig up any trench near Kuber Tila in the south of the disputed structure but B.H.U. people dug up a trench there. At this stage the witness was shown page No.289C1/205 of Paper No.289 C-1 of the book and having seen it the witness said that it was not a trench but was rather an erosion on a mound which is in the east of the Masjid and it took place during the process of leveling. Floors have been shown laid on this page and this has been done by Shri S.P.Gupta and others after erosion. I know that Shri S.P.Gupta reported scraping. It is difficult to determine the period on the basis of the thickness of layers because it is a continuing process on the mounds. Only relative date or period can be determined with the help of stratification done on the basis of the composition of soil, i.e. it indicates only which layer is earlier and which is later. It does not indicate definite date or period. The layers on which the artifacts are found indicate the relevant culture. After having seen this paper No.289C1/205, the witness said that the walls of bricks have also been portrayed. These bricks also give a rough idea about the time or period. I have read details in this book about the map given on page paper No.289C1/205 of this book. It is not necessary that one who conducts excavation might have undertaken exploration also. In my affidavit I have indicated three contexts where scraping is required. Scraping means erasing or scratching. If some layer is scraped, the marking done on it by the archaeologist is erased. One who is scraping the surface will mark the layer on the basis of his own experience and wherever he deems it fit. I have not read any report of Dr. S.P.Gupta and have only read this book - paper No.289C1/205. The witness was shown paper No.289C1/206 and having seen that the witness said that this too is not an archaeological trench. It is erosion on a

mound, which is in the south of the Masjid and this erosion occurred during the process of leveling. The antiquities visible on it were seen by me on a photograph. As the stratigraphical reference of these antiquities is not known, it can be said where they were found but their identification and time determination done by Shri Y.D.Sharma and others is correct. The term 'qualified archaeologist' used by me in para 8 of my affidavit means such an archaeologist who is eligible to obtain a license for excavation. This license is issued by the Archaeological Survey of India and the State Governments as well. If some archaeologist, who does not have a license or permission, has carried out an excavation and has given a report which is not based on scientific analysis and forms a myth, then it would not only be considered as illegal but an exercise aimed at destroying ancient heritage. But if his excavation and the report thereon are fully scientific and he does not possess the aforesaid permission or license, then he can be exempted from the said license or permission. The witness was shown the picture on the back page of paper No.1 18C 1135 filed in original suit No.5/89 and on seeing it, the witness said that the trench shown in it is the one, which pertains to the excavation conducted by Prof. B.B.LaL At a little distance from this trench towards north, the outer boundary wall of Babri Masjid is visible. Dr. S.P.Gupta has not given any report about the excavation of this trench, but the book written by him contains its description in paper No.289C1 (other original suit No.5/89). On seeing page No.37 of the book paper No.118C1/35 (written by pen), the witness said that it could not be presumed from the picture given on this page that the artifacts shown in it were found here, as there is neither stratigraphical reference of them or this photograph shows there in situ, nor any archaeologist has recorded that they were found in his presence. A person who is not connected with archaeology

will see the said artifacts in the aforesaid photograph in situ but the archaeologist needs the proof and will not consider them in situ without proof. I find the artifacts in this photograph quite deep from the surface. Shri Y.D.Sharma mentioned above by me, was Deputy Director General of Archaeological Survey of India. Dr. S.P.G is seen holding a knife in his hand in the photograph on page No.3 of paper No.11 SC 1/35 and according to it the erosion or cutting was on the east of the Babri Masjid. There is a photograph of that section and not the picture. The surface is visible in this photograph. In para 9 of my affidavit I have mentioned black stone pillars and by that I mean that there were 14 black basalt pillars in the Masjid, which are called black stone pillars or Kasauti pillars in common parlance. The pillars erected in the Babri Masjid were noted by me carefully. Page 10 of paper No.11 SC 1/35 was shown to the witness and on seeing it the witness said that the stone seemed to be similar to the one used in disputed structure but he did not get it examined scientifically. On the left side below on this page there is a human figure on which shapes of women have been engraved in Tribhang poses. Pictures of five Apsaras have been engraved on it. On seeing the right side picture of this page, the witness said that it is the close up photo of the human figure shown on the left side. It shows Mukut and Trishul as well and so it seems to be a picture of a gatekeeper. After having been shown the pictures on page No.11 of Paper No.118C1/35, the witness said that the pillars depicted on both corners are the pillars erected on both sides of a gate of the Masjid on which a small portion of the structure of the Masjid has been built up to support the pillars and not the roof. I do not remember the diameter of the 14 pillars erected in the disputed structure. These small and thin pillars cannot uphold the weight of this huge Masjid. Nagarshaili is used for medieval temples of north

India and not for sculptures. If any antiquity is found in excavation or from any structure, it would be stuck with the soil existed there or the mortar used there. If any antiquity is found in digging up the soil, it will definitely be stuck with the soil found in Ayodhya and there is no possibility of this type of soil sticking up in desert, whether the excavation is conducted on a mound or on earth. If any antiquity is found in Ayodhya, it will definitely be stuck with the soil of Ayodhya. There is possibility of the soil having effect on stone sculptures and this depends on the nature of the soil. The black stone pillars erected in Babri Masjid, have been found in the region of Bihar and Bengal in large number. They might have been found in temples and in buildings in that region. Temples are of different types. It is not necessary to identify the temple according to community. I have not myself seen such pillars in temples of Bihar and Bengal. I have seen the photographs of such pillars in the books of Ferguson and Banerjee. I knew through photographs that such pillars have been found in Dinajpur in Bihar. According to books, whatever known in this regard is that the pillars belong to the period of Pala, i.e. they must belong to 10th Century. Ayodhya must have been under the kingdom of Kannauj for sometime. Perhaps Ayodhya was here under the reign of Shunga dynasty also. Ayodhya had been there during the reign of the Mauryas of Magadh and the Gupta dynasty. A chapter/article was written by Prof. Ram Sharan Sharma and the book 'Destruction and Conservation of Cultural Property' edited by Robert Lyton, Peter G. Stone and Julian Thomas is first time published in 2001 from London. I have used the term 'crucial issue' in para 17 of my affidavit by which I mean that the proof being given on the dispute of Ram Janambhoomi Babri Masjid should have archaeological importance and the main question is whether there is any proof about the existence of a Hindu temple under Babri Masjid on that spot. I came

to know about the controversy of Mandir Masjid dispute towards the end of the decade of 1980, when some scholars including Prof. B.B.Lal started writing in newspapers. When I came to know about this dispute at the end of the decade of 1980 and Dr. S.P.Gupta wrote in Indian Express in this regard, then from that time onwards I began accepting the disputed structure as Masjid on the basis of evidences. I myself said that Prof. B.B.Lal delivered lectures and an archaeologist does not believe in ostentation and has an open mind, it is wrong to say that I am making these statement on this account. It is also wrong to suggest that I am giving fuse evidence because of my prejudice against Dr. S.P.Gupta.

Cross-examination concluded by Shri Ranjit Lal Varma, Advocate on behalf of Nirmohi Akhara, Defendant No.3.

Statement read and verified

Sd/- Suraj Bhan

26.8.2002

Typed by the stenographer under my orders in open court.  
To be present in continuation on 27.8.2002 for further examination.

Sd/-

(Narendra Prasad)

Commissioner

26.8.2002

**Dated: 27.8.2002**

**P.W.16. Shri Suraj Bhan**

In the presence of Commissioner, Shri Narendra Prasad, Additional District Judge/O.S.D, Hon'ble High Court Lucknow Bench, Lucknow.

(Appointed by the order dated 23.8.2002 passed by Special Full Bench of Lucknow Division Bench, Lucknow of the Hon'ble High Court of Judicature at Allahabad in other original suit No.5/89 (Original Suit No.236/89) Bhagwan Shri Ram Virajman and Others Versus Rajendra Singh and Others)

(In continuation dated 26.8.2002, cross-examination of P.W.16 on oath on behalf of Shri Umesh Chandra Pandey, Defendant No.22, by Shri Veereshwar Dwivedi, Advocate starts)

I had gone to Ayodhya to testify the archaeological evidence referred by both the parties and to see and study the situation on the spot. There was a photographer also with me.

Question: Do you consider the photograph taken by the photographer as an evidence?

Answer: The photographs taken by the photographer were records of the remains or monuments etc. over there, as we were collecting data.

Question: Were the photographs taken by your photographer in your presence, which you describe as records, are evidences in your view?

Answer: The photographs of the remains were not evidences for resolving the archaeological

problem for which we were searching for evidences. They did not prove that the pillars standing in Masjid or the remains lying elsewhere which were somehow found in the form of the structure with pillars of broken bricks in the excavation conducted by B.B.Lal do neither constitute a temple nor do they pertain to its demolition.

Question: Did they prove that the pillars existing on the site were not the remains of the ancient temple?

Answer: The material and pillars etc. shown in the photograph which a party was considering an evidence of there being a Ram Janambhoomi temple beneath the Masjid, to which these pillars belong were standing in its original state or *in situ* condition.

Similar brick pillar basis had been shown in the excavation of Shri B B.Lal. It was a very limited record and these were not erected on any pillar basis. The pillars were fixed in the Masjid as decorative pieces by bringing from somewhere else, which had no proof in the excavation of B.B.Lal. So these pillars, whether they may relate to the temple of any religion or fixed in some palace but they do not prove the existence of so called Ram Janambhoomi temple.

Question: Do you consider any difference in 'Sakshya' and 'Praman'?

Answer: To make me understand the question properly, I would like to know the English words for 'Sakshya' and 'Praman'

Question: Should we take that the words 'Sakshya' and 'Praman' used by you up till now, you have used these words without knowing their meaning?

Answer: Because I want to be more precise before the Honourable Court, I therefore, wanted, to know the English words for the above words.

Question: Should it be taken that till this time you do not wanted to be brief and precise in your answers?

Answer: I wanted to be precise but when in argument the questions are being asked in such a manner, which is not concerned with the basic problem, but is an effort to create illusion, I am therefore, trying to be more clear and precise.

Question: Should it be treated that the aforesaid photographs are not an evidence related to problem in question?

Answer: This photograph is a record of things related to Ayodhya, which after study I wanted to see all the evidences of records, whether the articles shown in the photograph, have been mentioned by a party as an existence of a Ram Janambhoomi temple beneath the Masjid and the same had been propounded by them as an evidence of demolishing a temple for building a Masjid thereon.

Question: Had you gone there with a view to refute the facts propounded by anyone party?

Answer: No. I wanted to know the truth about what archaeological evidence on this issue is available there. This I wanted to know.

Question: Do you know the Hindi meaning of word Evidence?

Answer: I had used word evidence for archaeological proofs. I had used this word evidence with the intention that its meaning is proofs. Even then in that context I was asking for the English equivalent of word 'Praman'.

It is wrong to say that I am intentionally giving wrong statements. It is wrong to say that to benefit a party in this suit and to cause damage to the other party I am giving mis-statements. Before an archaeologist the question of profit and loss hardly matters but truth and false matters. This principle should be equally applicable to all the archaeologists as is applicable to other scientists and scholars.

Question: Who is an archaeologist? Do you determine it or the Archaeological Survey of India they are conferred with a degree by the Universities?

Answer: The degree of Universities are only the initial training to become an archaeologist. In fact the community of archaeologists recognize him on the basis of his research that he is a real archaeologist. The Archaeological Survey of India only give permission or license for excavation, keeping in view that he can carry out excavation in a proper manner and he can publish it or not. But due to political compulsions the Archaeological Survey of India grant license to those professors, who themselves are not archaeologists and are not capable to carry out excavation, but their subordinates in their Departments are competent to carry out the work. The Archaeological Survey of India also works under political pressure. Even it gives job in its Department under political pressure, which is a

common phenomenon in all over India. to be an Archaeologist it is not necessary to become a clerk in Archaeological Survey of India.

Question: If a clerk in ASI joins some excavation team, will he be called an archaeologist?

Answer: Clerk is an associate in a excavation team and not an archaeologist.

By Archaeologist I mean Archaeological find and Antiquity. The published material is also useful to examine an archaeological remain, particularly if that has been done by an archaeologist. In case of any doubt it is necessary to refer the original material and records. At this stage the witness was shown the paper submitted along with other original suit No.5/89 Paper No.308 C 1/10 and 308 C1/15. On seeing the picture (C) in Paper No. 308 C 1/15 the witness said the picture is of a pan of Door Jamb, it is not of the full Door Jamb. There are some similarities between the Door Jamb and Pillars. in this picture (C) four branches are being seen. The deep straight lines in the picture are depicting the branches separately. I therefore say that this picture is of four branches. Shri R.D.Banerjee has said that the door jamb shown in this picture is found in Rajmahai district. I am not in a hurry in giving the statement. District Rajshahi has been written on this picture, but I could not read it correctly because of its being a photocopy. Below this picture on the door jamb the posture of Gatekeeper has been engraved. Shri R.D.Baneijee in his article has written about some specific pillars found in Bengal. He had written the length of those pillars 12 ½ feet. Paper No. 308 C-1/11, 308 C-1/12 and 308 C-1/13 were shown to the witness. The witness saw them and then said I in para 14 of my affidavit dated 26.8.2002 had given extracts of some plates and some portion related thereto from 'Eastern Indian School of

Medieval Sculpture' which has been mentioned in Paper No.308 C-1/11, 308 C-1/12 and 308 C-1/13. The aforesaid extracts in my affidavit to my belief are correct. District Rajmahal and Rajshahi are in Bengal, but its exact distance from Ayodhya, that I am not in a position to tell you. I will also not be in a position to tell you that the above places are at a distance of 800 to 1000 Km from Ayodhya.

Question: According to you, will the distance be between 500- 600 Km?

Answer: It can be more than this. The aforesaid pillars i.e. the pillars of Rajmahal and Rajshahi are of the time of Pauls. This period is between 9<sup>th</sup> - 10<sup>th</sup> A.D. I do not know who was the ruler of Ayodhya at that time and this is not also the scope of my work. I cannot tell you the dynasty ruling Ayodhya at that time.

I had seen in Ayodhya on the disputed site and also at a distance the pillars of black stones, which are called the pillars of Expert Black Baisalt. The height of these pillars was less than 2 meters. There were no branches on these pillars. Branches were in door jamb. Figures were there in some of the pillars towards the down side. These were the human figure of Yaksha. it is wrong to say that the description about Yaksha is only available in Hindu Theology. It is available in Jam and Baudh religious books. I am not sure whether it has the description in Christian and Muslim religious books. I consider the Jain religion and Baudh religion separate from Hindu religious community. Religion and sect has the same meaning. I therefore consider Jain and Baudh religion as a sect. I had not read the mythology of Baudh Dharam so I cannot say that Mahatma Buddha told his disciples that he was Dashrath's son Rama, eleven hundred years ago. Mythology is the

ideas, which are based on myths about nature, society etc. and these are believed as they are in the held of religion. Mythics are those stories, which had some original base but were given an imaginary form in order to make useful the propagation of any religion or other concept of thoughts.

Question: Do you know the meaning of Logosh?

Answer: Logosh means logical explanation i.e. which means science. Word archaeology was termed earlier and later it has been taken as the science of archaeological remains. Similarly Biology, Zoology and Sociology are the disciplines of separate sciences. But mythology does not fall into it. It is wrong to say that I am giving mis-statement internationally.

The pillars found at the disputed site bear design engraved in the middle and on the upper side. These designs are not clear whether these are of the Apsaras or not because these are not visible. Creepers and beads, the pitchers, leaves etc. are clearly visible. I do not remember whether the pillars found at disputed site contain pictures of women in Tribhang Mudra or not. Fairy queens are shown as women. I had made my statements yesterday also.

Question: - In your statement yesterday on page 12, did you say that Paper No.118 C- 1/35 is a photo?

Answer: It is correct. Yesterday I gave a statement that on the door jamb which was in Janamsthan temple, in the north of Babri Masjid. I had seen the figures of women engraved, whom the arguing lawyer yesterday was saying Apsaras and as I am not expert of this field. I am not confident whether it is Apsaras or not. Even then I gave

statement that the lawyer is speaking the truth and he is not saying to misguide me.

Question: Are you not repenting over the statement, which you gave yesterday?

Answer: I do not regret to say women to the figures engraved thereon in my statement of yesterday. Whether these are Apsaras or not, this cannot be said exactly even today

The witness was shown left side photograph on page 10 of Paper No.118 C—1/35 submitted in other original suit No.5/89. After viewing it the witness said it is a part of door jamb. A corner of it on the lower side has been shown broken in it. It is not a full door frame but a part of its side. It does not appear a full part of a side of door jamb because the engraved branches which are going upwards had the possibility of their being in the upper part. I had seen the door jambs shown in this picture on the Janamsthan temple on the north side of the disputed building which I had described above. This door Jamb was not *in situ* in the Janamsthan temple but I had been told that this was found in the excavation of Sita ki Rasoi. I had prepared all these notes and had studied then, that the extent it is relevant to understand my basic problem.

Question: According to your saying the above door jamb found in the Janamsthan temple which was not in situ, the same was recorded?

Answer: Yes sir. it was recorded. You have said it today, but this has already been said by a party and its photo had also been published. I am saying about that party, which is arguing about the Ram Janambhoomi Temple beneath the Masjid and by demolishing the Babri Masjid was constructed.

Question: Which is the party who had said about the demolishing of Ram Janambhoomi Temple and constructing a Masjid over it?

Answer: These were the documents, which were given to Central Government by the Vishwa Hindu Parishad. In it, it has been mentioned that Dr. S.P.Gupta too had written in the newspapers about this.

Question: Do you know that Vishwa Hindu Parishad or Dr.S.P.Gupta is a party or not in this suit?

Answer: This I know that the above persons are not directly a party in this suit but the meeting which was convened by the Prime Minister of India, Shri Chandra Shekhar to resolve this problem, which I too attended with my other friends, I got these documents from there. It is wrong to say that I am giving false statement on this point.

It is not necessary that every door jamb may have branches. The door jambs placed in Janamsthal Temple, which I had referred above, had branches.

The witness was shown the left side picture in Paper No.118 C-1/35. After seeing it the witness said that the two branches are being seen on the door jamb in this picture, in one branch the door side portion had been kept plain and it is a part of door jamb.

There were no door jambs at the disputed site but it contained 14 pillars. The witness after seeing the stone pillars on both the up side of paper No.118 C-1/35 said that it had no branches but had facts. Door jambs and pillars both are of less than two meters. Both the pillars on page 11 are on the side of doors and a small portion of the

building over them is being seen carved out ward, which is to hold its position. These both were in the inner side of its articles

Question: On the upper side of both the pillars on page No.11, the part of the building shown over these pillars clearly indicate, as a part of arches?

Answer: A small portion of the building constructed on these pillars is an inner part of the arches but these pillars are not to transfer the entire load of the arches or the load of the tomb of a Masjid to the earth.

Arches were on the walls, which were wide. The walls were about 5 ft. wide. I had measured them. I had also measured the roundness of the pillars and had recorded the same. That record, I had misplaced somewhere.

You had said today that after the demolition of Masjid (On this point the learned lawyer of the Plaintiffs Shri Zafaryab Ziliani. raised objection that all these questions had been asked earlier and need not be repeated again. This I do not remember, when the above record was misplaced from me, but it was misplaced after the demolition of the Masjid. I had already told the Court in 2000, when I came to give my statement earlier that the above record has been misplaced from me.

Question: Did you ever publish these records, when those were in your possession?

Answer: Those records were taken for the purpose of study. Those were not published because they were not becoming an authentic evidence of the issue which I was studying.

Question: Should it be taken that the issue, which those were studying whether that whole record was not an authentic evidence for that study?

Answer: Yes sir, it is correct that after analysis of the remains of door jamb etc. all these pillars were not found authentic to me to prove their being at the place of Ram Janambhoomi Temple at Babri Masjid or to prove its destruction.

I had not seen such jambs in an temple. Yes, such pillars I had seen in Babri Masjid. I had not seen such pillars in any Masjid except it.

I am not a Zeologist. therefore I cannot say that the pillars were of cyst stone or igneous rock but Prof. R.S.Sharma had taken opinion of Shri Ahmad the ex-Director General of Zeological Survey of India and he had told that it is the Black Besalt, which is found in Mirzapur area or in Bihar. Black Besalt might be igneous rock but I am not sure, because I am not a Zeologist. Therefore. I cannot tell the difference between the igneous rock and the cyst stone. in spite of this on the basis of general information. I am saying that it might be igneous rock. I have no idea where the cyst stone is found, it might be available at many places. I cannot tell the name of those places. Then said it is found in Gaudhar Region. Gaudhar Region is the north-west Frontier Region near Takshila and is within the Indian Sub-Continent. I do not know whether cyst stone is found in Bengal -or not. I am not a student of history, therefore I cannot tell you whether there had been any agreement between the rulers of Bengal or Ayodhya that they could bring the stone Pillars from Bengal to Ayodhya.

I do not know whether any ruler of Ayodhya had invaded Bengal and had brought the pillars after conquering it. I do not know about any business agreement between the two under which these pillars had been brought to Ayodhya from Bengal. I do not know how these had come to Ayodhya and I had not explicitly quoted about it anywhere, where from these pillars had come. Then said I do not know an direct evidence and nor I had said anywhere about it. On the basis of circumstantial evidence it can be suggested that these pillars had been brought from Bengal. Bihar side, because such type of pillars had never been built in this area and nor are found anywhere. I had no idea about it that only igneous rock had been used in Bengal or its adjoining regions and not the cyst stone. I had not said whether pillars of cyst stone had been made in that part or not. It is correct that cyst stone had layers like slate stone. It is also true that the formation of igneous rock is not in layers like of cyst stone, but it is the stone made of volcano (lava). So far I know the particles of igneous rock are so thin, because of volcano, that they look like pitchers. It does not appear that the pillars found at disputed site are of the stone containing layers. I did not try to find out at the disputed site that these pillars are of igneous rock or cyst stone, because it was not the part of my project. We had expert opinion on the subject.

Question: Did your project has any name?

Answer : My project was aimed to see physically the archaeological remains relating to Ram Janambhoomi - Babri Masjid dispute in Ayodhya, to record it and on the basis of its study to know the facts relating to this problem.

I had given broad outlines of the-above fact and the work what had been done there, the each and every details

of it is not relevant to reveal here and nor it is a part of my affidavit in any way.

Question: You had just revealed the work of your project, what else were in your project beside the above work?

Answer : Whatever I had said, in addition to it the study of any kind, observation or recording, whatsoever suit me, I would had done the same at that place

I had measured the archaeological remains found at the disputed site and the pillars, which had been fixed in the Babri Masjid to see whether those are erected over the stand of broken bricks as shown in the trenches by B.B Lal or were erected on the plinth level of foundation wall of Babri Masjid. I had examined it by scrapping through the help of point of knife and had found that these black stone pillars are the integral part of the Babri Masjid structure and the doors were fixed at its foundation or plinth and were not over the stand of Bricks, as was being accepted by one party.

Question: Had you examined the stone pillars, which you had referred in your above statements?

Answer. I had examined, studied and recorded. If by examination you mean to identify the stone that I had not done, as I had already deposed.

Question: Did any of your associates examine those pillars in your presence?

Answer: My associates measured those pillars very carefully and took their photographs. None of my associates had carried out geological test in my presence.

Question: Had you not read anywhere till today that these stone pillars were of igneous rock or cyst stone?

(On this question the learned Ia of the Plaintiffs Shri Zafaryab Ziliani raised this objection that the Witness had just sometime back told that Prof. R.S.Sharma had taken opinion of the ex-Director General of Archaeological Survey of India and he had told that these were of black basalt. The detailed statement of the witness in this respect has been recorded on page 26. As such to repeat the same question is to harass the witness.)

Answer : If I had read it somewhere, that I do not remember. Because it is not necessary, after getting opinion of an authority.

Question: Do you know that the authority which you had referred above ever visited the spot and seen those stone pillars?

Answer: I do not know when Ahmed Sahab had seen those pillars and examined them. Prof. R.S.Sharma had taken his opinion.

Question: Should I take that Ahmad Sahab told this thing to Prof R.S Sharma and he told it to you and you are taking it as an archaeological evidence?

Answer: It is wrong to say that I after hearing from Prof. R.S.Sharma or Prof. RS.Sharma after hearing from Ahmad Sahab reached the conclusion that it is an archaeological evidence. In fact Prof. R.S. Sharma and I was member of the same team, which was finding out the truth of this problem that the temple of Rain Janambhoomi was in existence before the Babri Masjid and the Masjid was built after demolishing it.

To identify the stone pillars etc. the kind of stone they were made, Prof. R.S.Sharma seriously consulted Prof. Ahmad and took his considered opinion. I was not there when Prof. R.S.Sharma was consulting Ahmad Sahab.

Question: Because Prof. R.S.Sharma told you that he had taken the opinion of Ahmad Sahab after consulting him, you therefore took Sharma's version quite true. Is it correct?

Answer : It is correct that all our team members took the Opinion sought by Prof. Sharma logical and included it in our joint report.

When Sharmaji informed me about it I do not remember what reasons he had given at that time but I found that reasoning relevant at that time. I had not included that reasoning in my report because I did not think it necessary. It is wrong to say that we had included only those things in the report, which suited us but we were that, which can become evidence.

Question: While analyzing the problem did you not consider it important to know about the stone of which these pillars are made i.e. of igneous rock or cyst stone?

Answer: At the time of study we had taken note of the stone of which the pillars are made of Beside it, it was important for us to know where the similar style of pillars and figures are found and whether these pillars of Babri Masjid give evidence and proof of that basic problem, i.e. the structure found in the trench of B.B.Lal which is being med to establish as a temple, was based on these archaeological remains or not and we see what had been found from the trench of B.B.Lal did

not make available any stratigraphical, Typological or associated evidence.

I had read the brief report about it in B.B.Lal's - Indian Archaeological - A Review on Ayodhya and Encyclopedia of Indian Archaeology edited by A. Ghosh. It has been published by the Archaeological Survey of India. It has been printed in Volume Nos. 76-77 and 79-80. I do not know where it has been printed in the encyclopedia, but it is a famous publication.

Verified after reading the statement

Sd/-

Suraj Bhan

27.8.2002

Under my orders the stenographer typed in the open court. In continuation be present for further cross-examination on 28.8.2002.

Sd/-

Narendra Prasad

Commissioner

27.8.2002

**Dated: 28.8.2002**

**P.W.16, Shri Suraj Bhan**

In the presence of Shri Narendra Prasad, Additional District Judge/O.S.D., Hon'ble High Court, Lucknow Bench, Lucknow.

(Appointed vide order dated 23.8.2002 passed by the Special Full Bench of Hon'ble High Court Allahabad, Lucknow Divisional Bench, Lucknow in other original suit No.5/89 (Original suit No.236/89) in Bhagwan Shri Ram

Virajman and Others Versus Shri Rajendra Singh and Others)

(Argument on behalf of Shri Umesh Chandra Pandey, Defendant No.22 by Shri Veereshwar Dwivedi, Advocate in continuation of 27.8.2002 cross examination of P.W. 16 starts with oath).

By scientific analysis I mean the data collected, it's meaning should have been defined on the basis of available archaeological principles of the region. By scientific excavation, we mean that the archaeological material, which we want to collect from archaeology, the same should be procured through scientific method and record it, so that the same could be properly studied. In archaeology, digging means excavation but in general term any digging is called excavation. By scientific recording I mean the remains in archaeology, which had many categories, that should be recorded in a methodological way so that the remains at any time in a later stage are seen in that reference and if necessary the same may be helpful in analyzing afresh. Scientific recording is an important method in archaeology. I had carried out scientific recording at the disputed site and that recording of mine was important. It is correct, that the same important recording has been misplaced by me but I had studied it before it happened and on the basis of its analysis I had submitted the report and for many days till the structure of Babri Masjid was demolished that record was also available with me, which was required at that time. All my four associates had the knowledge of it and they had seen it. Perhaps more men would have liked to see it and might have seen it. That record was definitely available at my residence, wherefrom anybody could have seen it after informing me. I do not remember the name of any such

person who had seen it after demanding from me. It is wrong to say that I am giving statement on this point.

The disputed structure was not demolished when I had visited the disputed site for scientific recording.

Question: Had you assessed the disputed property between the parties at that time?

(On this question the learned lawyer of the Plaintiff Shri Zafaiyab Ziliani raised an objection that till 1994 the disputed property was not limited only up to disputed building and the witness has given statement only in respect of disputed building and the witness has no concern with the entire disputed property. As such the question asked about the disputed property is misleading and an effort to confuse the witness and it has no relevance with the statement of witness).

Answer: I had no concern with the entire disputed property, therefore I had not made assessment of the disputed property.

It is wrong to say that my aim was only to visit that place and prove that there was no temple beneath the disputed building. So far I remember the length of the disputed building was about 150 ft. and its height was about 60 ft. Babri Masjid was built in this area and the remains of other small memorials like Ram Chabutra and Sita ki Rasoi were there.

Question: Was there no building over the Ram Chabutra and Sita ki Rasoi?

Answer: A small shed was over the Ram Chabuirra and a small construction was in the Sita ki Rasoi and I had seen it.

Question: Did you name the shed as a building?

Answer. Keeping in view the relative position of all the construction work I do not give the status of a building to a shed in this regard.

Question: Do you not give the name of a building to the small construction made adjoining the big buildings?

Answer: In such a condition I know many types of constructions as Jhuggi, Jhopri or an ordinary shed.

I had called shed over the Ram Chabuttra and it is not that type of building as was of Babri Masjid. Both had no comparison.

Question: Is it correct that because it has no comparison with the building of Babri Masjid you therefore will not call that shed a building?

Answer: Partly it is correct but the building of Babri Masjid had consistence with the architecture.

Question: Have you good knowledge of architecture?

Answer I am not an expert of architecture; I have its common knowledge.

I had knowledge to differentiate according to the architecture between the structure of Babri Masjid and the shed of Ram Cbabutra. I had not done the scientific recording of the shed of Ram Chabuttra, because it was modern and was not related to our basic problem, but I had

taken its notes. In archaeology the notion of modern is that those articles, monuments or construction, which are not older than 100 years. Prima facie the Ram Chabutra appeared to me constructed within a period of 100 years. The Ram Chabutra was constructed on the floor like an ordinary chabutra and had a shed over it.

Question: Did you find any construction work around, above or below the surface of that chabutra which you are calling Ram Chabutra?

Answer : Yes Sir, on the western side of that Chabutra I saw the inner wall in the boundary of Babri Masjid and outer wall was in the eastern side of the boundary and some small constructions like stores etc. were in its north. Mainly there were these constructions, which I remember today.

I do not recollect of any other construction at present. If some one may tell me in this regard or show me the photograph I can recollect. I had said about the construction of store in the north of Ram Chabutra, I do not remember the length and breadth of that store. I do not remember about a gate near the Ram Chabutra. I had seen a small construction in the south of Ram Chabutra, which was like a 'Havan Kund', and the remains of some broken pieces of rooms were behind that.

Question: Whether the construction of the aforesaid store, the construction of Ram Chabutra, Havan Kund and the remains of broken rooms in its south, were looked like a part of Babri Masjid to you?

Answer: The wall of the outer boundary of Babri Masjid, the doors of which had two pillars of black stones and that and the broken structural remains in its south looked me related to Babri Masjid.

Question: Did the construction of store, Ram Chabutra and the construction over it, the Havan Kund in the south of Ram Chabutra and the remains of broken rooms in the south, near it, appeared to you the part of Babri Masjid?

(The learned lawyer of the Plaintiffs Shii Mustaq Ahmad Siddique raised objection that in reply to the question asked before this question, the witness had given the complete answer to it and the question is only to waste time. Besides it the witness has come again to the court with its permission to give his evidence of a particular point and the argument should be restricted only to that particular point and it should not be extended).

Answer: As the answer of this question is confined in the last question even then all the constructions referred to in the question except Havan Kund and the 1 small construction remains of broken houses in the south, all the remaining constructions appeared to me related to Babn Masjid.

Our draughtsman had measured the Babri Masjid and recorded it. That draughtsman was not my employee but he was an employee of an organization. He was the employee of Aligarh University. I do not know him directly. I know his name but have forgotten this time and I had included him in my record, which had been misplaced. Prof Athar All Sahab of Aligarh University was in our team. He made available the services of above named draughtsman. Although Athar All Sahab himself could not join, he was not required. Because we were collecting archaeological evidences and

Athar All Sahab was historian, therefore his services were not considered necessary at that place.

Question: Was Athar All Sahab unimportant for the archaeological analysis and recording at that place because he was an historian?

Answer: As Athar All Sahab was himself a member of the team, therefore it is not correct to say he was important or unimportant. We had made the division of work as per our requirement.

Question: Should I take that you neither consider him important nor unimportant?

Answer: Such of your thinking is wrong because each and every member of the team was equally important. Our team had no bureaucratic set up.

It is correct to say that we in the team including that draughtsman considered everyone equal. When the draughtsman was carrying measurement I was also present there. The measurement was being done by the measuring tape and there was another equipment of drawing. He prepared the drawing on paper after taking measurement. We were taking measurement of one part then prepared its drawings and then took measurement of another part and prepared its drawing. The measurement in this way was going on and we recorded. In this connection we took measurement and recording of all those remains, which we considered relevant in the context of this problem.

Question: Have you done measurements, drawings and recordings of the constructed work of store?

Answer: We had not taken measurement of the store in front of Ram Chabutra, because it was an ordinary modern structure. That is the reason we

did not take measurement of Ram Chabutra, because it too was modern. The measurement of Havan Kund etc. was not done because those too look modern to me. I had done measurement of the outline remains of moms. I had recorded this measurement, through photographs; drawings and notes, which is not available with me today, because it had been misplaced. I had not done measurements, drawings and recordings of construction relating to Sita ki Rasoi because it looked modern to me. We had done inside measurement of disputed building, prepared its drawing and also done recording and took its photographs, that recording too had been misplaced. So far I recollect, I had only four persons with me at the time of measurement etc. Prof. Sharma took permission from whosoever be the authority in Faizabad to take measurement of the disputed building.

I do not know the designation of that authority. Whether he was Commissioner or Deputy Commissioner or something else that I do not recollect. Whether pass was issued or not to visit the disputed site, but there were Police Officers, who assisted us but the mode of assistance provided is not in my memory. One thing I remember which they said, please come and take the measurement without any fear and doubt. I do not know the name of that police officer. His rank is also not in my memory. Constables were there and higher officers were also there, who helped me. I do not remember the rank of those policemen who were higher in rank than the constables, whether they were DG Police, IG, DIG or SP. Perhaps before taking measurement we put off our shoes. There was arrangement to keep the shoes outside the door. We were told at that time to enter after

putting off the shoes. We call archaeological remains to those things, which are found in scientific excavation and scientific investigation. Those are also called finds and also antiquity and objects. Other things, besides this are called samples. Chance finds are also there. The archaeologist can study them too, if their study is relevant and essential otherwise can early out its study.

Question: If a farmer is ploughing his field and during the ploughing if he gets a pot filled with coins, will you say it a chance find?

(On this question the learned lawyer Shri Abdul Mannan of the Plaintiffs raised the objection that this question is totally irrelevant).

Answer : We call it chance find in archaeology because it has neither been found in any of our planned investigation and excavation nor the finder had any vested interest or selfishness in it, except that we had a doubt that it had not been found from that place, where the farmer had said.

The Bayanahord found in Bharatpur Rajasthan is recorded as chance find, but I do not recollect at present who found it. I am not sure that it has been recorded as chance finding or not. It is wrong to say that I am giving wrong statement on this point.

I know Shiv Bahadur Singh of my Department. I know Dr. S.P.Shukla also. I had been in the Department of Ancient History, Culture and Archaeology, Kurukshetra University and I had retired as Professor from there. I had seen the Museum there and I had made great contribution in forming it. That Museum had sculptures. Those

sculptures have also been printed. Dr. Shiv Bahadur Singh and Dr. S.P.Shukla had played great role in their printing. Whatever they had printed, it had definitely historical importance, because they brought new data before the people and the scholars. I know about the publication of certain catalogues in Mathura Museum, National Museum Delhi and Indian Museum Calcutta. The catalogue, which I had seen, consists the photographs of sculptures too and the scholars of this field would have quoted it I do not know whether in my University similar catalogue bearing the photographs of sculptures had been published or not, how those were recovered, how many of them were found in exploration or survey and how many were donated by the public.

(On this point the learned lawyer of the Plaintiffs Shii Abdul Mannan raised objection that the witness had been recalled and as such questions under the Affidavit submitted by him could be asked).

The sculptures published in the above catalogue can be taken as an evidence, if the place of their findings is exact and some information about it is available.

Question: If a house falls in earthquake and while clearing its debris if some archaeological material is found, will you say it an archaeological finding or not?

Answer: Such archaeological remains will be called archaeological remains but where and how they can have importance as an evidence, the archaeologist or art historian will decide after its analysis.

I had heard this popular saying that two sons of some Sikh Guru were set alive in the wall, but how much it is true that I do not know. The debris of an old construction can be used in the new construction. Incidentally and after the demolition of the new construction the remains of old construction can come out. In the new construction in which old remains had been in-built, after the fall down or demolition of that new construction that remains might be in the debris if those were in existence earlier. I was not present there when the disputed structure was demolished.

Question: Have you directly or indirectly given any help in the demolition of disputed structure?

Answer: I had not given direct or indirect assistance in the demolition of Babri Masjid. But I being an archaeologist could not give any assistance to resist the demolition of an archaeological monument. I was in Rohtak at that time. I had not rushed to that place. I had also not gone there to find out something out of debris after the disputed structure was demolished.

I had heard about the construction of Ram Deewar in Ayodhya. I do not remember whether I had seen that Ram Deewar or not.

Question When the leveling work of Ram Deewar in Ayodhya was going on, were you present there?

Answer. I do not know whether the work relating to the leveling of Ram Deewar area was the same where excavation had been done in the South-east of Babri Masjid.

I do not remember the prescribed area of Ram Deewar. I also do not know when the said Ram Deewar was constructed.

Question: By 'Do not remember' should I take its meaning that it was known to you earlier and now it has gone out of your memory?

Answer. It may be or may not be possible.

When we went to Ayodhya at that time I was not aware of any Ram Deewar and by that time no leveling work had been done. Perhaps I went to Ayodhya in Feb-March 1991.

When we measured and prepared drawings and made recordings of the disputed building, at that time we did not find the outer boundary exactly in a rectangular shape.

Question: Was that disputed structure in square form or in pentagon or in hexagon shape?

Answer :As the corners of boundary wall were in circular form and in the back portion of the Masjid the portion was towards outside, therefore it cannot be said that it was in square shape. I will not narrate it in that way, because there is difference in my perception and in the perception learned lawyer cross-examining.

The learned lawyer cross-examining the witness showed the witness page 6, para 16 of the affidavit dated 26.8.2002 filed by him. The witness after seeing it said it has correctly been written in it that 'This is less than the area of the Babri Masjid which was about 150 ft. by 90 ft.'. Today I had told 150 ft. by 60 ft., 60 feet is wrong in it, because it was wrong in my memory. All the sides of the disputed structure were not in straight line so as , to make them rectangle in shape.

Question: How was the remaining surface of the disputed structure?

Answer: The shape of Babri Masjid was neither rectangular not circular on surface and in the back wall the projection was towards outside in the middle.

Some corners of the surface of disputed structure looked like a curve to me.

Question: When you visited the disputed site, were the black stone pillars fixed in the disputed structure?

(On this question the learned lawyer of the Plaintiffs Shri Zafaiyab Ziliani raised this objection that the answer of this question has come at least four times in the reply of witness, to ask it again is objectionable and improper).

Answer : When I went to Ayodhya in 1991, at that time 14 pillars of black stone were fixed in the structure of the Masjid. 2 Pillars were fixed in the grave yard and a part of the door frame was lying near Sita ki Rasoi in Janamstahn Mandir, situated in the north of Babri Masjid.

Question: Were the black stone pillars fixed in the disputed structure as decorative pieces?

(On this question the learned lawyer of Plaintiffs Shri Zaffaiyab Ziliani raised objection that the question has been replied several times and is being asked only to waste time).

Answer : The pillars fixed in Babri Masjid were at such a place in arches, which can be seen while going in and coming out and were decorating the structure.

Question: Were all these pillars under the arches?

(On this question the learned lawyer of Plaintiffs Shri Zafaryab Ziliani raised objection that this question had already been replied in argument and it is being asked only to waste time).

Answer: Yes Sir, these were below the arches and were above the pillars of walls i.e. above the foundation wall.

Question: As an archaeologist did you accept them as in setu?

(On this question also the learned lawyer of the Plaintiffs raised objection that it has already been replied and is being asked only to waste time).

Answer: Yes Sir, these pillars were the integral part of the Babri Masjid and were fixed in the Babri Masjid by importing the same from some other place earlier.

Question: Do you know from where these pillars had been brought? (On this question the learned lawyer of the Plaintiffs Shri Zafaiyab Ziliani reiterated his earlier objection).

Answer: I have no knowledge of any particular place from where these were brought; but since these being fixed in the construction in Ayodhya the evidence and non-availability of pillars of such stone in the nearby area during the period of Gaharwal dynasty, and availability of such stones and such artistic pillars in Bihar and Bengal, are the

indication that these were brought from Eastern-India.

By Eastern-India I mean the area of Bihar and Bengal.

Question: Had you got any archaeological evidence that such type of pillars in so much quantity were brought from 800-1000 km.?

Answer: Yes Sir. In India, during the reign of Ashoka, pillars bigger than these were brought from far away places and were sent to North-West frontier and South India.

Question: Did you arrive to this conclusion as an archaeologist that these pillars were brought from such a distance?

Answer: On the basis of circumstantial evidence, I had mentioned the possibility of bringing these pillars from outside Ayodhya and probably from the Eastern India. The pillars I saw in the graveyard were not different from those fixed in disputed building. These were similar. This I cannot say that their position was the same when dug in the graveyard.

Question: Did you reach the conclusion after seeing those pillars as an archaeologist that the pillars were in situ?

Answer: As those pillars were dug in the ground near the graves and were upside down, and were not built in any masonry construction, it is therefore not possible for me to tell that those were dug in the position they were there and remained as such till last. The possibility is that the pillars fixed in the grave were used as decorative pillars.

I had not seen such a grave except the aforesaid, where such a pillars were fixed.

Question: Whether Goddess and her different forms are worshiped in Bengal?

(On this question the learned lawyer of the Plaintiffs Shri Zafaiyab Ziliani raised this objection that the witness has not been presented for a religious tradition, as such there is no justification to ask such type of questions.)

Answer : These are worshiped and other might have been worshiped, I am not an expert in this field.

I had not seen such a pillars in Bengal and Bihar bearing such types of motifs but I had definitely read about it. I had read in the book written by Banerjee Sahab on Eastern Indian Arts and in the book of Prof. R.S. Sharma, published from London, which I had referred to in my affidavit. I do not remember presently the full name of Baneijee Sahab. The book containing the article of Prof. R.S.Sharma was published in 2001 and the reprint of Banerjee Sahab's book was brought out about 30 years back and I had read the same print and the print of that photo and extracts I had presented.

At this stage the attention of the witness was drawn to Paper No.308 C- 1/14 and 308 C-1/15 submitted in other original suit No.5/89 and was asked whether you find a motif or the figure on the pillars shown in this picture, which was also engraved on the stones found in the disputed structure? After seeing the above papers the witness replied that in Picture 'D' in Paper No.308 C-1/14 and pictures 'A', 'C' and 'E' in paper No.308 C-1/15 many motifs are engraved and the type of stones are similar to

the stones of disputed site lying nearby and the two jambs lying near it. By types of stone I mean Black Basalt stone. As I had not gone there as such the question to see those stones by scratching does not arise. Then he himself said that I had not seen the pillars in Babri Masjid by scratching. As an Archaeologist, I had assessed hundred years old sites by scratching through a knife having fall of 2-4 inches that is the excavator's knife. Besides it an archaeologist uses the excavator's knife for supervising the trenches in excavation, to identify the levels and mark them and for many other recording work. it is apart of excavation and any one expert of that team has to carry out this work side by side.

Question: Do you carry out scratches by the same knife, whether it is cement mortar, lime mortar or any other type of mortar?

Answer: It is not so. We had a kit of many types of excavation instruments, which we use according to their requirement. But the excavator's knife is used particularly as a sensitive tool to know the stratigraphy i.e. to know the difference of soil level and to know about the soil. It can be used for other small works also .

I had seen the plinth of foundation walls of disputed site, where the 4 pillars under the arches were erected. That plinth was of lime. Whether there is gap between the plinth and pillar to see that the pillar is on the plinth or is inside the plinth. We were seeing from our excavator knife by removing the earth from the bottom of the pillars.

Question: Whether the Police Officer present in the premises noted that you are entering the premises with a knife?

Answer: The police officers might have the knowledge that we were going inside with recording instruments of archaeological investigations and we were doing the work in open and all were seeing it.

Question: Whether before entering the premises you informed the police officers present there that you also have a knife?

Answer: I had told the police officer present there, what work we will do inside and how we do this work because they too were anxious to know what work we do and how we do it .

It is wrong to say that I entered the premises with the knife without telling to the police officers who were present . It is wrong to say that I am telling lie on this point.

At this stage attention of the witness was drawn to pictures No. 19, 20, 21, 22, 29 and 30 of Album Paper No.286 C-1/4A submitted with another original suit No.5/89 and the learned lawyer asked this question:

Question: Whether you have seen the pillars shown in these pictures, in the disputed premises?

Answer : After seeing pictures No.19, 20, 21 and 22, the witness said the pillars shown in these pictures are similar to the pillars, as he had seen in the disputed complex and outside in Ayodhya. But he was not sure about picture Nos. 29 and 30.

Question: What similarity in motif and figure do you find in picture Nos. 19, 20, 21 and 22 of Paper No.308 C-1/14 and 308 C-1/15?

After seeing the picture on Paper No.308 C-1/14 and 308 C-1/15, the witness replied:

Answer : Picture No.19 in Album Paper No.286 C-1/4A, the Pitcher leaves, figures of Yaksha, Chamfering, pitcher leaves and the long leaves on them as Motifs, garlands are parallel to design in picture No. D of 308 C-1/14 and Picture No. A and E of 308 C-1/15. They are similar to one another but are not identical in toto. Similarly in Picture No.20 of Album in spite of lower part of the pillar being shown as broken the pitcher leaves, long leaves like design and chamfering of the pillar had some similarity to pictures No. A, B, and E of Paper No. 308 C-1/15. Similarly pictures No. 21 and 22 of the above Album, the broken figure of Yaksha, Pitcher leaves and the design of leaves with chamfering had some similarity with Picture No. E of paper No. 308 C- 1/15 and Picture D of paper No. 308C-1/14.

Picture No. A of Paper No. 308 C-1/14 was shown to the witness. After seeing it the witness said that he is not expert in sculpture as such he cannot tell the name whose pictures are shown in those sculptures and an expert is required to identify the picture.

Verified after reading the statement

Sd/-  
Suraj Bhan  
28.8.2002

Under my orders the stenographer typed in the open court.  
Be present on 29.8.2002 in continuation.

Sd/-  
Narendra Prasad  
Commissioner  
28.8.2002

**Dated: 29.8.2002**

**P.W.16 Shri Suraj Bhan**

In the presence of Shri Narendra Prasad, Additional District Judge/O.S.D., Hon'ble High Court, Lucknow Bench, Lucknow.

(Appointed by Orders passed on 23.8.2002 by the Hon'ble High Court Allahabad, Lucknow Bench, Lucknow in other original suit No. 5/89 (Original Suit No.236/89), Bhagwan Shri Ram Virajman and Others Versus Rajender Singh Others).

(Cross-examination of P.W 16 on behalf of Shri Umesh Chandra Pandey, Defendant No. 22 by Shri Veereshwar Dwivedi, Advocate. in continuation of 28.8.2002 begins on oath).

I had not seen the temple of Kandariya Mahadev, referred to in para 16 of my affidavit. This temple is in Madhya Pradesh. At present I do not remember the district where the above temple is situated. It will be at a distance of 300 kilometers from Ayodhya. The boundary of Madhya Pradesh from Ayodhya may be less than 200-300 kilometers. Kandariya Mahadev is name of a the particular temple. There are number of other temples. It can be said that there is a temple complex. But the Kandariya Mahadev is not in a temple complex. It cannot be said that there is whole temple complex in length and breadth of Kandariya Mahadev complex. It is wrong to say that I am telling lie on this point.

Question: Is it true or false to say that the temple of Kandariya Mahadev was the nearest temple from Ayodhya?

Answer: It appears to me the nearest one.

Question: Was there no other temple between Ayodhya and the above said Kandariya Mahadev temple?

Answer: There might be other temples. The temple of Ram Janambhoomi, which had been said is a big temple made of stone in 'nagarkala shaili' a magnificent example of it is the Kandariya Mahadev temple, which is near Ayodhya

Question: "Among all temple complexes nearest to Ayodhya, was the temple of Kandariya Mahadev" this statement in your affidavit is correct or wrong?

Answer: It is correct.

Madhya Pradesh is in the south of Ayodhya, but it is a big Pradesh, which is expanded very large in east and west. Prayag is between Madhya Pradesh and Ayodhya. I have no definite idea whether Pratapgarh falls between Ayodhya and Madhya Pradesh.

Question: Whether Nandi Gram falls or not between the boundary of Ayodhya and Madhya Pradesh?

Answer : Nandi Gram does not fall on the shortest route between Ayodhya and Madhya Pradesh.

The shortest route for Madhya Pradesh from Ayodhya is via Allahabad. The route on which Nandi Gram falls that I do not know exactly. But after seeing the imp I find there can be some other shortest route. I am not well conversant with the road map of U.P. I therefore cannot tell, wherefrom this shortest route passes. I can tell about it only after seeing the map. Even this I had deposed that it does not fall on the shortest route, because I understand so. The temple of Kandariya Mahadev is about 100 ft. long and

about 60 ft. wide. There are many temples in Prayag and it is a pilgrims place, but it has no connection with the issues of my affidavit. I had heard about temples in Nandi Gram, this much I remember at present. The Nandi Gram has been referred in Nandi Gram. It is correct to say that Nandi Gram is one of the important places in Rain Katha. It is wrong to say that I had gone to Ayodhya with pre-conditioned notion and not to procure the archaeological remains and facts, which was placed as a thesis about the place of Ram Janambhoomi temple and Babri Masjid. It is also wrong to that because of this I had not gone to any other place except disputed complex.

Question: Did you visit any other place except disputed complex in Ayodhya relating to Rama?

(On this question the learned lawyer of Plaintiffs Shri Zafaiyab Jiliani raised objection that such types of questions had been asked umpteen times during cross-examination and there is no justification in asking them again).

Answer: I had gone at many places in Ayodhya especially for general observation and secondly to see the archaeological remains relating to the issue. Prof R.S.Sharma conducted survey of Virndaban referred in Ayodhya Mahatamya of 'Skand Puran' and Ram Janambhoomi, which had been said between Lomesh Ashram and Bighneshwar temple, as referred in Budalian Library of Oxford. I had also participated in a survey conducted by Shri Sharma.

Question: Had you heard about the Indology Institute Library, Virndaban?

Answer: If it is the same Virndaban Research Institute Library, which had been referred by Prof.R.S.Sharma, then I had heard its name. Prof. Sharma had recognized the completion of the manuscript of Ayodhya Mahatmya of Skand Puran of Virndaban Research Institute in 18 and 19 Century. I do not know the period of its start mentioned by Prof. Sharma and nor it is important for research purposes.

Question: Had you come to know till today the date of existence of Ayodhya Mahatmya in Skand Puran?

Answer: I do not remember.

It is not my field, so I cannot tell whether it is in Bodelian Library of Oxford University or not but Prof. Sharma had told that it was in Bodelian Library of Oxford University. If any authentic information is received that it was not in Oxford University but in Cambridge University, I will have no objection in accepting that fact. I will decide on the basis produced of the evidience that which fact is correct and which is wrong.

Question: Do you know the century to which Ayodhya Mahatmya of Skand Puran, obtained from Bodelian Library, belongs to ?

Answer: I do not know but I had already revealed the opinion of Prof. Sharma, who had worked on it.

Question: Don't you consider any other Scholar an authority on this subject except Prof. R S. Sharma?

Answer: Because it is not related to my scope of work, I therefore did not try to find it out.

I had read the translation of Recencion of Skand Puran.

Question: Will you be able to tell the year of Recencion the translation of which you had read?

Answer: This I cannot tell.

Question: Had you read Ayodhya Mahatmya of Skand Puran published by Khem Raj Prakashan?

Answer: That was shown to me here in the Court, while I was giving my statement and I had read it.

Definitely it was a printed publication, which had a form of Ayodhya Mahatmya. I do not remember its year.

Question: The translation of Skand Puran, which you had read, had you read any description about the Ram Janambhoomi in it.

Answer: Yes Sir, I had read and as I had told earlier also those are not much reliable.

I do not remember if I had heard the name of Kaichuri King Laxmi Karn. I do not know whether I had read or heard about any epigraph of Malay Singh or not. I had no clear impression about Bhadoi. I will not be in a position to tell you whether any Tamr Patra was found from there or not. Epigraphy is not my area of work. Special interest in any other job is only created in certain conditions. It is not authentic whether any petrograph was found in Ayodhya in 1992. The question of finding an unauthentic petrograph r at any place does not arise.

Question: Whether in your opinion no petrograph was found in Ayodhya in early 1992 or 1993?

Answer: The petrograph mentioned by scholar of particular thought, to have been recovered in 1992-93 that is not authentic. The picture of petrograph found in Ayodhya, which had been referred by

T.P.Verma and S.P.Gupta in their book, it definitely shows a fact that it was a petrograph and where it was found was not certified.

Question: What has been written in that petrograph, had you tried to decipher it till today?

Answer : What has been written in that petrograph, I had read some of its version, but since that petrograph has not been authenticated whether it belongs to Ayodhya or not and whether it is of 11 and 12 Century and not 17 Century as has been stated by the retired Director of Bihar Archaeology Shri Sita Ram Rai that it was of 17 Century and therefore it was not relevant to our present problem, for which I would have done any special efforts to read it.

Question: Whatever you had read in that petrograph, whether you came to know the tune to which it pertains?

Answer: So far authentic proof of reading that petrograph has not been received. It still needs to be read correctly, but the scholars of a particular thought stated that it belonged to period of Gaharwal regime.

Question: Have your knowledge a well-known scholar of epigraphy in India?

Answer: There are number of scholars of epigraphy in India and in the world. There is a special branch of epigraphy in Archaeological Survey of India, which analyses such types of petrographs and the material related thereto.

At present I cannot tell you the name of those scholars who were responsible to decipher the petrographs.

I had heard the name of M.N.Katty. He is an epigraphist but I cannot say whether he is an established epigraphist in this field or not. I do not know if he is an established epigraphist and what is his special area of work. I do not know the field in which M.N.Kutty carries research work. I do not remember at present what was his background. I am not sure whether he was working in ASI or not.

Question: Had you read any literature regarding Lord Ram Janambhoomi?

Answer: I had read the documents given by the Vishwa Hindu Parishad to Government of India in this connection.

In it only Ayodhya Mahatmya of Skand Puran had been quoted about the place of Ram Janambhoomi.

Question: Have you not read any other literature on Ram Janambhoomi except Ayodhya Mahatmya of Skand Puran?

Answer: I had already said that no document throws literary light particularly about the Ram Janambhoomi place.

Question: Had you read any other literature relating to Ram Janambhoomi other than Ayodhya Mahatmya?

Answer. I had read the various extracts given in the documents, but in 1 none of the extracts except Skand Puran tells specifically about the Ram Janambhoomi.

Question: I had asked you whether you had read any other literature except Ayodhya Mahatmya of Skand Puran on Ram Janambhoomi? I had not

mentioned about the specific place in my question?

Answer: If the intention of your question is about any city or village then it will be available in several books from Ramayana.

Question: Do you accept or not that Shri Ram was born in Ayodhya?

(On this question the learned lawyer of the Plaintiffs Shri Abdul Mannan raised this objection that the arguing learned lawyer had not proved that Ram Janambhoomi is in Ayodhya or somewhere else).

Answer : According to Hindu traditions the birthplace of Ram is considered as Ayodhya, but the learned historians had not so far established historically the existence of Ram. So it is not the question of my belief but I being an archaeologist can not verify it.

Question: Do you consider traditions as one of the sources of history?

Answer: Yes Sir.

Question: Are you aware of this tradition that festival of Ram's birth being celebrated in Ayodhya from centuries back?

Answer: I know the reference of Ram Janam being celebrated in Ayodhya for several hundred years.

I know where the present Ayodhya is established. I do not know whether any village or city with the name of Ayodhya other than that of Ayodhya of UP. is in existence. As per my personal knowledge, there is no other place of

this name except Ayodhya, which the people recognize as the birthplace of Rant I know that the Ayodhya about which we are talking is also known by other names. I know that Ayodhya has been referred in Atharva Veda. But the scholars had not taken this Ayodhya that of Atherva Veda.

Question: Do you know the geographical situation of that Ayodhya which has been talked about by the scholars?

Answer: Shri Munish Chandra Joshi, retired Director General of Archaeological Survey of India had taken it as an imaginary and I agree to it because word Ayodhya has come as an adjective but in actual history its old name was Saket.

Question: Can you tell the noun to which Ayodhya has been used as an adjective?

Answer: It appears to me that when in Baudh literature the city to Saket was in use in Bahnlki Ramayana for that as synonym where it has been used as an adjective.

Question: Do you make any difference in synonym and Adjective?

Answer: Yes Sir, by synonym I mean the name Saket as synonym and by adjective I n such a city with where battle is impossible. Ayodhya has also been referred in Valmiki Ramayana.

The scholar of history of culture had treated Atharva Veda much earlier than Buddha but later than the early part of Rig Veda. To my mind it should be before 9<sup>th</sup> – 10<sup>th</sup> Century.

Question: In your opinion when was Valmiki Ramayana written?

Answer: The cultural scholars had kept the date of Valmiki Ramayana sometime 200 B.C. or in between 200 B.C. I too consider it of the same period. I do not know whether I know about Shiv Samhita, Brihad Braham Samhita. I also do not know whether I know about Rudrayamal. I had heard the name of Padam Puran. I do not remember at present whether it has the description of Ayodhya in it or not. I know that Padam Puran is the written after Gupta period. Gupta period is placed in 4 and 5 Century. I do not know how after the Padam Puran is Gupta period.

Question: Who were the well-known historians of Vaishnav dharma, according to your opinion?

Answer: I do not remember today about the history of religions in India, so I cannot say about it.

I had heard the name of Subeera Jaiswal. I had heard the name of Shri Vishamber Sharan Pathak (V.S.Pathak). He is a well known historian in his field .

I know Ayodhya is also known as Kosal Nagri. The name of Saket comes in Baudh literature I cannot say exactly whether Saket is known by some other names in any literature or not. The Baudh literature starts from about 500 B.C.

I had heard about Nasik Cave Inscriptions. I had heard about the Satvahan Kings. I cannot say whether the capital of Satvahan Kings was Nasik or somewhere else. The eulogy of Satvahan Kings has been written in the Nasik inscriptions. It might be possible that they would have been

compared in it with Ram, Krishana, Aijim and Bhim Sen. But I do not remember it at this time. The inscriptions are of 150 A.D. This I cannot say exactly but the ruling period of Andhra Satvahan Kings was around this periods.

I had heard the name of Kalidas. He was a Sanskrit poet. The scholars treat him to belong to 5<sup>th</sup> Century. I know one of his writings is 'Raghuvansham'. This too has the description of Ram's birth in Ayodhya. Urdu was my first language of study. I do not remember whether I had read 'Gumgashte Haalat E-Ayodhya, Avadh' written by Maulana Abdul Karim. Perhaps I had neither seen it nor read it. I had neither seen nor read Hadiq-E- Shahada I had not read any book having the details of Masjids in Ayodhya.

Question: Can you say something about the specialty in the architects of Masjids in Avadh?

Answer: I see Babri Masjid as a specialty in architecture of the Masjids in Avadh, although the Muslim architecture had not been the subject matter of my study.

Question: What special architecture you had noticed in Babri Masjid?

Answer: First of all Babri Masjid had no towers of that kind as had been seen in the Mughal architecture. Secondly the architecture of its arches and tombs were in some earlier form and less developed than the Masjids of Mughal period. It had no reservoir of water. It seems a local specialty.

In Ayodhya, there are ruins of some Masjids in the north of Ayodhya towards riverside other than Babri Masjid.

Masjids are also in existence in Faizabad and Lucknow, which I had seen in a casual way.

Question: The above-mentioned Masjids, which you had seen in a casual way, whether you noticed any difference in their architecture and in the architecture of Babri Masjid. If there was any difference, what was it?

Answer: Yes Sir, the arches and domes of these Masjids were much developed than Babri Masjid and minars which were not so developed.

I can quote the period of those Masjids, which I had seen in a casual way. Those were generally of late Mughal period and belong to the time of Nawabs. I had not seen any other Masjid of Babri Masjid period in Avadh. When I was carrying out archaeological survey in the disputed building, its period at that time was already determined. It was decided on the basis of primary survey. I was not the student of Muslim History of Architecture. I already knew that this Babri Masjid is situated on an old hillock. But after the analysis of our historical evidences we reached to the conclusion that the place, where the Masjid is situated, no other building was in existence at that place.

Question: As an archaeologist, do you agree with this fact that if a high raised place is in an area, normally it is the place of old inhabitation?

Answer: This I had already said that the Masjid was on hillock. It means that the hillock had inhabitation and it was not a mound of desert.

I accept travel description as one source to know history. Government Gazetteers being secondary sources, because they had no importance and they cannot be used an

evidence by oneself without verifying them. The reports of Government surveyors can be treated a source of history, where they had relevance.

I had heard the name of 'History, Antiquities, Topography and Statistics of Eastern India', by Martin Gumri but had not read it.

Question: Whether those friends of your who had read it had ever told you that this book also reveals the demolition of temple and construction of Masjid on it?

Answer: All our friends discussed the historical evidences together and whatever material was available other than this. After analysis and reaching to a conclusion we had written "Report to the Nation".

Question: Should I take it that you and all four friends after sitting together had decided what to say and write in the report to prove that there was no temple beneath the Babri Masjid?

Answer: After reaching to a conclusion on the basis of in depth analysis of evidences and material, we had written the same in a scientific method and not without any investigation written it prejudicially, or without collecting my data, or analyzing them and, after investigating the documents, without any prejudice had written it.

Verified after reading the statement

Sd/-

Suraj Bhan

29.8.2002

Under my orders the stenographer typed in the open Court.  
In continuation be present on 9.9.2002 for further  
examination.

Sd/  
(Narendra Prasad)  
Commissioner  
29.8.2002

**Dated: 9.9.2002**

**PW 16 Shri Suraj Bhan**

(Before the Full Bench cross-examination of P.W. 16, Shri Suraj Bhan on behalf of Defendants No.22 by Shri Veereshwar Dwivedi, in continuation of 29.8.2002 begins after oath)

I had read the book Paper No.289 C-I, written by S/Shri T.P.Verma and Swaraj Prakash Gupta, which is related to archaeology. The portion relating to archaeology has been written by S.P.Gupta in this book. He has mentioned this in his book. Some pictures had also been printed in that book, I had seen its photocopy. The pictures published in the book. I had seen their photocopy. I had read the photocopy of this book and I had seen the photographs in it. These pictures are related to the sculpture found in Ayodhya in 1992-93, in the excavation carried by B.B.Lal and the black pillars fixed in the Babri Masjid and the material scattered near about in Ayodhya. Out of these I had seen that material on the spot, which was lying there till 1991. It means, all the pictures of all the things given in the book, I had not seen them. I had gone there in 1991 and I had seen the material available there at that time. Some of the black pillars were fixed in the structure and some were lying nearby. One of them was lying in Janamsthan temple, which is in the north of Babri

Masjid and the two were lying in the grave yard in the south of Babri Masjid. What I had seen, the remaining 14 pillars were fixed in the Babri Masjid. I do not remember at present, what else I had seen there, the picture of which is given in the book. In 1991 when I went to disputed site, the other things were not there, which had been shown in this book.

Question: Whether you had verified those pictures given in the books which were related to that structure or not?

Answer: I had verified the pictures of material given in the book, which were available till 1991. You had said that the book was published after 1991, therefore it contains picture of things ibund after 1991.

In archaeology the pictures of material are verified at the site itself. If it is not possible, it is verified from its pictures and description, in 1991 when I visited the, disputed site, I took its photographs, prepared its drawing and notes with my observations. These are the same notes and records, which have been lost from me after the demolition of Babri Masjid, but I had already submitted report before that. In 1992 after demolition of the structure the material which has been found and the pictures of which have been given in the book, I again studied them and gave my observations. Because I had not gone to the disputed site after 1991 therefore its physical verification was not possible by me.

On this point the arguing learned lawyer after showing the pictures No.289-C-1/206 to 226 asked which of the pictures you had seen in 1991.

In those pictures the picture No.1 of Paper No.289-C-1/207, I had seen the structure and the excavation shown in it is belong to later period. Similarly picture No. 2 of this book, I had seen. I had also seen pictures No. 1, 2 and 3 of Paper No.289 C-1/212. I had also seen pictures No. 2 and 3 of Paper No.289-C-1/213, pictures No. 1,2 and 4 of Paper No.289-C-1/214, pictures No.1 and 2 of Paper No.289-C-1/219. I had not seen picture No.1 of 289-C- 1/220 on the structure at that time in 1991. Pictures No. 1 and 2 of Paper No.289-C-1/214 appears to be of 10<sup>th</sup> and 11<sup>th</sup> Century. I cannot say exactly the construction period of picture No.1 in Paper No.289 because it is not clear. It is correct that pictures No. 1 and 2 of Paper No. 214 are clearly visible but picture No.1 of 220 is not clear. Motives of picture No.1 of 220 and figures are not sharply visible. It means the figures are not sharply visible by viewing it. It is not clear whether it contains human figures or not. It is wrong to say that I am making wrong statement on this point. You yourself had said that I am not a student of early medieval art and Architecture or its specialist. It is wrong to say that the statement so far I have given is as a layman statement and not as an expert You had said that whatever you understood and gave statement according to It and then as an architect. I consider it important to study these pictures or sculpture to find out their relation with the so called temple which is said to be beneath Babri Masjid, in which the sculpture found in B.B.Lal's excavation is included. That is my subject of archaeology. I had not seen any such Masjid which has human figures engraved.

Prof B.B.Lal excavated the western and southern sides of the disputed structure. When I went there in 1991 I had seen the site and the trench were full. I had seen the photographs of excavation of B.B.Lal, which were published in Indian Archaeology — A Review. The pictures of Paper

No.289-C 1/208 were not published in Indian Archaeology - A Review. But I had seen this picture pruned in another pamphlet. I had not paid attention to the number of Masjids, which are adjoining the cow-sheds. When I was going to Ayodhya from Lucknow, I had been watching the constructions made along the roadsides. They contained pillars of similar bricks, those pillars were in two rows or three rows bearing the shed on it and animals were tied under them and houses were there and shops were opened. On the basis of their comparison I had said it in my earlier statement that these pillars might be cowsheds or of houses. I had been going from Lucknow by a car not on foot. I had been watching from car and where ever I stopped for taking tea. It did not appear to me extraordinary but generally it is like that. I had not seen any cow-sheds adjacent to Masjids between Lucknow and Faizabad.

Question: Should I take that in your opinion cow sheds adjacent to Masjids is an ordinary thing?

Answer: I consider it an ordinary thing. It is wrong to say that I am giving wrong statement on this issue. It is my opinion that the pillars found in B.B.Lal's excavation may be of cowsheds. It was based on my ethnographic study. Ethnography is a branch of Archaeology. Keeping in view the existing culture and equalizing it with ancient culture, it helps us in understanding the remains of the past My special field was archaeology and not ethnography But we study it according to our requirements. Whatever data Shri B. B. Lal has given on this excavation, he had given that the structure would have been of 11 and 12 Century and I had accepted it, because I had no other evidence contrary to that. Shri. B.B. Lal has not shown the diary of his excavation and he has

also not shown the photographs etc. of that excavation to enable me to frame my opinion on it So I after accepting his opinion have given my views It is correct that I had asked Shri. B B Lal to show me all the material Our team in this connection had sent a letter to Government and requested to supply all the record and material to us. We had not said anything to Shri.B.B.Lal directly. There was no exact knowledge of the people's inhabitation in Ayodhya during 11 and 12 Century, because no material has been published in this regard. It is correct that I had mentioned that these cowsheds would have been according to the conditions of people living.

Question: Have you got any evidence of the place of where Shri B.B.Lal had done excavations that there was any inhabitation near that place in 11<sup>th</sup> – 12<sup>th</sup> Century or not?

Answer: The trenches, which had been laid by Shri B.B.Lal, whether more in South or in East in Hanuman Garhi, it all shows this much that there was inhabitation in Ayodhya during 11<sup>th</sup>, 12<sup>th</sup> Century.

As Shri B.B.Lal has not given any report on the living of people, I cannot say about their standard of living. Then said the excavation i.e. the material found in those trenches, shows that those people had been using ordinary potteries. From excavation carried out by Shri. B.B.Lal it has not been reported about the arrangements for keeping cows at that time. But Indian culture had great continuity and even today in many of the village's life is like living in ancient age. It is correct that I had not reached to the conclusion of their having a temple because in the three evidences required by Shri. B.B.Lal for the identification of

a temple, he had not mentioned about it in his report. There is no reference in his report about the classical urban style, temples, plan, the debris of its super structure and the articles of temples used in that structure, which could indicate the construction of the structure.

Archaeology is the field of that enquiry in which after studying the physical remains, investigating and studying them, we make history. Whereas in historiography the history is created afterwards on the basis of written evidences. Although the present scholars, use materials of both sides. When I visited the disputed site I had seen it with a view of archaeology. I had measured, observed and tested it. I had not studied physical remains from the method of historiography. it is correct that I had studied at site only from the archaeological angle and prepared my record accordingly .

Question: Had you studied the articles of Shri. B.B.Lal as published in 'Conservation and Restoration of Cultural Property', edited by Robert Leten, Peter Stone, Julien Thomas and Nandni Rao, London Rotlage Limited-2002 ?

Answer: I had not read the said article of Shri B.B.Lal in above-mentioned book. So far I recollect the editor of this book is Nandni Rao. It has not been published in 2002 but probably published in 2001.

Question: Had you read the book published by Indian Council of Historical Research in 2002 entitled 'Indian Archaeology in Retrospect, Volume 4, Archaeology and Historiography History, Theory and Method' edited by S.Satar and Ravi Kon Satar?

Answer: No, Sir. I only study the books published by Indian Council of Historical Research, where I think it necessary. It is true that articles relating to archaeology are also published in the journals published by Indian Council of Historical Research, but they are few in number. I therefore, only read those, which I consider necessary. I had not read any article of Shri B.B.Lal in Indian Council of Historical Journal. I am a student of archeology. There are number of experts in various fields of archaeology. My subject in the field of archaeology is Proto-history archaeology in Satluej-Yamuna Basin. I had done special study on this subject and I am a field archaeologist. I being in field archaeology can use it in any of the archaeological field, wherever it can be made applicable.

Question: Should I take it that you are an expert archaeologist in the field archaeology ?

Answer: Field archaeology is one of the basic methods of archaeology, without which scientific archaeology is not possible and I am expert in that field.

To my knowledge there are good knowledgeable persons of field archaeology in many universities. There are good field archaeologists in Allahabad University, Banaras Hindu University, Daccan College Pune, and M. S. University Baroda. I do not remember the name of those persons at present.

Dr. S.P.Gupta is a journalist and he writes articles in number of journals which I do not know. The Archaeology Association has a journal, its name is 'Puratatva'. His articles are also published in it. There are other journals in

U.P. in which he contributes his articles to. All these are small journals. From his articles whatever I had read on that basis I said, he is a scholar journalist and not a scholar of any field in archaeology. I do not agree with him on the articles I had read. For example he has written an article on Sindhu — Saraswati civilization, which I had studied, the title of which is not in my mind at present. That article is baseless. He had written that article in about 1990. Satluj — Yamuna basin is not the field of archaeology. You yourself told that the study of archaeology is based on field work and it is a field of archaeology on that basis, on which I had carried out an archaeological study of a particular period. I had got the project of I.C.I.L.R. and I had been the member of that Council. I am still working on that project.

Your saying that I am not an archaeologist and I am not expert of archaeology is wrong. It is wrong to say that my statement is in favour of a party and against another party. It is also wrong to say that I have been misusing the membership of I.C.H.R. it is wrong to say that the statement, which I have given, is to oppose one party and to favour another party. I had told the truth which I got. When I went at the disputed site in 1991 at that time I saw a stone pillar at the outer gate of the boundary wall made all around the Masjid.. So far I recollect that stone pillar was of brown colour. I do not remember that the brown pillar was fixed with wall or placed at some distance. That pillar was not a part of disputed structure. I had not studied that pillar in any particular manner but had observed it. So far I recollect it had something written like Ram Janambhoomi and perhaps it had been fixed by the Archaeological Survey of India. So far I recollect it might have been at a distance of within one meter from wall. That pillar was round from upper side and flat from lower side.

The witness was shown picture No.1 of black and white album paper No.201 C-I submitted in other original suit No. 4/89. The witness after seeing it said that pillar is seen in this picture, wherein the word 'Janam' is visible. I do not remember at present whether 'Janambhoomi' or 'Janamsthan' was written on it. I do not remember whether any stone pillar was erected near or on the boundary wall of the disputed structure.

The witness was shown pictures No. 13, 14, 15 and 16 of coloured album, Paper No.200 C-1. The witness after seeing the pictures said, there is no stone block but some material seems to have covered on it and it is difficult to say that it is lime or mud. Because the material visible on the above pictures had no archaeological value, I did not consider it necessary to study them. It had no relative value with the disputed structure. The reason being that material used created an anxiety that it is the figure of an animal, but actually it was the heap of lime and mud. I did not try to find out the material with which the heap was made of because to my mind it has no relativity whether it was of lime or mud but it is sure that it was not of stone. I do not know particularly about this, whether any other archaeologist had gone there before I visited the spot of investigation or not. I do not know at present whether any Commission appointed by the Court had gone there for survey before my visit. I do not remember whether I knew earlier or not about it. By seeing the picture No.13 of Album No.200 C-1, lagayat 16, the picture visible in it caused an illusion from the first sight that it is the figure of 'Varaha' but it is not so. As it is not the figure, therefore the question of figure of elephant does not arise at all.

Two figures of lion are being seen on the top of pictures No.39 and 40 of the same album. These figures

are on the top of some door. I had seen these two figures of lion, when I visited the site. I had not seen the figures of lion on stone or on any outer wall of a Masjid. This door bearing the figure of lion was on the wall in the north of disputed structure. When we went at the north side door, perhaps it was closed at that time. We entered from another door. It is not correct to say that the door was not closed when I reached there and I am advertantly, giving mis-statements. I entered the disputed structure from eastern door and had passed 'Singh Dwar' in north side while going inside. I had moved in the courtyard and passed about 100 meters from north side door. I had seen the place known as Sita ki Rasoi, when I was at a distance from inside.

I do not recollect, whether I had seen 'Charan Chinh' or not. At Sita ki Rasoi, the Chuiha, Belan etc. were placed. To my mind since Sita ki Rasoi and the articles placed in it were modern, therefore I did not consider necessary to do an in-depth study. By modern I n the articles made within 100 years or so. From the construction of Sita ki Rasoi itself; I found that it is modern and therefore, I had not done its study. No special material of art was there in Sita ki Rasoi, therefore I did not study it. To my knowledge both eastern and northern side doors were of medieval age. It means those were neither modern nor ancient.

To my knowledge the early medieval period is considered from 600 A.D. to 1200 A.D. and thereafter till 1757 A.D. it is known as medieval period. In the courtyard of disputed structure there was a wall between the outer and inner courtyard. It was of medieval period. It means it was 100-150 years old. This wall is considered as the remains of present age. To my mind the disputed structure would have been constructed in a particular period according to architecture. That period was not medieval. According to

architectural design it was modern. Although I am not an art historian, even then I am competent to say that the structure was modern. Then said the dividing wall built in the middle of the courtyard, I am saying that of disputed structure was build in the medieval age. I being not art historian, I am competent to say that the disputed structure was built in the medieval age because the disputed structure had the epigraph inscribed, which bears the date of its construction, which I can say with authority that the petrograph on it was fixed on it at the time of construction. As the art of archaeology and history are inter-linked, therefore I cannot tell the time of the construction of the disputed structure.

It is wrong to say that for my convenience sometimes I say that I am not art historian but I can tell this thing and it is also wrong that on the same basis being an archaeologist I cannot tell the period related to history. The date on it had been written in Hizri, which I do not recollect now . But the English calendar period is 1528-29. I do not remember the date. I had told about the time on the basis of article published in Govt. of India, Epigraphia Indica, a Government Epigraphist. Because I cannot read that epigraphy, therefore, I had no personal knowledge of it. I had accepted the date mentioned in Epigraphia Indica as correct, because its exception about not being published. I do not read Epigraphia Indica frequently, but read sometimes only. I do not remember the name of any Epigraphist. But there are many good Epigraphists in the Archaeological Survey of India. I know the name of Shri Dhawlikar an Archaeologist in the Field of Archaeology. I also know the name of Prof. Padiya. I do not know other names. One Field Archaeologist is in Baroda University. Prof. Purshotam had just retired from B.H.U. Dr. Mandal has retired as Field of Archaeologist from Allahabad University. Dr. Thakran is still Reader of Field of

Archaeology in Delhi University. Dr. Vishambar Sharan Pathak, who was the Professor of Asian History and Culture, I do not know whether he was Vice-Chancellor of Gorakhpur University or not. I also do not remember whether Dr. Vishambar Sharan Pathak was the student of Shri A.L.Vasham. I know Prof. RS.Sharma, I do not know whether he is the disciple of Shri A.L.Vasham or not. It is correct that since 11 and 12 Century till date the Hindu community has been continuously building temples in the localities having Hindu population.

(Cross-examination concluded on behalf of Shri Umesh Chander Pandey, Defendant No.22 by Shri Veereshwar Dwivedi, Advocate).

(Cross-examination on behalf of Mahant Paramhans Ram Cbandar Das, Defendant No.22, by Shri Madan Mohan Pandey, Advocate).

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I had read only that part of the book 'Ayodhya ka Itihas Evam Puratatwa' written by Shri T.P.Verma and S.P.Gupta, which is related to Archaeology. I had not read the rest. I had read a chapter relating to Archaeology — one and only one chapter. Besides it I had read its preface. It contains description of several petroglyphs, only three petroglyphs are in Devnagari script. I do not remember about the other petroglyphs other than these, whether they are there or not. Besides the book contains description of some archaeological remains, which I had read. On one petroglyph the script is in Sanskrit and its substance is in Hindi. I had no knowledge about other petroglyphs due since I cannot read of those petroglyphs. About the script in Sanskrit it has been said not having read properly. The

petrograph of 20 lines is in Devnagari script and its language is Sanskrit. I had formed my opinion after reading its substance in Hindi. I had neither carried out any research on the inscription of petrograph nor thought it proper, but as I had said above, after reading it I formed my opinion. Whatever opinion I had made that is after reading the extract of substance given in the book and analyzing it. As per my study the inscription on the petrograph was written during the time of Gharwal period. It has been referred to as 'Devalaya', and shown as constructed by 'Samant'.

On the basis of substance of inscription of that petrograph, it has been written that the Devayala was Vishnuhari Temple. On the basis of substance it has been written in the book that the temple was renovated but in fact there is no indication of new construction in the Sanskrit text of the petrograph it is correct that according to the details of the materials the temple was related to Ayodhya.

As the study of inscription and research thereon was not my subject, as such I did not get it translated by some one who had its knowledge and as such a reading was not related to my project. The subject of my study was whether the Rain Janambhoomi Mandir at the disputed site was according to tradition and whether in 1528 Babar built Masjid after breaking the temple. It has also been written in my report on the subject archaeology 'Report to Nation'.

Verified after reading

Sd-

Suraj Bhan

9.9.2002

Under my orders the stenographer typed in the open Court.  
For further cross-examination be present tomorrow the  
10.9.2002.

Sd/-  
Narendra Prasad  
Commissioner  
9.9.2002

**Dated: 10.9.2002**

**PW 16 Suraj Bhan**

(Before the Hon'ble Full. Bench, on behalf of Defendant No.2. Cross- examination of P.W. 16 Shri Suraj Bhan in continuation of 9.9.2002, by Shri Madan Mohan Pandey, Advocate, begins with oath)

Polygraphists are the one who read the petrographs, they read the script and epigraphists are also there to read its contents. Many times the epigraphists also able to read the script. But it is not necessary that every epigraphist can read and understand the script. It is correct that a good epigraphist after reading the script and understanding its language can make understand its contents. It has been written in the book of T.P. Verma and S.P. Gupta that the so-called petrograph found at the disputed site has been read with the help of several scholars. The names of Shri T. P. Verma, Prof. Ajay Mitra Shastri of Nagpur and Dr. K.B. Ramesh of Mysore, have been given and it has been mentioned that it was read and translated with the help of these persons. But it has also been written in that book that it had not been translated properly. During the last days of 1992, I too came to know from the newspapers that some inscription had been found at the disputed site. I had also read the article of Dr. Ajay Miira Shastri on this subject. Dr. Ajay Mitra Shastii is a good epigraphist and also said that he is not a good historian. It is correct that he is an expert in epigraphy, but he is not that much competent to verify its historical aspects. I had heard the name of Dr. K.V.Ramesh.

I had also heard that he was Director of Epigraphy in the Archaeological Survey of India. I had heard the name of Dr. M.N.Katty. I do not know whether he too was Assistant Director, Epigraphy in the Archaeological Survey of India or not. I had come to know from the book of Shri T.P.Verma that Shri S.P.Gupta went to Ayodhya after 6<sup>th</sup> December 1992 and had prepared photographs, stumpage Video film. He had stated in his book in Paper No.289-C-1, page 157, last line, and page 158, starting five lines. I had no knowledge about it that any other person had prepared stumpage of that peirograph or not. To take stumpage is an ordinary technical job and it does not require any expert. Any intelligent person, after taking the hand made paper out from the water and after cleaning the inscription of the petrograph and pasting paper on it, press it with any flat brush, the part of paper will go inside the inscribed words and spread ink over it by roller, then after lifting the paper, the words on it will remain white and the rest black, and stumpage will come out. For such stumpage, piliographists or epigraphists are not required and he would do this work himself for his research work, so that no part is left out. An article of Shri Ajay Mitra Shastri had been published in the Archaeology magazine, which is related to these petrographs. He in his article has written about what has been written in 20 lines, but I do not remember it at present. He has written the article in English and he had written his article after reading and understanding the things written in that petrograph. What Shri Ajay Mitra Shastri had written about this petrograph in his article, that does not correspond what Shri T.P.Verma and Shri S.P.Gupta who have written in their book 289-C-1. There is difference in them. It is correct that Shri Ajay Mitra Shastri in his article has stated that in that petrograph, there is mention about the construction of Vishnu Han Mandir of Ayodhya, but so far I recollect Shri T.P.Verma and Shri S.P.Gupta in their

book have placed this petrograph of 12<sup>th</sup> Century, whereas Shri Ajay Mitra Shastri has placed in 11<sup>th</sup> and 12<sup>th</sup> Century. But both had mentioned that during the time of Gaharwal king Govind, this temple was build there. Both had mentioned about the Saket Mandir in that petrograph. I do not remember at present, what Shri Ajay Mitra Shastri had written in his article, as such it is not possible to reveal the difference between the article of Shri. Ajay Mitra Shastri and the article in the book of Shri. S.P.Gupta. I read both these articles at that time I had noted that there is difference in interpretation of certain things; Dr. Sita Ram Rai, Ex Director Archaeology, Bihar has also given his opinion on this petrograph. I had no knowledge whether any one, after reading the article of Shri Ajay Mitra Shastri, the above book of Shri T.P.Verma and Shri. S.P.Gupta and the article of Dr. Sita Ram Rai, had expressed that views since 1992 till date or not.

I had heard the name of Prof. D.Mandal. He is an archaeologist. I had read his book entitled 'Ayodhya-Archaeology after Demolition'. This 20- line petrograph has been referred in that book. He had not given his opinion about this peirograph in his book but with reference to that petrograph and about the archaeological relevance of so-called temple he had said that its place cannot be determined and that it was found in the debris of Babri Masjid.

I had no knowledge whether Prof. D. Mandal had seen this petrograph from his own eyes or not or had got it deciphered or not. Prof. B.B.Lal had discussed this petrograph in many seminars and articles but I do not remember the seminar and articles where he had discussed. This perhaps one such seminar was organized in 1992 in Ayodhya.

It is correct that in that Seminar, Scholars, Historians and Archeologists from all over the world participated. To my knowledge no unanimous decision was taken in that Seminar. I do not know whether such decision was taken in that Seminar and that all the scholars are of the same opinion that Masjid was built after demolishing the Temple. I have no knowledge whether any seminar on the petrograph which was found from the debris of Babrti Masjid was ever held after 1992 in India or abroad and whether any article was published or not. After 1992, seminars on disputed subject matter were held, but I had not participated in any such seminar except World Archaeology Seminar held in India and I had read a paper on it. The places and dates where and when the seminars were held after 1992, that I do not remember at present but many scholars had read their papers there I had read the articles of Prof. KM.Srimali and Shri R.S.Sharma. I know this thing that B.B.Lal had also read his paper in that seminar. But I do not know whether Prof. Grover had also read his paper or not in that seminar. I had no knowledge whether paper of Prof. Grover was accepted among the papers, which were read there. It is not necessary that all the papers accepted for reading are published. But the papers accepted for publication, are published. I do not remember at present that the articles read in the seminars on Ayodhya, which were held after 1992, were published or not. The article of RS. Sharma was published among the papers read in the seminar held after 1992, and so k I remember the article of Prof. Shrimali was also published. I do not remember at present where it was published. I had mentioned it in my earlier statement and also in the affidavit. It is correct that this is the same Shri.R. S.Sharma, who was the leader of our team on 'Report to the Nation'.

Besides above petrograph, two other petrographs, said to be found from the debris of disputed site had been described in the book of Shri T.P. Verma and Shri S.P. Gupta and picture of pieces of that pillar had also been given. But the contents of those both the petrographs had not been given in this book, paper No.289-C-1. I therefore, had no knowledge of it I had no information about the contents of those two petrographs from any other source except this book i.e. 289-C-i. I had the knowledge that the script of the above mentioned 20-line petrograph had been written in Devnagari and some people had accepted it of 12 Century and one scholar had accepted it of 17 Century and Shri Ajay Mitra Shastri had established it of 11 and 12 Century. But to my mind the date of the petrograph can be determined on the basis of date inscribed on it or on the basis of date mentioned in the contents of that petrograph. The third method to fix its period could be archaeological and as per my knowledge its period or age cannot be determined through laboratories. It is correct that the age of a stone, is determined by geologists in the laboratories, but it has no connection with the date of inscription. I do not have the information, whether in India there are such laboratories where the geologists determine the age of stones. It is wrong to say that the date of stone cannot be determined in scientific laboratories. In my opinion if an archaeologist says that the age of stone cannot be determined through laboratory method, then he is saying it wrong.

It is not in my knowledge that in pursuance of Supreme Court Orders, four Archaeologists of Archaeological Survey of India had prepared its stumpage or not. I had come to know about the preparation of stumpages from reading this book No.289 C-i. It is correct that I had given my earlier statement in this court before the publication of this book. At the time of my first

statement I had no knowledge about it and so far my memory goes, the stumpage of this petrograph had been prepared and its translation had also been done, but I had read the article of Shri Ajay Miira Shastri before that. I came to know, when it was published in the press about the excavation of petrographs, after 6 December 1992. It is wrong to say that I had non information of the preparation of the stumpage from the beginning. The article of Shri Ajay Mitra Shastri, which I bad read, I came to know what had been written in that petrograph or inscription. The above article of Shri Ajay Mitra Shastri was probably published in 1999 in Puratatva Magazine. I had information about the analysis published in the newspaper regarding this petrograph, before 1999. it is wrong to say that I came to know about it when the sun of this petrograph was being prepared in the Archaeological Survey of India. You had said that I got information for the first time from the article of Shri Ajay Mitra Shastri.

Question: Whether or not a petrograph has any importance from archaeological point of view?

Answer: Petrographs are considered important in archaeology. But the. petrographs are studied by experts who are called epigraphists.

If the petrograph is not modem then it is also an archaeological remains. The archaeologists working in the special field of history having equal knowledge of epigraphy and paleography can read the petrographs and make its use in research work. From archaeological point of view the archaeological aspect of the petrograph has much value and the epigraphists give special importance to its contents. It is correct that the contents of peirograph are important but its archaeological factor had primary importance and its authenticity in that respect depends upon it. Even if it is proved that the petrograph has been found from the debris

of Babri Masjid even then it has no relative importance with my problem and today the petrograph is not important for this disputed subject. There are many reasons of it. One of them is that keeping in view the archaeological importance of the petrograph, the existence of so-called temple beneath the Babri Masjid or its relation with the structure with pillars of Shri B.B.Lal's trenches. No evidence in this regard is available. Secondly the fresh condition of the petrograph seen in the photograph raises doubts of it being constructed in the structure of temple, which was made of lime and this petroraph does not indicate any sign of lime or the bricks or stones with which it was placed Thirdly at the time of procurement of this petrograph, no drawings, notes and diary had been prepared on to record archaeological photographs Fourthly, the script being read about Vishnu Han Mandir in this petrograph and the Vishnu Han Mandir is being shown in place of Ram Janambhoomi Mandir at the Babri Masjid site, it is not correct on the basis of textural evidence, because in Ayodhya Mahatmya, Vishnu Han Mandir has been shown at 'Chakra Teerth' which is about 700 meters south from the Braham Kund and has been situated on the bank of a river. In many Puranas, Vishnu Han Mandir has been shown connected with 'Agni Teerth' and 'Chakra Teerth'. Besides, the word Janambhoomi which is being read in this inscription that has not been shown as Ram Janambhoomi but Ayodhya had been shown as Janambhoomi. There are many traditions available in the Purans about Ram Janambhoomi, which are clearly visible in Ayodhya Mahatmya. It cannot be determined on a particular site. In the papers submitted by Vishwa Hindu Panishaci, on page 7, Vishnu Han Mandir had been shown at 'Chakra Teerth'. Hans Baker in his book 'Ayodhya', which was published in 1986, in its part-2, had also shown Vishnu Han Mandir at 'Chakra Teerth'.

It is wrong to say that the petrograph was related to temple, I am considering it unimportant. It is also not correct to say that the petrography was found from the disputed site, because it has no proof. It is correct that I had neither seen that petrograph nor had conducted its in-depth study, but due to lack of archaeological relativity I had not given it any importance. It is also wrong to say that because the petrograph is related to temple I had given false reasons about it.

I had read some more articles other than the two reports of Shri. B.B.Lal published in the journal of Archaeological Survey of India. Besides this I had read articles of Shri. B.B.Lal on the subject in the book written by Prof. Mandal. I had read about the excavation of Shri. B.B Lal in Dr. S.P.Gupta's book 289 C-i. Similarly in the book written by Prof. K.S.Lal which is in the form of pamphlet on excavation, I had read. To my knowledge Shri. B.B.Lal has not written any book on his excavation. His excavation has only been referred in his articles. I do not remember at present, except above, where I had read articles about the excavation of Prof. B.B.Lal. Prof. B.B.Lal started writing articles by re-interpreting his excavation since 1989-90. I had read a part of Prof B.B.Lal's article in 2001, which was published in the journal named 'Destruction and Construction of Cultural Properties'. The title of the above article is 'A note on Excavation on Ayodhya with reference Mandir-Masjid issue by Shri B.B.Lal'. I had read that part of the article also which is related to the excavation of disputed site excavation giving some data on it. Prof B.B.Lal in the above article had given rebuttal on the criticism of his excavation and had given his opinion that there was no cowshed adjacent to the right side of the disputed structure. I do not agree with that negative opinion that it cannot be a cowshed but according to me it can be a cowshed or a residential shed. So f I

know, Prof. B.B.Lal in 1991 had delivered a lecture in a seminar in Vijayawada on excavation work done at disputed site. Prof B.B.Lal in his lecture, in a statement at Vijayawada had said that the excavation work held at the site of disputed site reveals that there were pillar basis, which were erected on the floors and he had also said that their direction was towards the pillars in the Masjid and it was similar to those. But I do not agree with this opinion. I do not remember that I and Prof and other people had on the next day declared our opinion that the lecture of Prof. B.B.Lal is incorrect. I do not remember that 20-22 people including Shri R.S.Sharma had declared the facts printed in the lecture of Prof. B.B.Lal as incorrect. It is correct to say that the organization known as ICHR published such journals, which are related to history and archaeology. It is also correct that the above organization had published many volumes under the title Archaeology and Historyography. I do not remember whether one of the above Volumes is with the title Historicating of Mahabharat and Ramayana, I had read it or not, but I might not have read it and I might have read about the excavation of Shri. B.B.Lal in the same Volume, but I do not exactly remember now.

So far I remember, I had read or heard about the Rampalli temple, which had been recovered from Ayodhya which related to the excavation work of Prof B.B.Lal but it is riot in my mind exactly. I do not remember now about the petrograph on Rampalli temple. I do not remember whether I had read somewhere or not about the construction of said temple in the second half of first century B.C. I do not remember also that it has been written or not that the said temple was built by Koshaladhip. So far I remember I had read it somewhere that it has been written in the petrograph that the said temple had been related to sixth dynasty of Pushyamitra I had not read about Thand Deo in

that petrograph or the temple. Perhaps it might be Dhan Deo. It is wrong to say that the conclusion from the petrograph is derived that after Christian Era, Ayodhya had been the capital of Koshal Kingdom. I had no knowledge about the situation of any temple. That petrograph gives no information about it. I cannot say at present whether from that petrograph it had come to known that in the first century B.C., Ayodhya was the capital of Koshal Kingdom or not.

In general terms the meaning of "discovery" and "findings" is the same. But from discovery we give importance to the things of historical values and in findings things of similar nature can be included. Being an archaeologist it is my opinion that accidental finds may have internal importance but due to lack of methodology and relativity references its importance for solution of problems of historical values are not taken into account.

Broadly the accidental findings and chance findings had the same meaning. The things found after natural calamities will be called archaeological remains, till its authenticity is proved that these are not forged finds. Generally discovery carried out after the natural calamity, if a thing under archaeological investigation is found, it will be called archaeological find, otherwise it will be a surface finds, which is like a chance and accidental finds, provided it is not forged.

It is correct to say that in the book of Prof S P Gupta, Paper No 289- C-i, the picture shown on page 208 shows floor, section and basis of so called pillars and in situ (in original situation) is being seen in it. It is correct to say that the above-referred pictures relate to the excavation work of Prof B B Lal It is correct to say that on the basis of photographs printed in a book, an archaeologist cannot derive any reference till the other material record or

remains are not available. It is also correct to say that for the first time the above mentioned photographs were printed on the back of cover page of the book entitled 'New Archaeological Discoveries' published by Historian Forum (118-C-1/35) Prof. D. Mandal did not write his book only on the basis of above photographs, but he relied upon other material also. He only took note of the main photographs and articles written in this book and the material available at other places too. It is correct to say that Prof. Mandal reached at certain conclusions in his book by interlinking the said photographs, which are connected with the alignment of the pillars. He had also studied the pillars and sections, beside it. Many archaeologists, other than Prof. Mandal, had derived conclusion by archaeological study in a picture. I myself had derived conclusion after studying other photographs and had also got them published. I do not remember the name of any archaeologist but it is a general practice.

A.S.I. prepares a list of protected monuments. A.S.I. also prepares the list of those unprotected monuments, which are found during exploration, but list of unprotected monuments is not prepared. To my mind the disputed structure till 1992 was in the unprotected list of A.S.I. It is correct to say that the protected monuments are the property of Central Government or the State Government whosoever protects it. I do not know whether till 1992 the disputed structure was the property of Central Government or State Government or not according to A.S.I. As per rules till 1992 the disputed structure might have been the property of State Government or Central Government. It is also correct to say that exploration or excavation near about the protected monuments cannot be carried out without the permission of concerned Government. For exploration and excavation of unprotected monuments permission of the concerned Government is required. But

the general practice is that the archaeological institute and scholars carry out exploration without permission too. There are rules for exploration and excavation of any protected or unprotected monuments under A.S.I. rules and such works can be supervised only under these rules. I had heard about Treasurtrob Act. It is correct to say that under this if at a place any treasure, property or coins are found that will be the treasure of the Government. It is correct to say that the A.S.I. gives permission for exploration and excavation under Ancient Monuments And Remains Act I had not read the articles of Dr. S. P. Gupta on any subject other than history, Archaeology and Culture. It is wrong to say that Dr. S. P. Gupta had written his book Ayodhya Ka Itihas Evam Puratatva on the basis of archaeological exploration and evidences, but he had written his book on the basis of study of superfluence of archaeological remains. It is also wrong to say that I have given false statement without any critical analysis of Dr. S. P. Gupta's conclusion. It is absolutely wrong to say that I am being prejudiced due to certain particular reasons with the intention to harm a particular community and had given wrong statements.

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

Verified after reading the statement.

Sd/-  
Suraj Bhan  
10.9.2002

Under my orders the stenographer typed in a open Court. Be present in continuation for further cross-examination on 11.9.2002.

Sd/-  
Narendra Prasad  
10.9.2002

**Dated: 11.9.2002**

**PW 16 Suraj Bhan**

Before the Hon'ble Full Bench, Cross-examination of P.W. 16, Shri Suraj Bhan begin after taking oath.

(Cross-examination on behalf of Defendant No. 5189, by Shri Ajay Kumar Pandey, Advocate)

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I had come here for giving my statement on 26.8.2002. I reached Lucknow on Sunday. The Affidavit, which I had submitted, I have brought it was prepared by myself. The first paragraph of my affidavit was prepared here. After reading the entire affidavit, I have myself signed it. I had not tendered evidence in any suit earlier. The books, articles written by Shri R.D.Banerjee and Dr. R.S.Sharma, I had referred in my affidavit, those I had brought with me. I had mentioned in my affidavit that my opinion conforms to the opinions of Shri R.D. Banerjee and Dr. R.S.Sharma given in their articles. I therefore, had requested for the submission of those articles. I had read no other book jointly written by Dr. T.P.Verma and Prof. S.P.Gupta except 289-C-1. To my mind Dr. S.P. Gupta had not been writing his articles as an archaeologist and conducting the work of archaeology, but he had been writing his article as a journalist.

It is not correct to say that Dr. S. P. Gupta has no knowledge of archaeology. I know about the School of Archaeology, Govt. of India, New Delhi. it is true that Dr. S. P. Gupta had passed his Diploma in Archaeology in first class. I had no knowledge whether he had obtained a degree in Musueology from Archaeological Institute Ikoli — Declovers, France. I had no knowledge about it that he had obtained degree from London Institute of Archaeology, Environment Archaeology University of London or not. I had the knowledge that Dr. S. P. Gupta got Maulana Azad gold medal during his diploma course. I do not know whether he

got Centenary Commemorative Gold Medal or not. It is not from the field of medical archaeology. An exhibition was organized on completion of 100 years of Medical Archaeological Survey and this medal was given to those who had given their cooperation in it. I do not know who other got this medal for their cooperation. To my mind Sir Martin Wheeler Prize is given in the field of archaeology. It is given in the institute where the diploma course is held. Dr. S. P. Gupta also got this prize while doing diploma. I do not know whether Dr. S. P. Gupta had delivered lecture on Archaeology in foreign countries. I do not know the various lectures given by Dr. S. P. Gupta in foreign universities organized by those universities. I had no knowledge of it that on what subject Dr. Gupta delivered his lecture in 1982 at Harvard University. Piscouncil University, U.S.A., and who organized the conference where he delivered his lectures. I know that he visited Central Asia. But I do not know the universities where he delivered his lectures and participated in the seminars. Dr. Gupta might have visited the museums and universities in the countries where he went and seen the material, but I do not know whether he had done original work there or not. By original work I mean having done in depth study and analysis after selecting an archaeological problem or topic and had written his article thereon and had made additions in his existing research knowledge. Excavation work is of that of research scholar who prepares the project and conducts research on it. The people who cooperate with him their contribution depends upon what those people had given original contribution in that research work and what technical work and assistance they had provided to him. There are certain scholars who give their interpretation after studying the material and record collected by some one, but broadly by making it in the form of history. If he had made new contribution it is said that his original

contribution provided were accepted by the scholars of that field. Dr. S. P. Gupta had been the Visiting Professor of Allahabad University, Banaras University and National Museum of Institute of Art, New Delhi. I had no information whether Dr. S. P. Gupta had been the thesis examiner of D. Lit. Degree of Ranchi University in 1975. I do not know about the place known as Sanjan which may be somewhere in Gujrat. I do not know whether Dr. S. P. Gupta is undertaking an excavation work at Sanjan in Gujrat on behalf of some institute or not. I do not know whether excavation work is going on at Sanjan, which is the area of excavation and which is the institute carrying the excavation.

I had heard the name of Kaushambi. Prof. Sharma of Allahabad University carried out excavation work there. You had earlier said that Dr. S. P. Gupta had not been doing excavation work in Kaushambi. This excavation was going on under the direction of Prof. G.R. Sharma. I was not present in that excavation. It is correct that the name of Prof. G.R. Sharma is Prof. Goverdhan Raj Sharma. I had read the excavation report on Kaushambi written by Prof. Sharma. The name of the person who undertakes the excavation work is given in the report and other names are given in the acknowledgement of thanks. The report of that excavation has been published in the form of a book and year of its publication .I do not remember.

I had heard the name of Koontoor. The excavation work had also been done there. Dr. S. P. Gupta was not in the team of excavation there. I had heard the name of Nagaijun Kunda. Dr. S. P. Gupta was not involved in this excavation. I had also heard the name of Sardar Garh. In this excavation too Dr. S. P. Gupta was not an excavator. Dr. S. P. Gupta was not as an excavator in the excavation of Kalibag, but he participated as a student in it. Dr. S. P.

Gupta had not participated as excavator in the excavation of Giloond.

Question: Did Dr. S. P. Gupta participated as a Clerk in all the above excavations?

Answer: When Dr. S. P. Gupta went to see these excavations, he was not a Clerk at that time. He might be as a student at that time or as a Technical Assistant or a Museum employee. This I cannot say exactly, but he was not a Clerk.

I had not participated as an excavator in the above excavations but I had visited there. Dr. S. P. Gupta had done his Ph. D. thesis on 'Disposal of the dead and physical type in Ancient India'. He had written many books. He also writes on Arts. His all the books are not on art. It is correct that Dr. Gupta had written books and articles on Archaeology. I do not know at present whether he is writing any book or not. I had read his several books. In one of his books he had given the survey of Hakra Vally Survey written by Sir Aral Estine. There are many other books in his name. The exploration archaeology had a method and excavation is more serious matter than that. Exploration is done before excavation or not it depends on the situation and the problem. Exploration of site and region are done but excavation is done only of the site. Wherever I had done the excavation, there I had done the exploration of whole of the region and had done excavation of the site also. Notes of excavation and exploration are the part of a diary record and are not published with the report. If any surface remain are found without any efforts thus it has the internal archaeological importance and then research on it is conducted and article is published. In any excavation if such remains is found and it is not recorded then we study its surface point and if its contents are important, those are published. There is a departmental Museum in Punjab University and Kurukshetra University. I had

organized the Museum of Kurukshetra University; at that time I was Head of Department of Ancient History, Culture and Archaeology. In that museum explored, excavated and the remains found at the surface point brought by other persons have been placed. It helps the students in their studies. It is wrong to say that 99% remains found accidentally had been placed in the different Museums and less had been found in excavation. You had said that museums are of different kinds as site museum, museum of material found in excavation and exploration carried out by Department and other specialized museums etc. etc. in the beginning only easily available material had been placed in the museum so that they can be conserved and preserved and study could be conducted on them. These days organized research work is being done in which excavations and explorations are being done on a large scale and therefore, many materials of this type are being placed in the museums so that the museums may become a center of education. It is correct that remains found without efforts or found at surface point are also being published by the Archaeological Survey of India in 'Archaeology A Review'.

Qualified archaeologist is one who is competent and carry out research by using the method of archaeology. If a remains is found at a place in an excavation, the archaeologist will go to that place and observe that, record it and will take its photographs, prepare its notes etc. and after completing all the record will submit it in his institution or in any other institute so that the record may remain preserved. It is correct that if a remain is found at a surface point and if an archaeologist had interest in it, then he can go there and see the point, take its photographs and if any material is found by him at that place he can deposit that material in an institute in order to preserve the remains. It is correct that it has been said that at the time of leveling of

disputed site some articles were found which some archaeologist after visiting there had seen and studied it. I had come to know about it from the pamphlet of Shri K.S.Lal. That pamphlet contains their photographs, I do not remember at present whether I had read any news about it in any newspaper or not.

Dr. K.M Srivastav is an archaeologist. He is a qualified archaeologist. On this point the arguing learned lawyer drew attention of the witness to 118- C-1/35. After seeing it the witness said that on the cover page of this booklet the name of Dr. K.M. Srivastav has been printed. I think it is not a book or magazine but it is a pamphlet, therefore it covers squattered information and photographs had been given by them . It is not in my knowledge that this pamphlet i.e. Paper No.118 C-1/35 had a reference of Jabalpur or not. Kurukshetra has not been mentioned in this pamphlet. I had no information whether at the time of leveling the disputed site any remains were found or not. But it has been mentioned that some remains were found from there. After this information I had not visited that place till today. I had not gone to Ayodhya after 1991. I had not physically seen the so-called material found during leveling. But I had seen its photographs and had read about it in Paper No.118 C-1 /35. The picture printed at page 1 of this booklet (118 C-1135), is not in situ Similarly on page 2 of this booklet the stones shown lying on the ground in picture are not in situ. But the section seen in it is in situ. The floor being seen in the picture, it is difficult to say whether it is a floor or not. May be the mud is visible in it. If the photograph is clear then I can tell, whether it is a floor or not, floor is made by many materials. The man made floor may be of mud, it may of bricks and stones. The floor if made by glasses that too can be made. I had not found glass floor in any excavation. Similarly the two pictures being seen on page 3 of this pamphlet in it the section and

the wall are in Situ and the wall are in situ but the floor is not clear. Therefore I cannot say whether it is floor or not. Similarly the picture on page 4 of this pamphlet, in the picture on the left of the upper side picture, a part of it is in situ and the section in right side picture also looks in situ. On the lower side picture on page 4 the floor look in situ. By seeing this floor I can say that it is a floor, it is wrong to say that it is a floor of a building, because the floor of a building has a form, which is not here. It is not a field Officers working in the Museum should have the knowledge of archaeology. Person working on the post of keeper should be archaeologist or not it depends on the fact that he is the keeper of which gallery. I had heard the name of Dr. N.R Baneijee. I do not know whether he had been on the post of a Director or not in National Museum Delhi. So far I know he was the Superintendent in the Archaeological Survey of India. Dr. N.R Baneijee had been a qualified archaeologist. He had done the excavation work. Ordinarily a person can be the specialist of one subject, but there can be some exceptions. I do not know whether Dr. K. N. Puri had ever been the Director National Museum or not but he had been definitely on office in the Archaeological Survey of India. Archaeological Survey of India have its site museums. I do not know whether Dr. KN.Puri had been in the museum or not. I do not remember at present whether Dr. K.N.Puri participated or not in the excavation of Mohanjodaro. Dr. K.N.Puri is related to Archaeology.

Mr. K.N.Dixit had been the officer in the Archaeological Survey of India but I do not remember whether he had been on the post of keeper or not. He had done excavation work with Prof. B.B.Lal in Ayodhya. Mr. Dixit is a qualified archaeologist. It is not in my knowledge that the excavation work for which he had got license from the Archaeological Survey of India. On taking black and white picture the coloured picture will come black and the

white will come white. The effect of light and shade also depends upon the situation and according to that effect the picture of white portion will come that much black as of colour portion. It is correct that the white portion picture and the coloured portion picture will be different. It is correct that in the colour photography if the photograph has been taken in a proper manner and film is in order the photograph of a thing will be in the same colour as it is originally .

On this point the arguing learned lawyer drew attention of the witness to the left upper side picture on page 5 of Paper No. 118 C-1/35 and asked whether any shade in it is in white colour. The witness after seeing it replied, two shades are being seen in it. The upper side shade is darker and the lower side shade is lighter. There are some signs visible in it, which can be of salt. The thing, which is of outside earth, had effect of air, rain, heat etc. due to atmospheric effect and got salt effect and the same situation can be in case of being inside the earth. But it appears in some part of this picture and not in other parts. The upper right side picture on the same page, look gathering of salt deposits which is not clear, because it is having dirt on it . In the right side bottom picture on this page looks having some white substance, which is in a part in left side. Similarly in the pictures in the book of Dr. S. P. Gupta 289 C-1/220 the pictures drawn on left side bottom contains some white spots in some parts. Similarly on page 289 C in the pictures of both the petrographs on right side some white substance is seen. Similarly in picture I of page 289 C- 1/223 some white spots are being seen. I cannot say whether these substances are of lime or some thing else. The pictures, which had been referred above, their photographs had not been taken immediately after they were taken out from the earth. I think these pictures were taken in July 1992 when Dr. S. P. Gupta and his associates

visited the disputed site. I think the white spots that are being seen in the pictures of petroglyphs that is the salt effect and the parts being seen black are crossed with moss. After seeing all the pictures it appears that these were taken after washing and cleaning the petroglyphs. If a petroglyph is under the earth fully covered then it should not have the effect of moss. If the entire petroglyph is under the earth, salt effect on it will depend upon the quality of the soil. I had not tested the soil of the nearby area of disputed site. I think it will not be correct to say that the white spots on the above mentioned petroglyphs are of lime. It is wrong to say that all the stone blocks present at the place would have been the part of any temple and due to that it has got the lime effect. All the stone blocks can be the part of a temple, I do not deny this but it has not been verified that the presence of stone blocks at the disputed site had been the part of so called temple. I had written in para 11 of my affidavit that if an important material at any place during archaeological excavation is found, it is proper to inform A.S.I. about it, because permission for excavation has been taken from that authority. Similarly if any archaeologist at any site had accidental find, it is proper for his also to inform about that important material found there. I do not know whether the stone blocks or petroglyphs excavated on 6 December 1992, that those 4 scholars had given its information or not to Archaeological Survey of India or to the Supreme Court.

I had not visited the disputed site to see these stone blocks or petroglyphs, which had been said to be recovered from the disputed site. I had come to know that the stone blocks and petroglyphs recovered on 6 December 1992 had been kept safe in a grove. So far I know they are in the custody of Government. I had participated in 1991 in the proceedings of agreement on this issue as an impartial archaeologist. It is correct to say that my name in Paper No.

292 C-1/1, in January 1991 Officer on Special Duty, State Home Minister, Govt. of India has been shown in the list, whose name had been suggested by the Babri Masjid Action Committee as an expert.

Verified after reading the statement  
Sd/-  
Suraj Bhan  
11.9.2002

Under my orders the stenographer typed in the open Court. Be present before the Commissioner Narendra Prasad appointed by us at 3.00 P.M. for further cross-examination.

Sd/-  
Narendra Prasad  
11.9.2002

**Dated: 11.9.2002. 3.00 P.M**

**PW 16 Suraj Bhan**

Before Commissioner Shri Narendra Prasad, Additional District Judge/Officer on Special Duty, Hon'ble High Court, Lucknow Divisional Bench, Lucknow

(Today the 11.9.2002 in the afternoon, appointed under order passed by the Hon'ble Full Bench)

(Cross-examination of defendant in original suit No.5/89 by Shri Ajay Kumar Pandey, in continuation of the argument before Hon'ble Full Bench)

The witness was shown Paper No.292 C submitted in other original suit No. 5/89. After seeing it the witness said it is correct that it has been written in this letter that the meeting of the experts will start on 24.1.1991. I think myself and other people listed in the letter had attended the meeting on 24.1.1991. I had not physically inspected the archaeological remain to have been said to have been

recovered on 6 December 1992. I had read it that those archaeological remains had no layer of lime, concrete, soil, plaster etc. and were clean. I had read this in the book written by Prof. D. Mandal and you had yourself said, that those photographs had been seen in the book on Ayodhya No.289 C-1 by Dr. T.P.Verma and Dr. S. P. Gupta. I do not know whether Prof. Mandal had physically seen these archaeological remains or not. I do not know whether Prof. D. Mandal visited Ayodhya after 6 December 1992 or not. I had no information whether Prof. D. Mandal had ever visited Ayodhya or not. The book written by Prof. D. Mandal, which I read was published in 1993. I do not remember the publication date of this book. I do not remember whether it was published on 1 January 1993 or not. I do not remember this time whether this book written by Prof. D. Mandal was published in December 1993 or not but it was published in 1993. I had met Prof. D. Mandal once or twice. We met in conferences. So far I recollect, I met him last year. I had asked Prof. Mandal whether concrete lime, mud etc. was on the archaeological remains or not. As an archaeologist, after reading in the book and seeing the photographs, I did not feel necessary to have information whether concrete, lime and mud was on them or not and it was not that much relevant for that problem. I did not try to find out the reason of mud, concrete or lime etc. not being on the archaeological remains, because the so called hoard found to have been recovered from the debris after demolition of Babri Masjid, those remains on the basis of stratigraphy or on the basis of scientific recording in any manner related to disputed site or the pillar base found in the excavation of Prof. B. B. Lal.

They do not give any evidence of Ram Janambhoomi temple and its demolition. The manner in which the remains had been said to have been recovered and the position

seen in the picture they do not verify that those are from the broken temple. It is wrong to say that all the archaeological remains recovered from the disputed site or nearby area, are in broken shape, but the reason of their breakage can be directly the natural result of the fall of any structure. Before saying that these are the result of forcibly breaking of a structure the indication of force and circumstances will have to be determined? The book I had studied of Shri T.P.Verma and Dr. S. P. Gupta and the pamphlet of K. S. Lal, no such evidence has been given in those books. I had studied these books and photographs and had reached to the conclusion. The scholars who have propounded this thesis that these remains are of that temple in Ramianani Bhumi, which had been demolished by Babar in 1528-29. I had re-examined their thesis and had written about the facts and photographs given by them. I had re-examined them and on that basis I had derived my conclusion. I do not know those scholars who in their thesis had given detail about the temple at disputed site and its demolition by Babar, had ever gone to Ayodhya or not or they had seen these remains or not and how deeply they had studied them. All this I had assessed from that book. It is clear from the book of Prof. K.S.Lal that Dr. S.P. Gupta and many other scholars had gone to Ayodhya and they had written in their own way about these remains that these were brought out as a hoard from a pit and in the book of Dr.T.P.Verma and S.P.Gupta it has been written that how after the demolition of Masjid on 6 December he after going to Avodhya had photographed, recorded the epigraphs made available to them and had taken photographs of other remains and prepared a video film etc. and made the petrographs and got them translated in Delhi. I had not seen the soil of disputed site and its nearby area. Therefore I cannot say whether the soil is viscous, black, yellow or loam. Then said the mud of old mound and on surface it is neither

purely viscous soil, nor black soil, nor yellow soil and nor sandy soil. Visiting there in rainy season we can find that whether the soil is synergetic to feet or not. The time when I went there, the soil did not cling to my feet. I went there in February-March. When I went there, it was not raining, the season was dry. It is correct that at the time of their preservation the Archaeological Survey of India would have cleaned them. At the time of preparing stupa if the petrograph is not clear it is cleaned.

It is correct that Gupta Rulers also ruled over Ayodhya. All the rulers of Gupta dynasty did not call themselves Vikramaditya. Only one or two rulers of Gupta dynasty used to mention Vikramaditya before their name. Most of the rulers of Gupta dynasty were the followers of Bhagwat Dharma and call themselves traditional. I do not remember the God and Goddesses they used to worship. I do not remember if I had read somewhere or not that most of the rulers of Gupta dynasty used to worship God Vishnu. May be they were worshipping and also worshipping other God and Goddesses. I do not remember which of the ruler of Gupta dynasty built any particular temple. But in the Brahman tradition it is an accepted fact that Vikramaditya built many temples. As per tradition it is said that Vikramaditya built 360 temples in Ayodhya. The iron pillar of Vikramaditya is near Qutab Minar in Delhi. I do not remember at present whether 'Garudhwaj' has been made on that pillar or not. It is correct that Garud is known as the conveyance of God Vishnu. There are thousand names of God Vishnu. It is correct that God Vishnu has been worshiped by different names in different ages. I think such worship of God Vishnu at a place is being done for last 2000 years. It does not appear that in Ayodhya, God Vishnu is being worshiped for over 2000 years. In Ayodhya God- Vishnu is being worshiped since 11 and 12 Century, it appears so. Gupta dynasty in Ayodhya was during 4 and 5

Century. It is not correct that in Ayodhya God Vishnu was worshiped by the name of Rama. In mythological religion God Rama is recognized as the incarnation of God Vishnu. The important place of worship of God Rama had been different in different ages. At present I will not be in a position to tell the different ages and places in which God Rama was worshiped. Rama has been associated with Ayodhya as per tradition and according to tradition wherever he went to the impact of these thoughts spread there. Besides this, at number of places at different times the cult of Rama it means the Vaishnav cult, spread as an incarnation of Vishnu.

Verified after reading the statement.

Sd/-

Suraj Bhan

11.9.2002

Under my orders the stenographer typed in the open court. For further cross examination in continuation to this be present on 12.9.2002.

Sd/-

Narendra Prasad

Commissioner

11.9.2002

Dated: 12.9.2002

PW 16 Suraj Bhan

(Before the Hon'ble Full Bench Cross-Examination of P.W. 16, Shri Suraj Bhan in continuation of 11.9.2002 by Shri Ajay Kumar Pandey, Advocate starts after taking the oath).

When I went Ayodhya I had inspected the disputed site from inside and outside both. I had carefully seen the inside and outside walls of the disputed building. I had seen 2 black pillars on the main door of outer wall and 12 pillars on the inner structure. I had checked them with knife whether they are standing on pillar base or on foundation wall. These pillars were not in hanging position. It is not necessary that the circumference of the pillar be the same as that of the wall. Fixing of pillars of less circumference on wall will depend whether the circumference of the wall will be load bearing or not and how the load of the above structure will be transferred. 'Shardul' is a Sanskrit word and it is used for mythological figure. The pillars of Bihar and Bengal stones which I had mentioned in my affidavit, I do not remember about them, whether 'Shardul' was inscribed over the pillars of disputed building or not. The pillars referred to by R.D.Banerjee in his book and its comparison in similarity of the design inscribed on these pillars, I had seen in the pillars of Babri Masjid. I do not remember at present whether the figure of 'Shardul' was inscribed on the pillars of Babri Masjid or not. But its pillars had many such design and style which I had compared with the pall stone pillars. There were 14 pillars on the disputed structure. On them I had not seen any human figure sitting in a position having a necklace of beads in the hands. On this point the learned lawyer cross-examining the witness drew attention of the witness to the picture (B) second from bottom of Paper No.308 C-1/15 submitted in other original

suit No.4/89. After seeing the picture the witness said that in it the handles of PuranGhat, which is in the form of upside, 2 human figures being seen putting hands in the necklace of beads are seen lifting it on their shoulders. After seeing the black and white album Paper No.201 C-I of the pillars of disputed building, the witness said the concept in these pillars is common but there is slight difference in manifestation of design. As the Yakshas are shown lifting the pitcher leaves as are being seen in Babri Masjid. Two figures in it, are seen lifting the pitcher leaves. It is correct that on the pillars of Babri Masjid the figure putting hands in the necklace beads are not seen lifting the load. As I had said earlier, on the pillars of disputed building I had not seen 'Shardul'. It is not correct that similar bricks are used in all the buildings. It is also not necessary that in a building bricks of the same size and kinds had been used. You had said that in the building often old bricks are used in the new construction. It is also not necessary if on the open land in a building being constructed material of same type will be used. This also depends on many factors. If any king will build a building he will use the bricks of old building. This question is hypothetical but in my mind if a king build a building for himself; he will use good quality material in it because it depends on his capacity. It is not necessary that if a king is constructing a building for Bhagwan, Allah or God he will use old material in it or not. It will depend for whom he is constructing it and the amount of money being spent on the construction of that building. It is not necessary that if a king built a building for Peer, Faquir, Seer, Guru, he will use old material in it. It depends upon condition that if a king builds a building for his Guru or Seer, he will use new material or old material. It will depend upon circumstances. It is correct that Babri Masjid was built with permission of the King. The disputed building was not a royal Masjid, was

build for the ordinary Muslims who were living there during the 13 Century. Small and big stones were used in the construction of disputed building. I had seen at the places where the plaster was detached or where it could be seen. I had seen big and small stones in the construction of the building. I cannot say exactly that small pieces of bricks were there in the construction. It is not correct to say that the disputed building was constructed with the debris of any old building. On this point attention of the witness was drawn to picture No.11, 14 and 18 of black and white album Paper No. 201 C-1, submitted in other original suit No.4/89. After seeing it the witness replied that in these pictures the plaster of some parts of the wall has been detached due to which the bricks and stones fixed in the wall are visible. It is correct that in picture No.18 one stone is relatively bigger than other stone. On this issue the learned lawyer drew attention of the witness to pictures No. 17, 18, 31, 34 of the colour album 200 C-1. Seeing it the witness said it is correct that in pictures 17 and 18 some irregular shape and size of stones are seen and a part of wall of the building is seen collapsed in Picture NO.31. It is seen that the stone and bricks fixed in it are not of same size. Pieces of small size bricks had been fixed in between stones in picture No.33 but they are not of the same size. Picture No.34 is the enlarged photo of the small stone. It does not appear from the photograph that this stone is erected with the wall. It seems that cement mixture had been laid below the stone. I had read that portion of extracts from the book of Dr. T.P.Verma and Dr.S.P.Gupta, which I had given in para 1 of my affidavit.

(Cross-examination in Suit No.5/89, by Shri Ajay Kumar Pandey, Advocate concluded)

(Cross-examination Defendant No.22, Shri Madan Mohan Gupta, Convenor, Akhil Bhartiya Shri Ram Janambhoomi Jeernodhar Samiti., by Kumari Ranjana Agnihotri)

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It is correct to say that I was born in Hindustan ie. Bharatvarsh. I am Indian but it is not correct to say that I am Hindustani archaeologist because an archaeologist is an archaeologist. He is not of a particular person because knowledge has no limit. Knowledge is universal. I treat social sciences as science. There are number of branches of the knowledge in the world. It is worldwide and society wise. It means the knowledge is so wide as is the world and the society. Such a classification has been done in the natural sciences as physics, chemistry and biology. Archaeology is a scientific discipline. When we take science in a general sense then archaeology is its field of enquiry. It is partly right and partly wrong to say that astrology is a cent percent science. Then said its knowledge is relative.

Question: Does archaeology not provide a cent percent result providing knowledge but is based on conception and methods and is an incomplete knowledge?

Answer: It is wrong to say that it is based on conception and methods but archaeology like other sciences is based on hypothesis of available tentative results and then materials are collected to test it and analysed it and after classification its interpretation is done. After experiment it is generalized at several times and tested through experiments. It is the method of science. In para 2 of my affidavit I had used word adequate,

which means he might have sufficient knowledge and experience and practice, who had an understanding of the method and theory of archaeology and its historical background and can use it in research and derive its valid results

Question: Do I take that you are not a great scholar of archaeology?

Answer: I know archaeology and that much I had written in my affidavit. I do not claim that I am far ahead in the world.

Question: Had you understood or taken the meaning of those books in a wrong sense which you had read?

Answer It is wrong to say. But knowledge goes on expanding. I therefore when found that my earlier conclusions were wrong then I revised them.

It is wrong to say that archaeology cannot be linked with history, because archaeology is a special discipline to make history.

Question: Can historical events be proved through archaeological methods?

Answer: The historical events can be proved through archaeological means, if the archaeological remains relating to that event are available in sufficient quantity and the archaeologist is so able to recover them in a proper manner, got them or record them or analyze them and the development of science in that age and society is so much that it can be used in archaeology wherever it is required.

In M.A. I had read about the style of constructing temples. Construction of temples and their style of construction had been settled in historical time. Therefore uniform criteria cannot be applied at all the places. It is not so that length and breadth at different times may generally be the same but the standard and style developed during the historical race and where norms are fixed, similarity can be seen in them. I had seen many ancient temples but I am not expert of History of temple architecture. The arguing learned lawyer drew attention of the witness to the statement given by him in this court on 9.9.2000, to its 12 line on page No.71 'So I had given my opinion.....'. After reading it the witness said I had given such a statement and it is correct and it is about a specific structure. It is not related to the theory of architecture. I in my affidavit have given my opinion on the basis of my knowledge. I had heard the name of Sardar Patel. I had heard the name of Amir Khusro. I cannot say about the parents of Amir Khusro. I had also heard the name of Shivaji. I know him as Shivaji Maratha. I had heard the name of Maharana Pratap. In the documents of very late period Babar had been said as Kalandar, but I do not remember it at present.

Your this saying that many temples were broken during Mughal period and Masjids were made at their places such as Somnath, Kashi and Mathura. It is partly true because the temple of Somnath was not demolished during the Mughal period. The temples of Kashi and Mathura were demolished during the time of Aurangzeb, from where the down fall of Mughal empire started. I had come to know that Sardar Patel alongwith K.M. Munshi were also interested in Somnath temple. But I had no specific knowledge in this regard. I know that during medieval period according to the Brahaminic tradition the

ruler who built a temple for self or for the community or with their support, it was built as per rules of architecture and astrology. The position of a kitchen in a house to be constructed is not the thing of architecture but it depends upon the presumption of astrology based on mythic. I do not know about 'Agnikon'. There had been development in building construction and there had been regional and social diversities in them. It is not a general principle. I do not know now whether 'Kop Bhawan' had been built anywhere or not.

I had heard the name of 'charwak'. The scope of charwak had ended much earlier. The question of my being his follower does not arise.

I had heard the name of Dashrath, who is traditionally called Maharaja. He was not a chakravarti king. It is also not definite whether he was king in the sense of monarch or not.

The pillars of black stone which were fixed in the disputed building i.e. Babri Masjid some of them were of full length and some were broken. Those were intentionally fixed and broken, that is not so. I had not read Ramcharitmanas. I had heard the name of Dhirtrashtra of Mahabharat. Traditionally he was called Maharaja.

I had seen the gate which you are saying as 'Singh Dwar' on the north side boundary of Babri Masjid. In Ayodhya the largest industry is related to Hindu mandirs and many people are earning their livelihood from there.

Question: I am to say that you are replying my question without keeping in view your faculty to say what is true and what is false?

Answer: It is wrong. I had my self said that I am replying the questions on the basis of my faculty of reasoning of truth and not falsehood .

(Cross-examination on behalf of Shri Madan Mohan Gupta, Convenor, Akhil Bharatiya Shri Ram Janambhoomi Jeernodhar Samiti, defendant No.20 by Kumari Ranjana Agnihotri, Advocate, concluded.)

(Defendant No.13 Shri Dharm Das's advocate Shri Satya Deo Singh was called. After calling his name he did not turn up. Cross-examination - nil).

(Defendant No.10, Hindu Maha Sabha, Defendant No. 17 Shri Ramesh Chander Tripathi on their behalf the cross-examination done by Shri Han Shankar Jam on behalf of other defendants was accepted.)

(Shri Rajender Singh S/o Late Shri Gopal Singh Visharad, Defendain Suit No.1/89 on his behalf cross-examination done by Shri Puttu Lal Mishra, Advocate on behalf of other defendants in Suit No.5/89 was accepted.)

Cross-examination on behalf of all the plaintiffs and defendants concluded. The witness is discharged.

Verified after reading the statement

Sd/-  
Suraj Bhan  
12.9.2002

Under my orders, stenographer typed in the open court.

Sd/-  
12.9.2002